

**LICENSING AND SAFETY COMMITTEE
29 APRIL 2010**

**REVIEW OF NEIGHBOUR NOTIFICATION SCHEME
(Chief Officer: Environment and Public Protection)**

1 INTRODUCTION

- 1.1 The purpose of this report is to update the Committee on a review recently carried out of the Neighbour Notification scheme, which was introduced in April 2007. Details of the scheme can be found at Appendix A.

2 SUPPORTING INFORMATION

- 2.1 Attached at Appendix B is a table which details all of the relevant licence applications, from 1 April 2009 to 31 March 2010, for which neighbour notification letters were sent. Column D specifies the number of letters sent for each application and column E specifies the number of representations received in response to these letters.
- 2.2 The Neighbour Notification scheme ensures that persons within the Borough who may be affected by applications for premises licences are directly notified of any such applications. This allows immediate neighbours to the premises an opportunity to consider the application and make representations or further enquiries as appropriate.
- 2.3 This procedure is in addition to the statutory requirements that are already in place in respect of advertising applications in a local newspaper and by means of a notice outside the premises. The system aims to ensure consistency with the approach used by Development Control in relation to publicising planning applications.
- 2.4 The letters sent to the neighbours of the premises contain the name of the premises and the type of application, and details on where further information regarding the application can be obtained. This is to ensure that there could be no accusation of bias or indication as to preference to the outcome of the application process.

3 IMPACT ASSESSMENT

- 3.1 There are no implications arising from this report.

4 STRATEGIC RISK MANAGEMENT ISSUES

- 4.1 There are no strategic risk management implications arising from this report.

Background Papers
Neighbour Notification Scheme

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Neighbour Notification Scheme

Neighbourhood notification seeks to ensure that those persons within the Borough who live immediately next to or opposite

- a) a licensed premises, or
- b) the proposed site for a licensed premises

are notified when there is a licence application related to that premises or site. Neighbour notification will allow immediate neighbours an opportunity to consider the application and respond if appropriate.

This process applies to any of the following:

- Application for new premises licence
- Application to vary premises licence
- Application for new club premises certificate
- Application to vary club premises certificate
- Application for new gambling premises licence
- Application to vary gambling premises licence
- Application for a review of a licence

The use of notification letters is in addition to the statutory requirements that are already in place for applicants to advertise applications in a local newspaper and on a blue notice outside the premises. The letter will contain the name of the premises, brief details of the application and how to get further information or make representations, as detailed on the blue notices posted at the premises.

Properties to be notified

Properties to be notified are as follows:

- Properties immediately adjacent to premises (both sides)
- Properties immediately in front of premises (opposite side of road)
- If the premises has (or proposes to have) an outside area to the rear or side of the premises, properties bordering the outside area of the premises should also be included

The Licensing Officer will use judgement in circumstances where

- a) Other parties, not identified as above, may reasonably be considered to be affected.
- b) Distances between buildings, or other circumstances, are such that notification in precise accordance with the above guidance is considered unnecessary.
- c) the premises is in a rural location, in which case any neighbour who might reasonably be construed to be affected should be notified.