|  |  |
| --- | --- |
|  | WANDSWORTH COUNCIL Regulatory Services Partnership Environment & Regeneration Merton Civic Centre 100 London Road Surrey, SM4 5DX |

APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE

UNDER THE LICENSING ACT 2003

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

|  |
| --- |
| **I** (Insert name of applicant)      |

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below** (delete as applicable)

#### Part 1 – Premises or club premises details

|  |
| --- |
| **Name of premises or club**      |
| Postal address of premises or, if none, ordnance survey map reference or description      |
| **Post Town**      | **Post Code**      |

|  |
| --- |
| Name of premises licence holder or club holding club premises certificate (if known)      |

|  |
| --- |
| Number of premises licence or club premises certificate (if known)      |

**Part 2 – Applicant Details**

I am

Please X

1. an individual, body or business which is not a responsible authority [ ]

(please read guidance note 1, and complete (A) or (B) below)

1. a responsible authority (please complete (C) below) [ ]
2. a member of the club which this application relates (please complete (A) below) [ ]

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as appropriate)

Please X

Mr [ ]  Mrs [ ]  Miss [ ]  Ms [ ]  Other title:

|  |  |
| --- | --- |
| **Surname**      | **First Name(s)**      |

**I am 18 years old or over** [ ]  Please X

|  |
| --- |
| Current postal address if different from premises address      |
| **Post Town**      | **Post Code**      |
| **Daytime telephone number**      | **Mobile number** (optional)      | **Email address** (optional)      |

**(B) DETAILS OF OTHER APPLICANT**

|  |
| --- |
| Name and address      |
| **Post Town**      | **Post Code**      |
| **Daytime telephone number**      | **Mobile number** (optional)      | **Email address** (optional)      |

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

|  |
| --- |
| Name and address      |
| **Post Town**      | **Post Code**      |
| **Daytime telephone number**      | **Mobile number** (optional)      | **Email address** (optional)      |

This application to review relates to the following licensing objective(s)

 Please X one or more boxes

1. the prevention of crime and disorder [ ]
2. public safety [ ]
3. the prevention of public nuisance [ ]
4. the protection of children from harm [ ]

|  |
| --- |
| **Please state the ground(s) for review** (please read guidance note 2)      |

|  |
| --- |
| **Please provide as much information as possible to support the application** (please read guidance note 3)      |

 Please X **YES**

Have you made an application for review relating to this premises before [ ]

|  |  |  |  |
| --- | --- | --- | --- |
| If yes please state the date of that application | Day | Month | Year |
|  |       |       |       |       |       |       |       |       |

|  |
| --- |
| If you have made representations before relating to this premises please state what they were and when you made them      |

Please X **YES**

* I have sent copies of this form and enclosures to the responsible authorities [ ]

and the premises licence holder or club holding the club premises certificate,

as appropriate

* I understand that if I do not comply with the above requirements my application [ ]

will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitors or other duly authorised agent** (see guidance note 5)**. If signing on behalf of the applicant please state in what capacity.**

Signature

Print Name

Date

Capacity

|  |
| --- |
| **Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 5)      |
| **Post Town**      | **Post Code**      |
| **Daytime telephone number**      | **Mobile number** (optional)      | **Email address** (optional)      |

#### Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

|  |  |
| --- | --- |
|  | WANDSWORTH COUNCIL Regulatory Services Partnership Environment & Regeneration Merton Civic Centre 100 London Road Surrey, SM4 5DX |

LICENSING ACT 2003

HOW TO SEEK A REVIEW OF A PREMISES LICENCE

1. What should I do if I have a problem with a licensed premises?

In the first instance discuss the issues informally with the premises licence holder. In many cases they will not be aware of the problem and this will give them the opportunity to resolve the issues.

If this does not lead to an improvement, then you should contact the council. Report incidents to the appropriate council team below, or to the police as appropriate:

* Breach of licensing conditions - The Council’s Licensing Team on 020 8871 6160
* Noise from entertainment at premises - The Council’s Noise Team on 020 8871 6170 during office hours, 020 8871 7869 outside office hours
* Protection of children and safety issues - The Council’s Health & Safety Team on 020 8871 6139
* Underage sales - The Council’s Trading Standards Team on 020 8871 6160
* Crime and disorder -The Metropolitan Police - licensing section on 020 8247 8607
* Breach of Planning Conditions - Planning Officer on 0208 8871 8871

You should start to keep a written record detailing each incident, including the date, time and how you were affected. This information can be crucial if your complaint cannot be resolved informally.

You can also contact your ward councillor or MP.

1. What can be done if the problems continue?

If the problems persist and cannot be resolved informally and it can be demonstrated that the licensing objectives are being undermined, then an individual may apply to the council for a review of the premises licence.

1. Who can apply for the review of a premises licence?

Other persons -

* an individual, body or business which is not a responsible authority

A responsible authority -

* police, fire authority, health and safety enforcing authority, planning authority, local authority pollution officer, person responsible for the protection of children from harm, the local weights and measures authority and licensing authority.
1. Grounds for the review.

Information including that in the diary must relate to one or more of the licensing objectives. These are:

* The prevention of crime and disorder (for example drug-related problems, disorder, drunkenness and anti-social behaviour)
* Public safety (the physical safety of people using the venue)
* The prevention of public nuisance (for example noise from music, litter and light pollution)
* The protection of children from harm (including moral, psychological and physical harm)
1. How do I go about seeking a review?

You must give notice by completing the attached form and sending it to the Licensing Authority. On the same day you must send a copy of the form, which has your name and address on it, to the holder of the premises licence or to the club in question. You must also send a copy to each of the 8 responsible authorities – details below. The Licensing Authority (the Council) may reject any grounds for review if they are not relevant to one or more of the licensing objectives or if they are frivolous, vexatious or repetitious. If this is the case you will be notified by the Licensing Authority with the reasons for the decision.

1. How do I fill in the form?

In the opening statement you should give the name of the person or body applying for the review. You should also indicate whether you are applying for the review of a ‘premises licence’ or ‘club premises certificate’ by deleting as applicable.

Part 1 – Premises or club premises certificate

This section asks for the details of the premises concerned in the review. This information should be available on the ‘Summary’ of the licence or certificate, which will be displayed at the premises, or will be available from the Safety and Licensing Team.

Part 2 – Applicants details

This section asks you to indicate in what capacity you are applying for a review, and to fill in the appropriate boxes.

An application for a review of a licence or certificate must be about the effect the licence is having on at least one of the four licensing objectives (see above). You should indicate which licensing objective(s) the application relates to.

You should state the ground(s) for review, and provide as much information as possible to support the application. You may use extra sheets or paper if necessary. Details may include, for example, dates that problems occurred and how the problems affected you.

The application must be signed. An applicant’s agent (for example a solicitor) may sign the form on their behalf).

1. What happens next?

The Licensing Authority must advertise the application for review for 28 days by displaying an A4 notice of pale blue colour at, on or near the site of the premises where it can be conveniently read from the exterior of the premises. It will also be advertised in the concourse of Wandsworth Town Hall and on the Council’s website. The public notice must, amongst other matters, state the grounds for review and invite representations to the Licensing Authority. The advertisement will also give the date by which relevant representations must be received.

The matter will then go before the Licensing Sub-Committee who will consider the application for review together with any relevant representations. You or your representative must therefore be prepared to go to the Sub-Committee to present your case.

After hearing all the facts the Licensing Sub-Committee may:

* modify the conditions of the licence
* exclude a licensable activity from the scope of a licence
* remove the designated premises supervisor
* suspend the licence for a period not exceeding 3 months
* revoke the licence
1. Can the licensee appeal the decision of the Licensing Sub-Committee?

Yes the applicant may appeal the decision of the Sub-Committee to the Magistrates Court. If this is the case, you are likely to be asked to attend Court to give evidence. If you are aggrieved by the decision of the Sub Committee you also have the right to appeal the decision to the Magistrates Court.

RESPONSIBLE AUTHORITIES CONTACT LIST

**Person responsible for preventing the risk of pollution or harm to human health:**

Environmental Health Authority

Regulatory Services Partnership (serving Merton, Richmond and Wandsworth Councils)

Merton Civic Centre

London Road

Morden

SM4.5DX

Email: foodandsafety@merton.gov.uk

**Person responsible for** **protection of children from harm:**

Wandsworth Safeguarding Children Board

Town Hall

Wandsworth High Street

London, SW18 2PU

Email: wscb@wscb.org.uk

**Planning:**

Borough Planner

Town Hall,

Wandsworth High Street

London

SW18 2PU

planning@wandsworth.gov.uk

**Health and Safety enforcing authority**:

*For retail premises, pubs, clubs, churches, most places of entertainment, and restaurants etc*

Environmental Health Authority

Regulatory Services Partnership (serving Merton, Richmond and Wandsworth Councils)

Merton Civic Centre

London Road, Morden

SM4.5DX

Email: licensing@merton.gov.uk

*Most schools, colleges, universities, council or government occupied buildings, factories, film & TV studios, and railway stations*

Health and Safety Executive

Rose Court

2 Southwark Bridge

London SE1 9HS

**Local weights and measures authority**:

Trading Standards

Environmental Health Authority

Regulatory Services Partnership (serving Merton, Richmond and Wandsworth Councils)

Merton Civic Centre

London Road

Morden

SM4.5DX

Email: tradingstandards@merton.gov.uk

**Metropolitan Police**:

Licensing Section

Lavender Hill Police Station

176 Lavender Hill

London SW11 1JX

Tel 020 8247 8607

Email:SouthWestSWMailbox-.LicensingWandsworth@met.pnn.police.uk

**London Fire Brigade:**

Fire Safety Regulation: South West Area 4

London Fire Brigade

169 Union Street

London SE1 0LL

Tel 020 7587 2601

Email firesafetyregulationSW@london-fire.gov.uk

**Person responsible for public health:**

Ms Anna Bryden

Joint Acting Director of Public Health (Wandsworth)

Wandsworth Town Hall

Wandsworth High Street

London SW18 2PU

Tel: 020 8734 3454

Email:Anna.Bryden@richmondandwandsworth.gov.uk

**The Licensing Authority**

Environmental Health Authority

Regulatory Services Partnership (serving Merton, Richmond and Wandsworth Councils)

Merton Civic Centre

London Road, Morden

SM4.5DX

Email: licensing@merton.gov.uk

**Home Office (Immigration Enforcement)**

* Alcohol Licensing Team
* Lunar House
* 40 Wellesley Road
* Croydon CR9 2BY

Email: Alcohol@homeoffice.gsi.gov.uk

|  |  |
| --- | --- |
|  | WANDSWORTH COUNCIL Regulatory Services Partnership Environment & Regeneration Merton Civic Centre 100 London Road Surrey, SM4 5DX  |

LICENSING ACT 2003

INCIDENT RECORD SHEET

**Premises Address:**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Date | **Time incident started** | **Time incident ended** | **Type of incident** | **Effect of incident** | **If reported where/when** |
| The prevention of crime & disorder |
|       |       |       |       |       |       |
| Public safety |
|       |       |       |       |       |       |
| The prevention of public nuisance |
|       |       |       |       |       |       |
| The protection of children from harm |
|       |       |       |       |       |       |