

## **ITEM 7**

### **Licensing Procedure Rules Licensing Committee**

#### **Application**

These Procedure Rules shall apply when the Licensing Committee sits to hear Licensing applications other than those made pursuant to the Licensing Act 2003 and the Gambling Act 2005.

#### **Terms of Reference of the Licensing Committee:**

1. Ward Councillors will have no involvement in the decision making process either by voting on the matter or otherwise participating in the Committee's deliberations, except that any ward Member (whether a Member of the Committee or not) may make a statement setting out his views or the views of those he represents. Such statement may be made immediately after any objector has made his case and been questioned thereon.

#### **Procedure for hearing licensing applications:**

Following receipt of an application, the Licensing Officer will carry out reasonable consultation with any interested parties, including ward members. In the case of Public Entertainment applications this will include a notice to be advertised on the premises and a notice in the local press. Should any objection be received which cannot be resolved, the licensing application will then be referred to the Licensing Committee for consideration and determination. All objectors will be invited to the meeting; the Council's scheme of public participation will not apply.

1. Written objections, representations, petitions, etc will be circulated with the Agenda and will be taken into account by members of the Committee. It will not be possible to circulate any such communications received after the Agenda has been circulated, as both parties must have the opportunity of studying them prior to the meeting. Agenda and papers for consideration will be circulated at least 3 clear days before the meeting.
2. At the commencement of the meeting the Chairman will outline the procedure to all those present.
3. The Licensing Manager of the Council will present the facts to the Committee and will explain the Recommendation.
4. The Members of the Committee may ask questions of the Licensing Manager.

5. The Applicant or any person representing him may ask questions of the Licensing Manager.
6. Any Objector or any person representing him may ask questions of the Licensing Manager.
7. Relevant Council Officers, representatives of the Police or Fire Service (if present) may be questioned by:
  - (a) Members of the Committee
  - (b) The Applicant or any person representing him
  - (c) Any Objector or any person representing him
8. The Applicant (or his representative) may present his case, including calling any witness. The Licensing Manager and/or Members of the Committee may ask questions of the Applicant or any witness
9. Any Objector may ask questions of the Applicant or any witness.
10. The Objector (or his representative) may present his case including calling any witness.
11. The Licensing Manager and/or Members of the Committee may ask questions of the Objector.
12. The Applicant may ask questions of the Objector
13. The Applicant may sum up his case
14. The Objector may sum up his case
15. The Committee will deliberate in private with only its legal adviser and Committee Administrator in attendance. The decision on the matter and the reasons for it will be communicated to all those present in open session before the meeting is closed.