

FULL HEARING PROCEDURE FOR APPLICATIONS TO REVIEW PREMISES LICENCES

1. Welcome and Introduction

- [1] The Chairman welcomes the people who are present and introduces the Members. He/she will ask the Members to confirm that they have no declarations of interest to declare in respect of the application.
- [2] The Chairman asks the Applicant to introduce himself/herself and then asks the Premises Licence Holder, any Responsible Authorities and Interested Parties to introduce themselves.
- [3] The Chairman then confirms that the hearing will be conducted in accordance with this procedure. If any party wishes to rely upon any evidence that has not been disclosed prior to the hearing, they must ask for the Chairman's permission at this point.

2. The Applicant's Case

- [1] The Chairman asks the Applicant or his/her representative to present his/her application for the review.
- [2] The Applicant or his/her representative can then call any witnesses and/or give evidence in support of his/her application.
- [3] The Responsible Authorities or their spokesperson may then question the Applicant [if he has given evidence] and any witnesses.
- [4] The Interested Parties or their spokesperson may then question the Applicant [if he has given evidence] and any witnesses.
- [5] The Chairman or any Member of the Sub-Committee can ask questions of the Applicant and any witnesses.
- [6] If there any witnesses, the Applicant or his representative will then be given a final opportunity of asking any further questions of any witnesses to clear up any points raised in the earlier questioning.

3. The Responsible Authorities Case

- [1] The Responsible Authorities will give their reasons for making representations to the application.
- [2] The Responsible Authorities will then call any witnesses in support of their representation
- [3] The Applicant or his representative may then question the Responsible Authorities and any witnesses.
- [4] The Chairman or any member of the Sub-Committee may ask questions of the Responsible Authorities and any witnesses.
- [5] The Responsible Authorities will then be given a final opportunity of asking any further questions of any witnesses to clear up any points raised in the earlier questioning.

4. The Interested Parties Case

- [1] The Interested Parties will give their reasons for making representations to the application.
- [2] The Interested Parties or his representative will then call any in support of their representation.
- [3] The Applicant or his representative may then question the Interested Parties [if he has given evidence] and any witnesses.
- [4] The Chairman or any member of the Sub-Committee may ask questions of the Interested Parties and any witnesses.
- [5] The Interested Parties or his representative will then be given a final opportunity of asking any further questions of any witnesses to clear up any points raised in the earlier questioning.

5. Closing Statement

- [1] By or on behalf of the Responsible Authorities. The Responsible Authorities can summarise any points they wish to make and comment briefly on the Applicant's replies to questions. They cannot introduce new issues.
- [2] By or on behalf of the Interested Parties. The Interested Parties can summarise any points they wish to make and comment briefly on the Applicant's replies to questions. They cannot introduce new issues.
- [3] By or on behalf of the Applicants. The Applicants can summarise any points they wish to make and comment briefly on the Responsible Authorities and Interested Parties replies to questions. They cannot introduce new issues.
- [4] The Chairman will then ask the Legal Adviser whether there are any other matters to be raised or resolved before the hearing is closed. The Sub-Committee will then retire to a separate room with the Legal Adviser and Democratic Services Officer to deliberate.
- [5] If the Legal Adviser gives legal advice to Members then this advice will be repeated in summary form when the Sub-Committee reconvenes the hearing.

6. Decision Making

- [1] The Chairman will then announce the Sub-Committee's decision and ask the Legal Adviser to read out the details including their reasons.
- [2] Before closing the hearing, the Chairman will notify the Applicant of the rights of appeal available to the parties should they disagree with the decision. Such appeal should be made within 21 days of receiving written notification of the Sub-Committee's decision.