

Appendix B

Procedure

1. At the beginning of the hearing, the Chair will introduce the item, identify those present at the meeting, explain roles of Members and Officers and explain procedure. Microphones will be in use for the duration of the meeting
2. The Chair will ensure that the Parties have received the report and are ready to proceed. Is the applicant aware that s/he can be legally represented?
3. In the event that any Party to the hearing fails to attend the hearing, the Subcommittee will consider whether to adjourn the hearing or to proceed in the Party's absence.
4. The authority shall consider a request made by a party given notice of the hearing under regulation 6(1) SI 2005 No. 44 to have another person (other than a legal representative) present at the hearing, such permission shall not be unreasonably withheld.
5. Summary of report presented by Licensing Manager/Officer

The hearing shall take the form of a discussion led by Members. Cross-examination is not permitted unless Members consider that it is required to consider the representations, application or notice, and the following is subject to this proviso.

6. **Statutory Consultees** (Police, Fire Service, Representative Bodies) are given the opportunity to make submissions on the application:
 - Applicant/Representative may asks questions of the Statutory Consultees
 - Officers may asks questions of the Statutory Consultees
 - Members may asks questions of the Statutory Consultees
7. **Other Objectors** are given the opportunity to make submissions on the application, in turn:
 - Applicant/Representative may asks questions of the objectors
 - Officers may asks questions of the objectors
 - Members may asks questions of the objectors
8. **The Licensing Manager/Officer** may clarify any matters arising or provide additional information:
 - Applicant/Representative may ask questions of the Officer
 - Statutory Consultees and Objectors may ask questions of the Officer
 - Members may ask questions of the Officer
9. **Applicant/Representative** may make submissions on the application and/or call any witnesses:
 - Statutory Consultees and Objectors may ask questions of the Applicant/Representative and/or witnesses
 - Officers may ask questions of the Applicant/Representative and/or witnesses

- Members may ask questions of the Applicant/Representative and/or witnesses

10. Licensing Manager/Officer summing up (if required)
11. Statutory Consultees and Objectors' summing up (if required)
11. Applicant/Representative summing up (if required)
12. Members may seek clarification on the report from the Licensing Manager/Officer (if required)
13. At the end of the submissions, Members will retire to discuss the application, propose and second a recommendation and vote on this. They may take legal advice from the Legal Advisor to the Sub-Committee. The Legal Advisor will advise the Parties of any legal advice given to the sub-committee. No other person may retire with the Sub-committee.
14. The decision is announced and the Chair must give full reasons for the decision, together with any conditions, (if applicable), which are to be attached to the grant of the licence or the reasons for a refusal of the application.

NOTES: -

This procedure note gives a general procedure for meetings. There may be certain applications where the procedure has to be varied; the Legal Advisor to the Sub-committee will advise on the procedure to be adopted.

All parties must be given an equal period of maximum time in which to make representations and provide supporting information. However, where more than one objector makes representations on the same grounds, the Sub-Committee will request that one person speaks on behalf of all such objectors, to avoid duplication.

Members should disregard any information given by a party or any person who is given permission to appear at the hearing which is not relevant to (a) their application, representations or notice (as applicable) or in the case of another person, the application representations or notice of the party requesting their appearance, and (b) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a chief officer of police, the crime prevention objective

Members will be aware that, during the hearing, they should confine themselves to asking questions and must not indulge in any discussion of the merits of the case

Members can ask any person attending the hearing behaving in a disruptive manner to leave the hearing and can refuse that person permission to return or allow him/her to enter on such conditions as specified, but such person can before the end of the hearing submit in writing his/her representations