

LICENSING SUB-COMMITTEE (Street Trading Consent)

HEARING PROCEDURE

- 1. The Chairman will open the hearing and ask Members of the Sub-Committee and officers present to introduce themselves.**
- 2. The Chairman will ask all parties to the proceedings to introduce themselves.**
- 3. In the event the Applicant is not represented, the Chairman will remind the Applicant that they can be represented by a legal representative at their own expense.**
- 4. The Chairman will ask the Legal Advisor if there is any legal advice to be given.**
- 5. The Technical Officer (Licensing), Worcestershire Regulatory Services will present the report.**
- 6. The Chairman will invite Members of the Sub-Committee and all other parties to the proceedings to put any relevant questions to the Technical Officer.**
- 7. The Chairman will invite the Applicant and/or their representative to present their case and call any witnesses.**
- 8. The Chairman will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the Applicant and/or their representative.**
- 9. Consultees / Interested Parties will be invited to present their representations or elect a spokesperson (which may be a Councillor) to speak on their behalf. New representations must not be raised.**
- 10. The Chairman will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the Consultees / Interested Parties.**
- 11. The Consultees / Interested Parties will be invited to sum up.**
- 12. The Applicant or their representative will be invited to sum up.**
- 13. The Chairman will ask the Legal Advisor if there is any legal advice to be given.**
- 14. At the conclusion of the hearing, Members of the Sub-Committee, the Legal Adviser and the Democratic Services Officer will**

withdraw from the meeting room, so that the Sub-Committee Members can reach their decision in private.

- 15. Once the Sub-Committee has reached its decision, the Members of the Sub-Committee, the Legal Adviser and the Democratic Services Officer will return to the meeting room. The Sub-Committee's decision, together with the reasons for the decision, will be announced by the Chairman.**
- 16. The Sub-Committee's decision will be confirmed in writing to the Applicant and those parties who made representations within 5 working days.**

There is no right of appeal against the Council's decision to refuse to grant or revoke a Street Trading Consent.

Please Note:

- 1) ***Each application coming before the Licensing Sub-Committee will be treated on its own merits. In determining an application for a Street Trading Consent, the Council will consider the following factors:***
 - (a) ***Consultation – relevant responses from consultees***
 - (b) ***Local Government Miscellaneous Provisions Act 1982***
 - (c) ***Bromsgrove District Council's Street Trading Consent Policy***
- 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) ***In cases where a decision cannot be given at the end of the hearing, a decision will be made within 5 working days.***