

## **LICENSING SUB-COMMITTEE (Premises)**

### **HEARING PROCEDURE**

1. The Chairman will open the hearing and introduce members of the Sub-Committee and officers present.
2. The Chairman will ask parties to the proceedings to introduce themselves.
3. In the event the Applicant is not represented, the Chairman will remind the Applicant that he/she can be represented by a legal representative at his/her own expense.
4. The Licensing Officer, Worcestershire Regulatory Services will present the report.
5. The Chairman will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Licensing Officer.
6. The Chairman will invite the Applicant and/or his/her representative to present his/her case and call any witnesses.
7. The Chairman will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Applicant and/or his/her representative.
8. The Chairman will invite the Responsible Authorities to present their representations. New representations must not be raised.
9. The Chairman will invite Members of the Sub-Committee and all parties to the proceedings to put any relevant questions to the Responsible Authorities.
10. All other Parties to the proceedings will be invited to present their representations or elect a spokesperson to speak on their behalf. New representations must not be raised.
11. The Chairman will invite Members of the Sub-Committee, the applicant / applicant's representative and the Responsible Authorities to put any relevant questions to the other Parties
12. The other Parties will be invited to sum up.
13. The Responsible Authorities will be invited to sum up.
14. The Applicant and/or his/her representative will be invited to sum up.

- 15. The Chairman will ask the Legal Advisor if there is any legal advice to be given.**
- 16. At the conclusion of the hearing Members of the Sub-Committee, the Legal Advisor and the Democratic Services Officer will withdraw from the meeting so that the Sub-Committee can reach its decision in private.**
- 17. The Sub-Committee's decision will be confirmed in writing to the Applicant and those parties who made representations within 5 working days.**

**Please Note:**

1. ***Each application coming before the Licensing Sub-Committee will be treated on its own merits, and the Sub-Committee will take its decision based upon:***
  - a) ***the promotion of the four licensing objectives, as given by the Licensing Act 2003, namely:***
    - ***the prevention of crime and disorder;***
    - ***public safety;***
    - ***the prevention of public nuisance; and***
    - ***the protection of children from harm;***
  - b) ***Bromsgrove District Council's Statement of Licensing Policy;***
  - c) ***guidance issued under section 182 of the Licensing Act 2003; and***
  - d) ***the Licensing Act 2003.***
2. ***The Chairman may require any person who in his/her opinion is behaving in a disruptive manner to leave the meeting, and may refuse to permit that person to return, or permit him/her to return only on such conditions as the Chairman may specify. However, such person may, before the end of the hearing, submit in writing any information which he/she would have been entitled to have given orally at the meeting had he/she not been required to leave.***
3. ***Decisions may be taken in the absence of the Applicant or any other party. All notices and representations received from absent parties will be considered.***
4. ***Questioning must not be hostile or intended to unfairly undermine the position of any party.***
5. ***Late evidence will only be considered with the agreement of all parties present.***
6. ***The decision of the Sub-Committee will be sent to all parties within 5 working days.***
7. ***An appeal to the Magistrates' Court against the Sub-Committee's decision must be lodged within 21 days of the date on which all parties were notified in writing of the decision of the Licensing Sub-Committee.***