LICENSING SUB-COMMITTEE REVIEW HEARINGS PROCEDURE SUMMARY

INTRODUCTION

- 1. The Chair introduces himself and invites other Members, Council officers, the Premises Licence Holder, representatives of responsible authorities, interested parties and the Review Applicant to do the same.
- 2. The Chair invites Members to disclose any prior contacts (before the hearing) with the parties or representations received by them
- 3. The Chair explains the procedure to be followed by reference to this summary which will be distributed.

NON-ATTENDANCE BY PARTY OR PARTIES

4. If one or both of the parties fails to attend, the Chair decides whether to:

- (i) grant an adjournment to another date, or
 - (ii) proceed in the absence of the non-attending party.
 - Normally, an absent party will be given one further chance to attend.

TOPIC HEADINGS

5. The Chair suggests the "topic headings" for the hearing. In the case of the majority of applications for variation of hours, or other terms and conditions, the main topic is:

Whether the extensions of hours etc. applied for would conflict with the four licensing objectives i.e.

- (i) the prevention of crime and disorder,
- (ii) public safety,
- (iii) the prevention of public nuisance, and
- (iv) the protection of children from harm.
- 6. The Chair invites comments from the parties on the suggested topic headings and decides whether to confirm or vary them.

WITNESSES

- 7. The Chair asks whether there are any requests by a party to call a witness and decides any such request.
- 8. Only if a witness is to be called, the Chair then asks if there is a request by an opposing party to "cross-examine" the witness. The Chair then decides any such request.

DOCUMENTARY EVIDENCE

- 9. The Chair asks whether there are any requests by any party to introduce late documentary evidence.
- 10. If so, the Chair will ask the other party if they object to the admission of the late documents.
- 11. If the other party do object to the admission of documents which have only been produced by the first party at the hearing, then the documents shall not be admitted.

12.		other party object to documents produced late but before the	
		g, the following criteria shall be taken into account when the lecides whether or not to admit the late documents:	
	(i)	What is the reason for the documents being late?	_
	(ii)	Will the other party be unfairly taken by surprise by the late documents?	
	(iii)	Will the party seeking to admit late documents be put at a major disadvantage if	
		admission of the documents is refused?	_
	(iv)	Is the late evidence really important?	_
	(v)	Would it be better and fairer to adjourn to a later date?	_
тис		SING OFFICER'S INTRODUCTION	_
13.		Licensing Officer introduces the report explaining, for nple, the existing hours, the hours sought to be varied and the	
comments of the other Council Services or outside official bodies.			
	This should be as "neutral" as possible between the parties.		
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14.	The Licensing Officer can be questioned by Members and then by		
	the	parties.	
	HEAR		
15.	This takes the form of a discussion led by the Chair. The Chair can		
	vary t	vary the order as appropriate but it should include:	
	(i)	an introduction by the Roview Applicant's main representative	
	(i)	an introduction by the Review Applicant's main representative	
	(ii)	an introduction by the Premises Licence Holder or representative	
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	(iii)	questions put by Members to the Review Applicant	
	(:, .)	eventions by Manhara to the Draminas Liesnes Helder	_
	(iv)	questions put by Members to the Premises Licence Holder	
	(v)	questions put by the Review Applicant to the Premises Licence Holder	-
	(v)	questions put by the Neview Applicant to the Fremises Electice Holder	
	(vi)	questions put by the Premises Licence Holder to the Review Applicant	-
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CLC	SING A	ADRESSES	
16.	The	Chair asks each party how much time is needed for their	-
	clos	ing address, if they need to make one.	
17.		erally, the Review Applicant makes their closing address before the	
	Prer	nises Licence Holder, who has the right to the final closing address.	
ТИС			
18.	Members retire with the Committee Clerk and legal representative		
	to co	nsider their decision including the imposition of conditions.	
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19.		ecision is put in writing and read out in public by the	
	COIII	nittee Clerk once Members have returned to the meeting.	
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