

# Licensing and Regulatory Sub- Committee



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title:</b>	<b>Agenda</b>
<b>Date:</b>	<b>Monday 11 September 2017</b>
<b>Time:</b>	<b>10.00 am</b>
<b>Venue:</b>	<b>Ground Floor Room 13 West Suffolk House</b> Western Way Bury St Edmunds
<b>Full Members (3):</b>	Sarah Broughton Margaret Marks Frank Warby
<b>Substitutes:</b>	Bob Cockle
<b>The membership of this Sub-Committee is drawn from Members of the full Licensing Committee and needs not to be politically balanced.</b>	
<b>Interests – Declaration and Restriction on Participation:</b>	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
<b>Quorum:</b>	Three Members
<b>Committee administrator:</b>	<b>Christine Brain</b> Democratic Services Officer (Scrutiny) <b>Tel:</b> 01638 719729 <b>Email:</b> <a href="mailto:christine.brain@westsuffolk.gov.uk">christine.brain@westsuffolk.gov.uk</a>

# St Edmundsbury Borough Council

## Licensing: Procedures at Hearings

The Chairman will introduce Members of the Committee and Officers present and ask all parties to identify themselves to the Hearing.

The Chairman will outline the procedure to be followed and:-

- (a) check that all parties have received copies of relevant representations;
- (b) ask all parties whether they wish to amend or withdraw their application or representation;
- (c) ask the Licensing officer whether any party has submitted additional supporting information (only if all parties agree shall the material be distributed to the Sub-Committee);
- (d) if the Licensing Officer reports any requests for a witness to appear, decide whether to allow the witness to speak and ask whether there are any further declarations of interest;
- (e) agree how much time each person will need to present their case; and
- (f) the Sub-Committee will determine whether the Substitute Member is required to hear the application.

The Licensing Officer will present the Statement of Facts.

The Chairman will invite Members and other parties to the hearing to ask questions of the Licensing Officer about the Statement of Facts.

The Chairman will invite the Applicant or representative to present their case and respond to questions from Members, Officers and other parties to the hearing.

The Chairman will invite those that have made objections or relevant representations to present their case and respond to questions from Members, Officers and all the other parties.

The Chairman will invite all parties to sum up their case and to confirm they are satisfied that they have said all they wish to say. (Nb the applicant should sum up last).

Members and Officers may ask any final questions and the Chairman will then give all parties an opportunity to respond on those points (Nb the last word should be from the Applicant).

The Sub-Committee, accompanied by the legal advisor and Committee Administrator will retire to determine the application.

- . The Chairman or legal advisor will announce the decision together with the reasons for it and will also outline rights of appeal.

**General Notes:**

- (i) The hearing may be adjourned at any time at the discretion of the Members.
- (ii) Members may amend the procedure at any time if they consider it to be in the public interest or in the interest of a fair hearing.
- (iii) Members may exclude any person from the hearing if it appears to them to be in the public interest to do so or if that person is being disruptive.
- (iv) No parties will be allowed to cross examine unless Members agree that the procedure should be altered.
- (v) Any advice given in private session will be reported to all parties to the hearing.

## **Agenda**

### **Procedural Matters**

#### **Part 1 – Public**

**1. Apologies for Absence**

**2. Substitutes**

The Member who is substituting for another Member should so indicate together with the name of the relevant absent Member.

**3. Election of Chairman**

**4. Exclusion of Press and Public**

To consider whether the press and public should be excluded during the consideration of the following items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt categories of information as prescribed in Part 1 and Part 2 of Schedule 12A of the Local Government Act 1972, and indicated against each item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

#### **Part 2 – Exempt**

**5. The attached Hearing Procedure will be adopted in considering the undermentioned items:**

- (a) APPLICATION FOR GRANT OF PRIVATE HIRE/HACKNEY CARRIAGE DRIVER'S LICENCE (PARA 1 AND 2) - (REPORT NO: LSC/SE/17/006) 1 - 26**

Report No: **LSC/SE/17/006 - EXEMPT**

Application for Grant of Private Hire/Hackney Carriage Driver's Licence

- (b) REVIEW OF COMBINED HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE (PARA 1 AND 2) - (REPORT NO: LSC/SE/17/007) 27 - 42**

Report No: **LSC/SE/17/007 - EXEMPT**

Review of Combined Hackney Carriage/Private Hire Driver's Licence