

LICENSING SUB COMMITTEE HEARING PROCEDURE REVIEW OF PERSONAL LICENCE

*The Chair will allow the parties an equal maximum period of time in which to make representations not normally exceeding **twenty minutes**. Where more than one party makes relevant representations time will be split between the parties and where several parties make similar representations it is suggested one representative is appointed to avoid duplication.*

The term “party” or “parties” will mean anyone to whom notice of this meeting has been given.

- 1 The Chair will introduce Members of the Sub Committee, Officers present and explain the procedure to be followed.
- 2 The Licensing Officer will outline the nature of the matter to be considered by the Sub Committee.
- 3
 - (i) The Applicant, or representative, addresses the Sub Committee who may be asked questions by the Sub Committee, Licence Holder and other parties.
 - (ii) Witnesses may be called in support of the application who may be asked questions by the Sub Committee, Licence Holder and other parties
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 - (i) Any other party making relevant representations, or their representative, will address the Sub Committee who may be asked questions by the Sub Committee, Applicant, Licence Holder and other parties.
 - (ii) Witnesses may be called in support of representations who may be asked questions by the Sub Committee, Applicant, Licence Holder, other parties.
- 5 Responsible Authorities making representation will address the Sub Committee and may be asked questions by the Sub Committee, Applicant, Licence Holder, other parties.
- 6 The Licence Holder (or their representative) will address the Sub Committee and may be asked questions by the Sub Committee, Applicant and other parties.
- 7 The other parties will be invited to summarise their representations.

Responsible Authorities will be invited to summarise their representations

The Licence Holder will be invited to summarise their representations

The Applicant will be invited to summarise the application.

- 9 *The Chair will invite the Committee to move into private session to enable the Members to deliberate in private. The Committee will reconvene publicly if clarification of evidence is required and/or legal advice is required. The Committee may retire to a private room, or alternatively require vacation of the meeting room by all other persons.*

Whilst in deliberation the Committee will be accompanied by Legal and Democratic Service Officers for the purpose of assisting them in drafting their reasoning for the decision.

The Committee will reconvene the meeting and the Chair will announce the Committee's decision with reasons.

PLEASE NOTE:

- Where the Sub-Committee considers it necessary to do so, it may vary this procedure.
- In circumstances where a party fails to attend the will be determined in absence.
- The hearing will take the form of a discussion and parties will be able to ask questions as set out above. However, formal cross examination will be discouraged.
- The Authority will disregard any information or representation given by a party which is not relevant to the Application and the Licensing Act 2003.
- Where there is more than one party making relevant representations the time allocated will be split between those parties.
- The Chair may request that persons behaving in a disruptive manner should leave the hearing and their return refused, or allowed subject to conditions. An excluded person is however, entitled to submit the information they would have been entitled to present had they not been excluded.

Bath & North East Somerset Council is committed to taking decisions in an honest, accountable and transparent fashion. On occasion however, it may be necessary to exclude members of the press and public pursuant to the Local Government Act 1972 Schedule 12 (a). In those circumstances reasons for such decisions will be given.