

## LICENSING SUB COMMITTEES

### HEARING PROCEDURE FOR APPLICATIONS FOR REVIEWS OF PREMISES LICENCES WHERE RELEVANT REPRESENTATIONS HAVE BEEN RECEIVED

1. The Chair will welcome all parties who are present and introduce the Members.

The Chair will explain to the parties at the beginning of a Hearing the procedure that it is proposed to follow. The Hearing will take the form of a discussion. Cross-examination **will not be** permitted without the **consent** of the Chair.

#### Declaration of Interests

All Hearings will usually be in public. The Sub Committee may however exclude the public from all or part of a Hearing where it considers that the public interest in so doing outweighs the public interest in the Hearing, or that part of the Hearing, taking place in public.

2. The Licensing Team Leader will outline the application.

3. The Application for the Review

Where the application comes from Interested Parties, i.e. local residents or businesses within the vicinity of the premises, the Sub Committee will expect that wherever possible a spokesperson be elected to speak on behalf of the group. This person will make the application.

- The Applicant for the review or his/her representative will give their reasons for making the application.
- The Applicant for the review or his/her representative will then call any witnesses and/or give reasons for his/her application
- The Premises Licence Holder or his/her representative may then question the Applicant for the review [if he/she has given evidence] and any witnesses.
- The Chair or any Member of the Licensing Sub Committee, through the Chair, may ask questions of the Applicant for the Review and any witnesses.
- As there are multiple representation in support of the review this procedure will have to be repeated each time. The Chair can ask the residents if they wish to put forward a main spokesperson to speak on their behalf, but this is not always welcomed.
- The LSC will have residents and representatives from the two neighbouring boroughs to hear from. Questions can be asked by the Reviewers, the licence holder and Members to each person that makes a verbal submission.
- The LSC will then ask Haringey Parks/ Licensing Authority and Noise EHO RA to make their submission. Questions will then follow from the Reviewers, the licence holder, residents and Members of LSC.

4. The Premise Licence holder's (PLH) Case

- The PLH or his/her representative presents his/her response to the application for review.

- The PLH or his/her representative will then call any witnesses and/or give evidence in support of his/her response.
- The Applicant(s) for the Review may then question the PLH if he/she has given evidence and any witnesses.
- The Chair or any Member of the Licensing Sub Committee through the Chair will ask questions of the PLH and any witnesses.
- The PLH or his/her representative will then be given a final opportunity of asking any further questions of any witnesses to clear up any points raised in the earlier questioning.
- The PLH will be asked by the Chair of the Sub Committee whether, in the light of the information heard in relation to the review, (s)he wishes to amend the operating schedule, change the designated premises supervisor or offer additional conditions, as when they retire, Members will consider only the information before them at that time.
- If the PLH wishes to amend the operating schedule, change the designated premises supervisor (Premises Licences only) or offer additional conditions the Applicant(s) for the Review will be given the opportunity to comment on the proposal.

#### 5. Closing Statement or Summary

- By or on behalf of the Applicant(s) for the Review - the Applicant(s) for the review may summarise any points they wish to make and comment briefly on the Applicant's replies to questions. They cannot introduce new issues.
- The above applies to residents also who wish to sum up, although they do not have to.
- The various RAs are able to sum up if they wish to.
- By or on behalf of the PLH - the PLH will be invited to summarise any points they wish to make and comment briefly on the Applicant for the Review's replies to questions. They cannot introduce new issues.

#### 6. Conclusion

All decisions will be made in private.

The Legal Officer will repeat, in summary form, any legal advice given to Members.

At this stage, the Chair will announce that the Sub Committee's decision, will give reasons for the decision and will subsequently be formally notified to the Applicant(s), Responsible Authorities and Interested Parties in writing within 5 working days, including their rights of appeal