



LICENSING ACT COMMITTEE PROCEDURE

1. The Chair will introduce members of the Panel and Officers present and explain the procedure to be followed.
2. The Chair will identify those persons or representatives entitled to address the hearing and to submit questions, including any nominated representatives. In appropriate cases, and subject to applicable regulations or government guidance, the Chair will propose a time allocation of up to a maximum of 10 minutes for the initial address and up to a maximum of 10 minutes for summing up (Rule 11). This time allocation shall be based on equality for all parties. However, this is a guidance time, and the chair must ensure that sufficient time is given to ensure a fair hearing.
3. The Licensing Officer will present the statement of facts, summarising:
 - The facts of the application before the panel.
 - Any objections or representations made by Responsible Authorities.
 - Any representations made by other persons.
 - Those sections of the government guidance and Licensing Policy document applicable to the case.
 - The statement of facts/report will not contain a recommendation.
4. If the Applicant is not present, the Panel may either:
 - Proceed with the hearing in the absence of the Applicant, or
 - Where it considers it necessary in the public interest, adjourn the hearing to another date (Rule 20).
5. The Chair will invite the representatives of the Responsible Authorities who have made objections or representations to address the Panel and submit relevant evidence. The Chair will then invite any questions from the Applicant & other persons and finally from the Panel.
6. The Chair will invite other persons who have made relevant representations to address the Panel. Any such address must relate to the representations submitted to the Licensing Officer prior to the hearing and may not introduce new representations or evidence. The Chair will then invite any questions from the Applicant and the Responsible Authorities and finally from the Panel.

7. The Panel will consider any relevant admissible written representations lodged by Responsible Authorities or other persons not present at the hearing. The Chair may, if he/she considers it appropriate, adjourn the hearing for a period to facilitate this. The Chair (advised by the Legal Adviser) will remind the Panel of the weight to be attached to such evidence.
8. The Chair will invite the Applicant or his/her representative to address the Panel and submit the relevant evidence. The Chair will then invite questions from the Responsible Authorities and other persons and finally from the Panel.
9. The Chair will invite in the following order:
 - The Responsible Authorities present who have made objections or representations.
 - Those other persons present who have made representations.
 - The Applicant. To respectively sum up their cases.
10. If the proceedings are in the opinion of the Chair being disrupted by the behaviour of any person attending the hearing, the Chair may (as an alternative to adjourning the hearing) require that person to leave the hearing and may:
 - Refuse to permit that person to return to the hearing, or
 - Permit him/her to return only on such conditions as the Chair may specify.

But such a person may, before the end of the hearing, submit to the Panel in writing any information which that persons would have been entitled to give orally had he/she not been required to leave..
11. The Panel will retire to consider the application and make their decision without any other person being present, save that:
 - The Panel may ask the Legal Advisor to join them at any time to advise on any legal issue arising out of the hearing.
 - When the Panel have reached their conclusion they will invite the Legal Adviser and the Committee Clerk to join them for the purpose of recording and reporting their decision and the reasons for it.
12. The Panel will return to the hearing room and the Chair will announce the decision of the Panel including the reasons for it, and any conditions imposed. This Rule will apply save where (pursuant to the Licensing Act 2003) the Panel's decision may be, and is, deferred.