

**Licensing Act 2003**  
**Licensed Premises causing problems?**

Civic Centre Queen Elizabeth Drive Pershore Worcs WR10 1PT  
(01386) 565000 [www.wychavon.gov.uk](http://www.wychavon.gov.uk) DX 25934 Pershore



If you are suffering problems because of the way in which licensed premises are run, the Licensing Act gives us new powers that may help you. These powers are not to be taken lightly as they are a legal process that might significantly restrict businesses.

To find out how we deal with licensing matters please read our statement of licensing policy – we will send you a copy on request or you can download it from the licensing section of our Internet site.

To deal with your immediate problems you should first ask the enforcement authority responsible to help you – for example, problems with crime or disorder should be referred to the Police and our Environmental Protection team should be asked to deal with music noise keeping you awake at night.

### **Who can request a review?**

Responsible Authorities (listed at the end of this fact sheet) and Interested Parties can ask that we “review” premises licences or club premises certificates. Interested parties are people or businesses in the vicinity who are personally and directly affected by the activities of the licensed premises.

There is no need to wait for licence renewal; reviews can be asked for at any time. But we won't accept requests for review that are deemed “repetitious or vexatious.”

### **The Application Process**

Ask us for an application pack - or download the forms yourself from the alcohol and entertainment section of the Department of Culture, Media and Sport's Internet site (<http://www.culture.gov.uk>).

On the application form you will need to give:

- Which licensing objective(s) you believe are being undermined by the way that the business is being run. The licensing objectives are protection of children, prevention of crime and disorder, public nuisance and public safety.
- What evidence you have to support your request. For example, if you are suffering noise problems you might provide a diary showing how you have been affected.

The application must be sent to us with a copy sent by you to the premises license holder or club holding the club premises certificate and a copy to each of the responsible authorities (listed on pages 2-4).

You may wish to contact the Licensing Unit to confirm the grounds for your request for review are relevant to the licensing objectives and are not frivolous, vexatious or repetitious.

## What happens after your request for review has been accepted?

Once we have accepted your request for review the Licensing Unit will arrange for a public notice to be displayed at or near the premises giving details of the request for review. Additionally a public notice will be displayed at the Civic Centre and on the licensing website. The notices will be displayed for a period of 28 day from the date or receipt of the request.

After this time if the premises licence holder or club holding the club premises certificate have failed to resolve the concerns that have been raised, a public hearing will be held before our Licensing Sub-Committee within 20 working days. At this hearing you and the premises licence holder or club holding the club premises certificate can speak and the Councillors will make a decision based on our Statement of Licensing Policy and the Secretary of State's Guidance on the Act. The request will be determined and a decision given at the meeting.

The sub-committee may modify the conditions of the license, exclude a licensable activity from the scope of the license, remove the designated premises supervisor, revoke or suspend for up to 3 months an existing licence or certificate, or reject the Review request.

## Appeals

The applicant and anyone who lodged an objection may appeal against the decision of the Council, to the Magistrates Court.

See our separate fact sheets together with information (including frequently asked questions) on our web site: [www.wychavon.gov.uk/lic](http://www.wychavon.gov.uk/lic)

## The responsible authorities

Application for a review of a premises licences or club premises certificates must be served on us at:

### **The Licensing Unit**

Environmental Services  
Wychavon District Council  
Civic Centre  
Queen Elizabeth Drive  
Persore,  
Worcs., WR10 1PT

with copies sent to the premises licence holder or club holding the club premises certificate and each of the "responsible authorities" listed below within 48 hours of delivery to the licensing unit.

### **The Chief Officer of Police**

C/o Licensing Officer  
West Mercia Constabulary  
Police Station  
Castle Street  
Worcester, WR1 3QX Phone 01905 331037  
Email: [licensing.southworcs@westmercia.pnn.police.uk](mailto:licensing.southworcs@westmercia.pnn.police.uk)

**Before submitting a request for a review, applicants should take advice from the Licensing Unit to ensure it can be accepted**

Internet <http://www.westmercia.police.uk>

The Fire Authority:

**Hereford & Worcester Fire and Rescue Service,**

Fire Safety Department,

The Fire Station,

Worcester Road,

Malvern Link,

Worcestershire. WR14 1TD Phone 01684 572948 Fax 01684 572190

Website <http://www.hwfire.org.uk>

The **health and safety enforcing authority for the premises:** There are two choices, If you don't know which applies, then phone us. Normally the correct authority will be the team at Wychavon.

**Health & Safety Team,**

Environmental Services

Wychavon District Council

Civic Centre

Queen Elizabeth Drive

Pershore

Worcs., WR10 1PT

Phone 01386 565015

Fax 01386 561826

**But you may need to notify:**

**The Health and Safety Executive**

Haswell House

St Nicholas Street

Worcester

WR1 1UW

Phone 01905 743600

**The Planning Service Centre**

Wychavon District Council

Civic Centre

Queen Elizabeth Drive

Pershore

Worcs., WR10 1PT

Phone 01386 565135

**The Environmental Protection Section,**

Environmental Services

Wychavon District Council

Civic Centre

Queen Elizabeth Drive

Pershore

Worcs., WR10 1PT

Phone 01386 565015, Fax 01386 5618

Alan Ferguson

**Child Protection** Service Manager, Safeguarding Quality and Assurance

Wildwood Way

Worcester, WR5 2NP

Phone 01905 728841

### **Head of Trading Standards**

Trading Standards & Scientific Services

Worcestershire County Council, County Hall

Wildwood Way, Worcester WR5 2NP Phone - 01905 765394, Fax - 01905 765393

**Plus - any other adjoining licensing authority** (other than the relevant licensing authority) in whose area part of the premises is situated.

### **Only in relation to a vessel:**

UpperAvon Navigation Trust Ltd

Bridge 63

Harvington, Evesham

Worcestershire

WR11 8NR

Phone 01386 870 526

or

The Lower Avon Navigation Trust

Mill Wharf, Mill Lane, Wyre Piddle

Pershore, Worcs

WR10 2JF

Phone 01386 552517

- Environment Agency Midland Region, Riversmeet House, Tewkesbury,

Glos., GL20 8JG, phone 08708 506506

- British Waterways Board, or the Secretary of State

### **Electronic Service of Applications**

The legislation does permit electronic service but only after prior agreement with the authorities involved. Where service is by electronic means, the periods for determination of applications will not begin until all necessary hard copy documents are received.

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### **Get help at:**

Licensing Unit, Environmental Services

Wychavon District Council

Civic Centre

Queen Elizabeth Drive

Pershore

Worcestershire WR10 1PT

Phone 01386 565016

Fax 01386 561826

Web <http://www.wychavon.gov.uk/lic>

Email [licensing@wychavon.gov.uk](mailto:licensing@wychavon.gov.uk)

