



Civic Government (Scotland) Act 1982

Guidance Notes for Objections/Representations

Making an Objection or representation to a Licence

When can I make an Objection or Representation?

A 28 day consultation period begins from the date an application for grant or renewal of a Licence is lodged with the Council. During the consultation period anyone can make an objection or representation for or against the application.

Where an application for grant or renewal relates to premises, a public notice will be displayed by the applicant at the premises on the day the application is lodged providing details of the application and the last date for making any objection or representation.

What information should an Objection or Representation against an application contain?

In determining an application, the Council's Licensing Committee must grant the application unless one or more of the following relevant grounds for refusal apply:-

- the location, character or condition of the premises, vehicle or vessel;
- the nature and extent of the proposed activity;
- the kind of persons likely to be in the premises, vehicle or vessel;
- the possibility of undue public nuisance, public order or public safety; or
- there is other good reason for refusing the application

The terms of your objection or representation should be relevant to the grounds of refusal and the matters the Council can take into consideration.

It is not possible to raise issues with the Licensing Committee which relate to legislation other than the Civic Government (Scotland) Act 1982. For example, issues about parking and Planning Permission are governed by other legislation and accordingly do not form grounds for refusal.

A Petition is unlikely to be accepted as a valid Objection or Representation.

Frivolous or vexatious objections and representations will not be considered.



You may submit photographs or videos in support of your objection or representation.

If you are of the view that the application could be granted if the applicant agreed to specific conditions or modified their application, you should set that out in your objection or representation.

What information should a Representation in support of an application contain?

If you are submitting a representation in support of an application, you should set out the reasons why you are in favour of the application being granted.

What is the deadline for submitting an Objection or Representation?

Your objection or representation should be received by the Council on or before the last day of the 28 day consultation period to ensure that it is taken into account when determining the application.

If your objection or representation is received after the consultation period it will be treated as "late". This means that it may still be taken into account but you will have to explain the reason why the objection or representation was not submitted in time.

It will be for the Council's Licensing Committee to determine whether they are satisfied that there was good reason why your comments were submitted late.

How do I submit my Objection or Representation?

Your objection or representation must:-

- be in writing (email is acceptable)
- be signed by you and set out your name and address;
- detail the grounds on which the objection or representation is made with reference to the grounds for refusal and
- state the premises to which the objection or representation relates

Anonymous objections or representations will not be considered.

Your objection or representation can be emailed to licensing@aberdeencity.gov.uk

Alternatively, you can post your objection or representation to Licensing Team, Business Hub 6, Level 1 South, Marischal College, Broad Street, Aberdeen, AB10 1AB



What happens if I make an Objection or Representation?

We will send you an acknowledgement email confirming receipt.

Your objection or representation **cannot** be treated confidentially.

We may carry out reasonable investigations into submitted objections or representation which means we may share information about the nature of your objection with other Council services.

In processing and determining the relevant licence application, the Council as Licensing Authority are required to share a copy of your objection or representation with the applicant and/or their agent for their information. Although we will not share your personal data with the applicant and/or their agent the content of your objection may indirectly identify you. If the application is considered by the Licensing Committee your objection or representation will be shared with the members of the Committee determining the application.

Once the application has been allocated to a meeting of the Licensing Committee, we will send you a letter inviting you to attend the meeting to speak to your objection or representation. You will receive this letter at least 14 days prior to the meeting.

In preparing the agenda for the Licensing Committee meeting, a redacted version of your objection or representation is uploaded to an electronic committee management system which enables the publishing of the agenda on the Council's website.

If you attend the Licensing Committee meeting you will be asked to identify yourself by confirming your name and this will be noted. If you are represented at the Licensing Committee meeting, then the name of your representative will be noted.

At the meeting you will be provided with an opportunity to speak to your representation and the applicant will be provided with an opportunity to respond. This is your opportunity to explain your objections to the Committee. You are only able to speak to matters referred to in your written objection or representation and cannot introduce new information. It will be a matter for the Committee to determine what weight to attach to your objection or representation based on your written and oral submissions.

Your invitation letter will provide further information on the arrangements for the Committee meeting.

You do not require to attend the meeting, but it does provide an opportunity for you to address the Committee if they have any queries regarding your objection or representation. You may be represented by a Solicitor or another person if you so wish.

Should you decide not to attend, your written objection or representation will be considered by the Committee in your absence.



It will be a matter for the Committee to determine what weight to attach to your objection or representation based on your written submission.

If you are unable to attend the Committee meeting you can give written consent for someone else to attend and speak on your behalf.

Further information regarding how we use your information can be found on the Privacy Notice [Your data: civic licence objections and representations | Aberdeen City Council](#) please ensure that you have read and understood the terms of the notice.