

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 Technical Officer (Licensing), Worcestershire Regulatory Services will present the report.
5. 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.
6. The Chairman will invite the Applicant and/or their representative to present their case and call any witnesses.
7. 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.
8. Those who submitted representations 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.
9. The Chairman will invite Members of the Sub-Committee and all other parties present to put any relevant questions to those who submitted representations.
10. Those who submitted representations will be invited to sum up.
11. The Applicant or their representative will be invited to sum up.
12. The Chairman will ask the Legal Advisor if there is any legal advice to be given.
13. 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.

14. **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.**
15. **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.***