



Local Government (Miscellaneous Provisions) Act 1982 - Latest Applications

If you wish to make objection to a Sexual Entertainment Venue application you should follow the procedure outlined below. Where no representations (i.e. objections) are received from the Responsible Authorities (the Police,) or any other person, then the Council acting as Licensing Authority is obliged to grant the application in the terms applied for. Where representations are made (and not resolved) the application proceeds to a meeting of the Council's Licensing Committee for determination on the evidence presented by the relevant parties.

Making Representations

Representations must be received in writing within 28 days from the day after the application was given to the Licensing Authority.

Your representation must address one or more the reasons specified in the Act as reasons for refusal of an application namely:

1 Mandatory Grounds of Refusal

The application will be refused if:-

- (a) The applicant is under the age of 18.
- (b) The applicant has been disqualified from holding a licence for a period of 12 months following the revocation of a licence for a sex establishment in the area of the licensing authority.
- (c) The applicant (other than a body corporate) is not resident in the UK/EEA or was not so resident throughout the period of 6 months immediately preceding the date of the application.
- d) The applicant company is not incorporated in the UK/EEA

(e) The applicant has within a period of 12 months immediately preceding the date of the application been refused the grant or renewal of a licence for the premises in respect of which the application is made, unless the refusal was reversed on appeal

2 Discretionary Grounds of Refusal

The Licensing Authority may reject your application for any of the following reasons:

(a) The applicant is unsuitable to hold a licence

(b) The business would be managed by or carried on for the benefit of a 3rd party who would themselves be refused a licence.

(c) The number of sex establishments, or of sex establishments of a particular kind, in the relevant locality is equal to or exceeds the number which the licensing authority considers is appropriate for that locality.

(d) That the grant or renewal of the licence would be inappropriate having regard to

the character of the relevant locality; or

the use to which any premises in the vicinity are put; or

the lay-out, character or condition of the premises in respect of which the application is made.

Under this Act, representations relating to moral grounds are not relevant matters for the Committee to consider.

Representations should be sent to the Licensing Authority, Southend-on-Sea City Council, Civic Centre (Floor 5), Victoria Avenue, Southend-on-Sea, Essex SS2 6ZG or emailed to licact2003@southend.gov.uk

The identity of persons making representation will be kept anonymous and their details will not be revealed to the applicant or any other person outside of the licensing team. If they attend a hearing they will simply be known as 'objector one', 'objector two' and so on