

Licensing Sub-Committee hearings, under the Licensing Act 2003 & Local Government (Miscellaneous Provisions) Act 1982 – Type A [Re; Premises Licence, Club Premises Certificate, Provisional Statement & Sex Establishment Licence]

| | | |
|--|--|-----------------------|
| <p>Step 1 Appointment of Chair and introduction</p> | <p>The Sub-Committee will appointment a Chair.</p> <p>The Chair will introduce the Sub-Committee, announce the item, and establish the identity of those taking part.</p> <p>The Sub-Committee will consider any requests to depart from normal procedure, such as holding a private session if it is considered to be in the public interest to do so or if a deferral/adjournment is requested for the item.</p> <p>The Chair (or Legal Adviser if asked by the Chair) will briefly outline how the hearing will proceed. However, Members may seek clarification on any issue raised during the hearing if required and if requested.</p> | <p>5 minutes</p> |
| <p>Step 2 Licensing Officer</p> | <p>The Licensing Officer will outline the report.</p> | <p>5 minutes</p> |
| <p>Step 3 Applicant's Case</p> | <p>The Applicant will present their case in support of their application.</p> | <p>5 minutes</p> |
| <p>Step 4 Responsible Authorities' Case</p> | <p>The Chair will invite the relevant Responsible Authorities in attendance to highlight their reasons for objecting to the application as contained within the report.</p> | <p>5 minutes each</p> |
| <p>Step 5 Other Persons' Case</p> | <p>The Chair will invite the Other Persons in attendance to present their case, highlighting their reasons for objecting or supporting the application as contained in their written submissions.</p> | <p>5 minutes each</p> |
| <p>Step 6 Discussion</p> | <p>The Chair will structure and lead a discussion on the information presented enabling Sub-Committee Members to clarify any points raised and ask questions if necessary.</p> | <p>15 minutes</p> |
| <p>Step 7 Closing remarks</p> | <p>The Chair will ask Responsible Authorities, Other Persons, Applicants and the Licensing Officer if they have any final comments to make. These comments can <u>only</u> be in relation to issues raised during the discussion. These remarks should be brief.</p> | <p>10 minutes</p> |
| <p>Step 8 - Final clarification</p> | <p>Licensing Sub-Committee Members will have a final opportunity to seek clarification on any points raised, following which the Chair will conclude the discussion.</p> | <p>5 minutes</p> |
| <p>Step 9 Consideration</p> | <p>The Sub-Committee will normally withdraw to consider the evidence that has been presented to them with the Committee Officer and Legal Adviser in order that the Sub-Committee can reach a decision and obtain legal advice if required.</p> <p>The Legal Adviser will repeat any legal advice given to Members upon returning to the public hearing.</p> <p>In simple cases the Sub-Committee may not consider it necessary to retire.</p> | <p>10 minutes</p> |
| <p>Step 10 Chair announces the decision</p> | <p>The Sub-Committee will return and the Chair will announce the decision. Reasons for their decision will be given, if appropriate.</p> <p>The Licensing Officer will draw attention to any restrictions which will affect the running of the premises and provide a written record of the decision, which will be sent to the applicant.</p> | <p>5 minutes</p> |

The Council's procedure rules are also incorporated into these hearing procedures in so far as it does not conflict the procedures as set out above. The Licensing Hearing Regulations can also be viewed by following the link below – <http://www.legislation.gov.uk/ukSI/2005/44/contents/made>