

SEX ESTABLISHMENTS LICENSING – OBJECTIONS

Making a Representation / Objection

When considering an application for the grant, renewal or transfer of a licence the Licensing Authority will have regard to any observations submitted to it by the Chief Officer of Police and any objections that have been received from anyone else within 28 days of the application.

Any person can object to an application. Objections should not be based on moral grounds / values, but should be relevant to the following:

- a) that the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- b) that if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;
- c) that the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality;
- d) that the grant or renewal of the licence would be inappropriate, having regard -
 - i) to the character of the relevant locality; or
 - ii) to the use to which any premises in the vicinity are put; or
 - iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

Objectors must give notice of their objection in writing to the Licensing Authority, stating the general terms of the objection.

Where the Licensing Authority receives notice of any objection it shall, before considering the application, give notice in writing of the general terms of the objection to the applicant. However, the objector gives their consent, their name or address will not be revealed to the applicant.

All relevant objections to the application will result in a Hearing being convened to determine the application. If the application is refused, it may only be refused based on the above listed grounds.

The outcome of the Hearing and the reasons for the decision shall be made available to all parties involved with the application by way of a Notification of Decision. This Notice will inform all parties of any right of appeal.