

Licensing Committee
Hearings Procedure
Applications under the Licensing Act 2003

1. The various parties are identified.
2. The Solicitor to the Committee will ask the Applicant to confirm that he/she received notice of the hearing and of his/her right to be represented.
3. The Solicitor to the Committee will explain the procedure to be followed and advise parties that written representations have been received and have been placed before Committee Members. Therefore it is expected that oral submissions will be by way of a succinct summary of the key points and will address any points of clarification requested.
4. The Chair will ask the Democratic Services Support Officer if notice of a representative or witness has been received. If so, Members will decide whether the representative/witness will be allowed.
5. The Chair will ask the Democratic Services Support Officer if any points of clarification have been requested of any party.
6. The Council's Licensing Officer will present the Licensing Authority's report and may call any witnesses.
7. The Applicant and person/body making a relevant representation may ask the Council's Licensing Officer and any witnesses questions.
8. Members of the Committee may ask questions of the Council's Licensing Officer and any witnesses.
9. Any person/body who has made a relevant representation may make a submission and call witnesses.
10. The Applicant may ask any person/body who has made a representation questions.
11. The Council's Licensing Officer may ask the person/body who has made a representation questions.
12. Members of the Committee may ask questions of any person/body who has made a relevant representation.
13. The Applicant may make a submission and call any witnesses.
14. The Council's Licensing Officer may ask the Applicant questions.
15. Any person/body making a representation may ask the Applicant questions.

16. Members of the Committee may ask the Applicant questions.
17. The Council's Licensing Officer may make a closing statement.
18. Any person/body who has made a representation may make a closing statement.
19. The Applicant may make a closing statement.
20. The Chair of the Committee will then ask all parties to confirm that they have concluded their submissions or representations in respect of the application and that they have no further points they wish to make.
21. Parties will be asked if they wish to remain to hear the decision. All except the Committee, its legal advisor and the Democratic Services Support Officer will withdraw. (If it is necessary to recall one party for further questions or clarification all the parties are invited to return.)
22. After the Committee reaches its decision, and if the parties have elected to remain, the parties are recalled and the Solicitor to the Committee announces the decision.
23. As soon as possible thereafter the decision is confirmed in writing to all parties. The letter advises parties of any statutory right of appeal.

Note

It is an important principle of the rules of natural justice that members who take part in the deliberations and decision-making should only do so if they have been present for the whole of the hearing.

A party may seek to introduce new matters at the hearing. Legal advice should be sought on whether to allow the evidence or to proceed or adjourn to allow all parties time to consider the new matters.