

## How to make a Representation (Licensing Act 2003)

The statutory representation period begins the day after a valid application is received by the licensing authority and lasts for 28 consecutive days. During this time there must be at least one public notice in a local paper and a blue A4 public notice displayed on site for 28 consecutive days.

The application will also appear on the public register

<https://www.surreyheath.gov.uk/council/public-notices>

- **Prevention of Crime and Disorder** - relates to any crime, disorder or anti-social behaviour in connection with the management of the premises. The licence holder cannot be responsible for the conduct of individuals once they leave the premises.
- **Public Safety** - relates to the safety of the public on the premises – such as fire safety, lighting and first aid.
- **The prevention of public nuisance** - can relate to hours of operation, noise and vibration, noxious smells, light pollution and litter.
- **The Protection of Children from Harm** - relates to protecting children from the activities carried out on the premises whilst they are on the premises. The law already provides special protections for children, such as making it illegal for children under 18 to buy alcohol

All representations must be about the likely effect of granting the licence on the promotion of at least one of the four licensing objectives. It would be wise, therefore, to explicitly link any representation to one or more of the objectives.

It will also assist if the representation is specific to the premises and evidence based. Interested parties may, therefore wish to talk to local police beforehand, or document problems themselves by, for example, keeping a diary or photographic evidence of any incidents.

Licensing authorities will need to be satisfied that there is an evidential and causal link between the representation made and the effect on the licensing objectives.

In addition the licensing authority can only consider representations that are not “vexatious” or “frivolous”.

### What does frivolous or vexatious representation mean?

“Frivolous” or “vexatious” will bear their ordinary meaning. Whether representations are frivolous or vexatious will be for the licensing authority to determine. For example, the licensing authority might find the representations were vexatious if they arise because of disputes between rival businesses or they might be frivolous representations if they plainly lacked seriousness.

If you are concerned that granting a licence in the terms it has been applied for is likely to have an effect on the promotion of one or more of these objectives you have 28 days to make a representation to the licensing authority. We recommend that if you wish to object to an application for a premises licence you use the representation form found below.

**Representation (objection) may not be made anonymously. Any representations that are received will be included in a report to the licensing Committee. This report will be a public document and will be circulated to the parties involved prior to the hearing.**

**Licensing Act 2003 – representation in respect of premises licence / club premises certificate**

<b>Details or body making representation</b>	
Your Name	
Your Address	

<b>Details of premises representation is about</b>	
Name of premises	
Address of premises	
Application number (if known)	

<b>Please tick one or more of the licensing objectives that your representation relates to:</b>	
Prevention of Crime and Disorder	
Public Safety	
Prevention of Public Nuisance	
Protection of Children from Harm	

<b>Please summarise your concerns about this application</b>

Please give further details of why you believe this application will have an adverse effect on the licensing objectives

Return your completed form to:

Surrey Heath Borough Council  
Surrey Heath House  
Knoll Road  
Camberley  
GU15 3HD

Or by email: [Licensing@surreyheath.gov.uk](mailto:Licensing@surreyheath.gov.uk)