

PROCEDURE AT HEARINGS OF THE LICENSING SUB-COMMITTEE (ALCOHOL AND ENTERTAINMENTS)

The following procedure shall be followed at licensing hearings in respect of applications for alcohol and entertainments licences under the provisions of the Licensing Act 2003 and Part 8 of the Gambling Act 2005.

1. Introduction and Preliminary Remarks

- All parties are invited to join the meeting and the Chairman will introduce the Sub Committee Members, Council Officers, and the procedure to be followed.
- Chairman will take details of those appearing at the hearing who wish to speak.
- Typically, and subject to any ruling by the Chairman, the views of the parties will be heard in the order set out below. Some applications may involve additional parties, e.g. a Premises Supervisor and/or an existing Licence Holder, and if so, the Chairman will advise the parties at the start of the hearing, the order in which each is to present his/her case.
- Except in the case of hearings under Part 8 of the Gambling Act 2005, each party attending the hearing, or nominated spokesperson, shall be allowed an equal maximum period of time to present their case at the hearing. The length of time allowed shall be determined by the Chairman at the beginning of the meeting, and will usually be 10 minutes. Following each presentation, there will be an opportunity for questions and answers.

(NB. So as to make efficient use of time at the hearing, parties can assume that the Sub Committee Members have read all papers and statements which have been circulated in advance and form part of the agenda for the meeting. Therefore parties need not read them aloud as part of their presentation unless they wish to do so.)

- Chairman to deal with any preliminary matters raised and to remind the parties of issues specifically to be addressed.
- Chairman to draw attention to matters of general housekeeping.

2. Statement by the Licensing Officer

- Licensing Officer to summarise the salient points of the report on the agenda.
- Each party in order, (if permitted by the Chairman), to have an opportunity to ask the Licensing Officer any questions on his statement.
- Sub Committee Members to ask the Licensing Officer any questions.

- Licensing Officer may respond to any new issues raised.

3. **Case for the Applicant**

- The Applicant to present the case in support of the application.
- Each other party in order, (if permitted by the Chairman), to have an opportunity to ask the Applicant any questions on his/her statement.
- Sub Committee Members to ask the Applicant any questions.
- Applicant may respond to any new issues raised.

4. **Case for the Responsible Authorities (Police, Fire Authority etc)**

- The representative of each Responsible Authority will be invited in turn to present the views of their organisation.
- Each other party in order, (if permitted by the Chairman,) to have an opportunity to ask the representative any questions on his/her statement.
- Sub Committee Members to ask the representative any questions.
- The representative may respond to any new issues raised.

5. **Case for the Interested Parties (Local Residents and Businesses)**

- Those who have made representations will be invited to present their views and answer questions in turn.
- (NB. If a spokesperson has agreed to speak on behalf of several Interested Parties, all those he/she represents will be permitted to answer questions when the representative has finished presenting their views and add any further points.)
- Each Interested Party who wishes to speak, to present his or her views.
- Each other party in order, (if permitted by the Chairman), to have an opportunity to ask the Interested Party any questions on his/her statement.
- Sub Committee Members to ask the Interested Party or representative any questions.
- The Interested Party or representative may respond to any new issues raised.

6. Discussion about Conditions or Technical Issues

- If it appears to the Licensing Officer or any party that one or more issues raised during the hearing could be dealt with by means of a condition attached to the licence, that person may put forward suggestions to the Chairman at this stage. All others to be given an opportunity to express a view on any proposed condition.
- Also any legal, technical or other point which has arisen to be discussed.

7. Summary

- Any party wishing to summarise his or her views may do so, in the reverse order to that in which cases were presented.

8. The Decision

- The Members of the Sub Committee to retire to reach a decision in private, accompanied by the Administrative Officer and the Council's Legal Representative.
- Members of the Sub Committee return. Any legal advice given in the absence of the parties will be repeated in public and all parties given an opportunity to respond before a decision is announced.
- The Chairman to announce the Sub Committee's decision, giving reasons.
- The Council's Legal Representative to advise of the next steps, including arrangements for confirming decision.