

Licensing Sub-Committee hearings, under the Licensing Act 2003 – Type B

<p>Step 1 Appointment of Chair and introduction</p>	<p>The Sub-Committee will appointment a Chair.</p> <p>The Chair will introduce the Committee, announce the item, and establish the identity of those taking part.</p> <p>The Committee will consider any requests to depart from normal procedure, such as accepting further information or the withdrawal of representations.</p> <p>The Legal Adviser 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 hold a private session if it is considered to be in the public interest to do so.</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 Responsible Authorities' Case</p>	<p>The Chair will invite the Police to highlight their reasons for objecting to the application as contained in the report.</p>	<p>5 minutes each</p>
<p>Step 4 Applicants / Premises users Case</p>	<p>The Applicant/Premises user will present their case in support of their application. Licensing Sub-Committee Members may then ask any points of clarification.</p>	<p>5 minutes</p>
<p>Step 5 Discussion</p>	<p>The Chair will structure and lead a discussion on the information presented, with Sub-Committee Members able to clarify any points raised and ask any questions from those who have attended.</p>	<p>15 minutes</p>
<p>Step 6 Closing remarks</p>	<p>The Chair will ask the Police, Applicant/Premises user or 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 7 - 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 8 Consideration</p>	<p>The 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 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 straightforward cases the Committee may not wish to retire.</p> <p>The hearing feedback questionnaire will also be handed out at this point.</p>	<p>10 minutes</p>
<p>Step 9 Chair announces the decision</p>	<p>The 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>

Further information on the Licensing Hearing Regulations is available on the DCMS website <http://www.culture.gov.uk/NR/rdonlyres/3D968D8A-20DF-44B9-8362-7CBE3CBB49A8/0/HearingsRegulations2005.pdf>