

HAVANT BOROUGH COUNCIL

HEARINGS PROCEDURE

Application for a Premises Licence

The White Hart, 1 East Street, Havant

8 March 2016 (10.15 am)

(in accordance with regulations issued under the Gambling Act 2005)

Attendance List

Councillors: D Smith, Hughes and Shimbart

Applicant's Representatives: Mr Lovell and Mr Malizia

Objectors: Councillor Pike, Canon Kennar and Mr Dawes

Witnesses:

Mr Blaker, representing the Gamblers Anonymous Group (witness to be called by Canon Kennar)

Mr Lovell (Applicant's representative)

- 1 The Chairman will explain to all those present how the hearing will be conducted. The parties to the hearing will be told it will be in accordance with this procedure, which will have been circulated in advance of the hearing to all parties. ***(Unless this had proven to be impractical, in which case the Chairman will detail the procedure before the hearing proper commences.)***
- 2 Before the hearing commences the Chairman will:
 - (a) explain that a record will be taken of the proceedings in a permanent and intelligible form;
 - (b) ask the parties to the hearing if any of them wish to withdraw any representations they have made.

- 3 The Licensing Officer will outline the nature of the application, the reasons why the matter is before the Sub-Committee, and give an outline of objections received.
- 4 The members, Mr Malizia, Councillor Pike, Canon Kennar and Mr Dawes may ask questions of the Licensing Officer
- 5 Councillor Pike may submit comments/representations to the Committee and may in support of his representations.
- 6 The members, Canon Kennar, Mr Dawes Mr Malizia in that order, may ask questions of the Councillor Pike.
- 7 Canon Kennar may submit comments/representations to the Committee and may call Mr Baker in support of his representation.
- 8 The members, Councillor Pike, Mr Dawes, and Mr Malizia in that order, may ask questions of Canon Kennar and Mr Blaker.
- 9 Mr Dawes may submit comments/representations to the Committee.
- 10 The members, Councillor Pike, Canon Kennar, and Mr Malizia in that order, may ask questions of Mr Pike.
- 11 Mr Malizia may submit any comments/further representations, and may call Mr Lovell in support of their representations.
- 12 The members, Councillor Pike, Mr Dawes, and Canon Kennar may ask questions of Mr Malizia and Mr Lovell.
- 13 Councillor Pike, Canon Kennar, Mr Dawes, and Mr Malizia will then be given an opportunity to make a final submission to the Sub-Committee.
- 14 The Chairman will announce that the Committee will retire to consider its determination. The Committee in retiring will be accompanied by the Council's Solicitor for legal advice only and the Democratic Services Officer.
- 15 If at any time before making its determination, the Committee wishes to ask any further questions of any of the parties, it will return to the Committee Room to ask those questions in front of all parties to the hearing. At this stage, the Chairman will allow further questions by any of

the other parties (or their representatives) of those asked questions, if this is deemed necessary.

- 16 After any further retirement following 13 above, the Committee will return to the Committee Room and the Democratic Services Officer will announce the determination of the Sub-Committee, together with the reasons for that determination.

NOTES

A Admittance of the Public

The Hearing will normally take place in public, although the Council may exclude the public from all or part of the hearing where the Licensing Sub Committee is satisfied that it is necessary having regard to any unfairness to a party* that is likely to result from a hearing in public and to the need to protect, as far as possible, the commercial or other legitimate interests of a party*.

* “party” means a person to whom a notice of hearing is given in accordance with Regulation 5(1) of the Regulations

B Consideration of other evidence

The Council may ask a party for written information on any matter on which it wants clarification. This should be submitted five working days before the hearing date.

In considering any representations or notice made by a party, the Council must take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, either with the consent of all the other parties or of the Panel, at the hearing. Those wishing to circulate such information should ensure that they supply a minimum of 15 copies for distribution.