

St Edmundsbury Borough Council

Licensing: Procedures at Hearings

1. The Chairman will introduce Members of the Committee and Officers present and ask all parties to identify themselves to the Hearing.
2. 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.
3. The Licensing Officer will present the Statement of Facts.
4. The Chairman will invite Members and other parties to the hearing to ask questions of the Licensing Officer about the Statement of Facts.
5. 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.
6. 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.
7. 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).
8. 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).
9. The Sub-Committee, accompanied by the legal advisor and Committee Administrator will retire to determine the application.
10. 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.