

LICENSING & APPEALS COMMITTEE PROCEDURE (Variation of Licence)

1. Following the election of a Chair of the Sub-Committee, the Chair will ask fellow councillors and officers to introduce themselves to those present and explain their roles for the purpose of the hearing.
2. The Chair will explain the procedure to be followed by the Sub-Committee, which will normally take the form of:
 - (a) The Licensing Officer(s) will present the relevant details, but make no recommendations regarding a decision on the application to the Sub-Committee, together with information regarding any details relevant to the application, which may have come to light since the report was written. Questions may then be put to the Officer(s), through and with the consent of the Chair.
 - (b) The applicant (licensee) or his/her representative can present his/her case, including calling any witnesses. Questions may then be put to the applicant, through and with the consent of the Chair.
 - (c) The other parties will present their case, but only where representations are unresolved. Responsible authorities (within the meaning of the legislation) will present their cases before interested parties. Questions may then be put to those persons, through and with the consent of the Chair.
 - (d) Before final submissions the Chair may seek clarification from any party during the hearing in response to issues raised in order for the Sub-Committee to make informed decision.
 - (e) The Licensing Officer(s) will be invited to sum up their case.
 - (f) The other parties will be invited to sum up their case.
 - (g) The applicant or his/her representative will be invited to sum up his/her case.
 - (h) The Sub-Committee will be invited to adjourn to come to its decision. Upon adjournment, all parties will withdraw, directly or through retirement of the Sub-Committee. The only colleagues who may remain with the Sub-Committee during its adjournment shall be the legal advisor and the Democratic Services Officer.
 - (i) Where the Sub-Committee has made a decision at the end of the hearing, all parties will be called back and informed orally of the decision of the Sub-Committee and any conditions made, with the reasons for those conditions.

3. The Council's constitution allows speakers 3 minutes in order to make their representations at Committee hearings. The Chair may allow more time if they consider it would help the Sub-Committee to hear all the evidence.
4. The Chair must allow equal time, in total, to both those for and against the application, For example if there are 10 speakers against given 3 minutes each, the applicant will be allowed 30 minutes to respond.
5. If a Ward Councillor wishes to speak at the Sub-Committee on behalf of residents they must inform the Democratic Services Officer prior to the hearing which residents they representing.