

# **COMPLAINTS AND OBJECTIONS**

If you want to complain about a licence holder you should write to the Head of Democratic and Legal Services, 21 City Square, Dundee, DD1 3BY.

## **HOW TO OBJECT TO AN APPLICATION**

### **- Who may object**

Any person may object to an application for a licence under the Civic Government (Scotland) Act 1982.

### **- On what grounds can an objection be made?**

- (a) the applicant, or where the applicant is a company or partnership any director or partner or other person responsible for its management, is either -
  - (i) disqualified by the court from holding a licence under the said 1982 Act; or
  - (ii) not a fit and proper person to be the holder of a licence.
- (b) the activity to which the application relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant or renewal of such a licence if he made the application himself.
- (c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises (or vehicle or vessel) are not suitable or convenient for the conduct of the activity having regard to -
  - (i) the location, character or condition of the premises, vehicle or vessel;
  - (ii) the nature and extent of the proposed activity;
  - (iii) the kind of persons likely to be in the premises, vehicle or vessel;
  - (iv) the possibility of undue public nuisance; or
  - (v) public order or public safety
- (d) there is other good reason for refusing the application, e.g. over-provision of similar facilities, conflict with the policies of the Council.

### **- Form and service of objection**

The Objection must be in writing containing the name and address of the objector and signed by them or by an agent on their behalf. The letter should specify one or more of the above grounds of objection, together with a brief statement of why these grounds apply to the application in question. The objection should be sent to the Head of Democratic and Legal Services, 21 City Square, Dundee, DD1 3BY to arrive no later than 21 days from the date of the application or, if the licence is for an activity to be carried out from premises, the date of public notice of the application being published in the Evening Telegraph.

### **- Hearing the Objection**

The objector will receive at least seven days' written notice from the Council of the date and time of the meeting of the Licensing Committee when the application and objection will be considered. The objector should try to be present at the meeting in order to speak to the objection and to answer any questions from the members of the Committee. The applicant of the licence will also have the opportunity to comment upon the objection. If the objection fails to comply with any of the requirements set out above (see form and service of objection), the Committee may disregard it as incompetent or irrelevant.