

If you would like any part of this document interpreted into your own language, please phone 020 8753 4040.

Russian
Если вы хотите, чтобы какая-либо часть этого документа была устно переведена на ваш язык, пожалуйста, позвоните по телефону 020 8753 4040.

Polish
Jeśli chciałbś jakaolwiek część tego dokumentu przetłumaczyć na język ojczysty, to proszę zadzwonić pod numer 020 8753 4040.

French
Si vous souhaitez qu'une partie de ce document soit traduite dans votre langue, veuillez appeler le 020 8753 4040.

Spanish
Si desea alguna parte de este documento en su propio idioma, llame al 020 8753 4040.

Albanian
Nese do deshironi ndonje pjese te ketij dokumenti te perkthyer ne gjuhen tuaj, telefononi 020 8753 4040.

Amharic
የዚህ ደብዳቤን ግንኙነት ከቶል በራሱም ጀምሮ እንዲተረጎምልዎት ከፈለጉ እባክዎን በቁጥር 020 8753 4040 ይደውሉልን።

Portuguese
Se desejar qualquer parte deste documento interpretada no seu idioma, telefone por favor para 020 8753 4040.

Somali
Haddii aad jeclaan laheyd in qeyb dukumentigan ka mid ah luqaddaaada ama afkaaga laguugu turjumo, fadlan teleefoon u soo dir 020 8753 4040.

Punjabi
ਜੇਕਰ ਤੁਹਾਨੂੰ ਇਸ ਦਸਤਾਵੇਜ਼ ਦੇ ਕਿਸੇ ਵੀ ਹਿੱਸੇ ਦਾ ਕੀਤਾ ਹੋਇਆ ਅਨੁਵਾਦ ਤੁਹਾਡੀ ਅਪਣੀ ਭਾਸ਼ਾ 'ਚ ਚਾਹੀਦਾ ਹੈ, ਤਾਂ ਕ੍ਰਿਪਾ ਕਰਕੇ ਟੈਲੀਫੋਨ ਕਰੋ 020 8753 4040.

Gujarati
જો તમને આ દસ્તાવેજનાં કોઈપણ ભાગનું કંઈક ભાષાંતર તમારી પોતાની ભાષામાં જોઈએ છે તો, મહેરબાની કરી ટેલિફોન કરો 020 8753 4040.

Hindi
यदि आपको इस दस्तावेज के किसी भी हिस्से का क्रिया हुआ अनुवाद अपनी भाषा में चाहिए, तो कृपया टैलिफोन करें 020 8753 4040.

Urdu
اگر اس دستاویز کے کسی بھی حصہ کا ترجمہ آپ کو اپنی زبان میں چاہئے تو براہ مہربانی ٹیلی فون کریں: 020 8753 4040

Farsi
اگر شما میخواهید هر بخشى از اين سند به زبان شما براي تان ترجمه شفاهى بشود لطفاً با شماره تلفن 020 8753 4040 تماس بگيريد.

Arabic
إذا كنت ترغب بالحصول على ترجمة فورية لأي جزء من هذه الوثيقة، فيرجى الاتصال ب: 020 8753 4040

Visit our website:
www.lbhf.gov.uk
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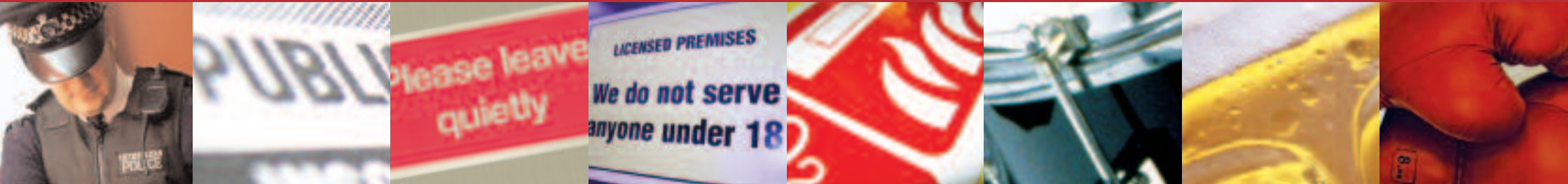
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Lf.ENV Guidance notes6



Licensing Act 2003 How to apply for a review of a premises licence

This leaflet gives guidance on who can make a representation and request a review of a premises licence.

Guidance notes 6



Reviews

The Licensing Act 2003 is based around four principles; prevention of crime and disorder, promotion of public safety, prevention of public nuisance and protection of children from harm.

At any stage, following the grant of a premises licence, a responsible authority (such as the Police or the Fire Authority), or an interested party (such as a resident living in the vicinity of the premises), may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives listed above.

Who can ask for a review?

The legislation defines those who can make representations as the following:

An interested party

An interested party is a person living in the vicinity of the premises; or a body representing persons who live in the vicinity of the premises; or a person involved in a business in that vicinity; or a body representing persons involved in such businesses.

'In the vicinity' is a broad term and difficult to define precisely. If you are directly affected by the activities of a premises, either in your home or at your place of business, you are likely to be located 'in the vicinity.' Accordingly, you would be someone who could make a representation or apply for a review.

Responsible authorities

Responsible authorities are the Police, Fire Authority, Health and Safety Authority, Planning Authority, Trading Standards Authority, Pollution Control and Child Protection Committee. These authorities are able to request a premises review.

The Licensing Authority has no power itself to object to a licence application or initiate a review.

3. Pollution control team (night time)

Email: environmentalprotection@lbhf.gov.uk

Phone: 020 8748 8588

Fax: 020 8753 3922

London Borough of
Hammersmith & Fulham
Environmental Protection
5th Floor

Town Hall Extension

King Street, London, W6 9JU

Website: www.lbhf.gov.uk

4. Trading Standards

Email: trading_standards@lbhf.gov.uk

Address as Licensing Authority

5. Health & Safety

Email: environmentalprotection@lbhf.gov.uk

Address as Licensing Authority

6. Area Child Protection Committee

Email: acpclicensingact@lbhf.gov.uk

Phone: 020 8753 5125

Fax: 08717 502 342

FAO ACPC Development Worker
Hammersmith & Fulham
Children Services
1st Floor, Sawley Road
London, W12 0NZ

7. Planning Authority

Email: Environment@lbhf.gov.uk

Phone: 020 8753 1084

Fax: 020 8753 3470

FAO: Julian Renselar

Planning Division

Environment Department

3rd Floor

Town Hall Extension

King Street, London, W6 9JU

Other useful contacts:

Pollution control team (daytime)

Email: environmentalprotection@lbhf.gov.uk

Phone: 020 8753 1084

Fax: 020 8753 3922

London Borough of
Hammersmith & Fulham
Environmental Protection
5th Floor

Town Hall Extension

King Street, London, W6 9JU

Website: www.lbhf.gov.uk

Further information

Please contact us at any time for advice or to request a review form.

This leaflet provides advice based on information available at the time of writing. It is intended for guidance only and does not provide authoritative legal advice. Only the courts can interpret legislation with definitive authority. You are advised to seek your own professional advice where necessary.

We welcome your comments on this or any other of our leaflets, so as to ensure they meet the needs of the users of our services.

If you have difficulty understanding this leaflet for any reason please contact us to discuss other formats that we can provide.

Penultimate page of leaflet:

How to contact us:

The Licensing Authority:

London Borough of
Hammersmith & Fulham
Licensing Authority

Email: licensing@lbhf.gov.uk

Phone: 020 8753 1084

Fax: 020 8753 3922

Environmental Protection

5th Floor

Town Hall Extension

King Street,

London, W6 9JU

Website: www.lbhf.gov.uk

Responsible authorities:

1. The Chief of Police

Email: ron.brooke@met.pnn.police.uk

Phone: 020 8246 2974

Fax: 020 8246 2881

Metropolitan Police

FAO: Ron Brooke

Fulham Police Station

Heckfield Place

London, SW6 5NL

2. London Fire & Emergency Planning Authority (LFEP),

Email: hammersmith&fulhamgroup@london-fire.gov.uk

Phone: 020 7587 4800

Fulham Community Fire

Safety Centre

190-192 Shepherds Bush Road

London, W6 7NL

What is the best way to prepare for a review?

It is important that a representation or a request for a review of a premises licence is not frivolous, vexatious or repetitious. In such cases, the law requires that this representation or request for review be denied. A repetitious representation is one that is made on the same grounds as an earlier representation and insufficient time has passed between the two applications, unless there are compelling reasons for the case.

In order to prepare for a successful review the following steps are recommended:

1. Speak to the person responsible for the management of the premises that are causing the nuisance and explain to them why the premises are causing a problem to you. Keep a record of this discussion and the outcome.
2. Contact our Enforcement Protection team whenever the premises are causing a nuisance so that an independent professional person is able to witness the problems you are experiencing. The contact number and address for this service can be found at the end of this leaflet.
3. Keep a clear and factual record of when the activities in the premises cause a nuisance to you. Detail such as:
 - What is causing the nuisance
 - When it occurs
 - How often it occurs
 - How long the nuisance lasts for
 - How it affects you personally
 - What you did to mitigate the circumstances

Video, tape recording or photographic evidence is also particularly useful. It is important that this information is precise, in that the problem you are experiencing relates to the premises. A one off event would not normally be considered as reason for a review of a premises licence.

4. If after a reasonable period of time you can demonstrate a pattern of disturbance and the nuisance continues, although the premises have received informal warnings, then it is time to call the licence in for review.

How do I apply for a review of a premises licence?

The application for review must relate to a particular premises for which a premises licence is in existence (to check if a premises has a licence please visit our website on www.lbhf.gov.uk under the heading 'licensing') and must be relevant to the promotion of one or more of the licensing objectives.

The application must be made on the prescribed form, which can be found on our website (www.lbhf.gov.uk under 'licensing',) or the licensing authority can be contacted and they will send one to you.

This form must be sent to the licensing authority, details of which can be found at the end of this leaflet. It should be accompanied by any supporting evidence for your case.

You must also send this form and any supporting information to the premises licence holder and each of the responsible authorities. Details of the responsible authorities are given at the end of this leaflet. There are 7 in total.

Any late submission of evidence may result in it not being able to be used.

Please note: the Licensing Act 2003 does not have the provisions to protect anonymity and therefore your name and address will be and any supporting information may be passed to the holder of the premise licence so that it can be proved that you are within 'the vicinity' of the premises.

If your application for review is accepted as valid then the Licensing Authority will display the application at the premises concerned, the council offices and on their website for 28 days. Any other interested person may make representations in writing to the licensing authority. At the end of this time a hearing will be held

(usually) within 28 days. You, the licence holder and any other people making representations will be invited to attend.

Following a hearing the Licensing Sub-Committee can decide to either take no action, impose new conditions or modify existing ones, restrict the hours of licensable activities or exclude licensable activities, remove the designated premises supervisor, suspend the licence for up to 3 months or revoke the licence all together.

Appeals

Anyone who lodges a representation or a review may appeal against the decision of the Licensing Authority to the Magistrates court.

The premises licence holder may also appeal against any decision made.

Other legislation

The licensing system is not the only way of regulating licensed premises and other legislation may apply. The Act should not duplicate other legislation and legislation to control noise problems, health and safety at work or fire safety legislation may be more appropriate to deal with a particular problem.

If your problem with the premises is noise/nuisance related please contact our pollution team.

If the problem is related to safety, then please contact the health and safety team.

If the problem is related to fire safety then please contact the London fire & Emergency Planning Authority (LFEPA.)

If in doubt as to the best person to contact the licensing authority will be able to give you the required information.