

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

[Where the Authority has become aware that the holder of a personal licence has been convicted of a relevant or foreign offence or foreign offence or has been required to pay an immigration penalty]

Step 1 Appointment of Chair and introduction	<p>The Sub-Committee will appoint 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>	5 minutes
Step 2 Licensing Officer	The Licensing Officer will outline the report	5 minutes
Step 3 Chief Officer of Police's case	The Chair will invite the Police to highlight their reasons for making a representation	5 minutes
Step 4 Licence holder	The licence holder will respond to the issues raised.	5 minutes
Step 5 Discussion	The Chair will structure and lead a discussion on the information presented and give Sub-Committee Members an opportunity to seek clarification on any points raised and ask questions, if necessary.	15 minutes
Step 6 Closing remarks	The Chair will ask all parties if they have any final comments to make. These comments can only be in relation to issues raised during the discussion. These remarks should be brief.	10 minutes
Step 7 Final clarification	Licensing Sub-Committee Members will have a final opportunity to seek clarification on any points raised, following which the Chair will conclude the discussion.	5 minutes
Step 8 Consideration	<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>	10 minutes
Step 9 Chair announces the decision	<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>	5 minutes

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