

## THE NEW LICENSING LAWS - How to object to licence variations

Anyone living in the vicinity of a licensed premises (which may mean demonstrating they are close enough to be affected by the premises) has the right to object to licence variations. If there are no objections, then new licences will automatically be granted with the variations included.

Variations can be considerable: extension of operating hours; addition of off-sales; outdoor activities; music; dancing, and the removal of any or all previous licence conditions, such as the restriction of noise levels.

Watch out for notices of application for a new licence, which have to be posted on a blue form outside the premises and in a locally distributed paper, possibly (but not necessarily) the Richmond & Twickenham Times.

Shortly after receiving an application, Richmond Council, will place a copy in Richmond Reference Library in Whitaker Avenue and summarise it on their web site at [www.richmond.gov.uk](http://www.richmond.gov.uk) Once in the Home Page, enter 'licensing' in the Search box and follow through to 'Licensing applications received'. Applications at the library will have a detailed operating plan. It is important to read this document if you are making an objection.

Any questions about the application can be made by telephoning the Council's licensing department on 020 8831 6455.

Most important of all: objections must be with the Licensing Department, London Borough of Richmond upon Thames, 7B Parkshot, Richmond, TW9 2RT by hand or post by 5pm, or by email at [licensing@richmond.gov.uk](mailto:licensing@richmond.gov.uk) by 23:59, on the advertised closing date. Best to check the closing date on the notice of application with the licensing department as some discrepancies have arisen as to the date from which the 28 days notice runs.

Objections will be heard in due course by the Licensing Sub-Committee of Richmond Council and objectors will be notified in advance; they have the right to address the hearing but will need to confirm attendance prior to the hearing.

You may wish to contact the police to see what position they will be taking on the premises in question and seek help and support from your ward Councillors. The Richmond Society or Friends of Richmond Green may also be able to help. So please get in touch.

To object to any licence application, a case must be made, as far as possible supported by evidence of problems caused by the premises, only on the grounds that one or more of the four Licensing Act objectives will not be met.

The licensing objectives are:

- *the prevention of crime and disorder*
- *public safety*
- *prevention of public nuisance*
- *protection of children from harm*

The types of issues objectors may wish to raise need to be specific to each premises and to the impact of that premises on the objector. We do not know what factors the Council and the Courts will consider but these will be based on the Act, related government Guidance and the Council's Licensing policy and could include (depending on the specific case):

1. Previous decisions (including conditions) taken by licensing magistrates or Richmond Council under the old licensing system.
2. Findings of the Erskine Report on the significant level of anti-social behaviour (ASB) in the town centre (see Reference Library or Council web site for a copy of the report).
3. Risks of extended hours resulting in crime, disorder and public nuisance at night in the public spaces at the most sensitive time for residents needing sleep.
4. Limited public transport at night.
5. Lack of police resources to deal with low level ASB in the evenings.
6. Unsuitable buildings and their siting giving rise to disturbance from music 'breakout', deliveries, clearing up, and noise from people outdoors at or near the premises.
7. Air conditioners and extractors running at night.

***Produced by Friends of Richmond Green June 2005***