

# HAVANT BOROUGH COUNCIL

## HEARINGS PROCEDURE REVIEW OF PREMISES LICENCE

**(in accordance with Regulations issued under the Licensing Act 2003)**

- 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 to all parties in advance of the hearing.
- 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 all parties to the hearing if any of them wishes to withdraw any representations they have made;
  - (c) ask all parties to the hearing if any of them wishes to call witnesses and will seek the Sub-Committee's approval for witnesses to address the hearing.
- 3 The Licensing Officer will outline the nature of the application for a review of the premises licence and the reasons why the matter is before the Sub-Committee;
- 4 The Members, the Trading Standards Officers, the Police, the Licence Holder and any other persons who have made representations (or their respective representatives) may ask questions of the Licensing Officer;
- 5 The Trading Standards Officers, will be invited to submit representations to the Sub-Committee and call witnesses in support of their application for a review of the premises licence;
- 6 The Members, the Police, the Licence Holder and any other persons who have made representations, will be invited to ask questions of the Trading Standards Officers and/or their witnesses;
- 7 The Police will be invited to make representations to the Sub-Committee;
- 8 The Members, the Trading Standards Officers, the Licence Holder and any other persons who have made representations will be invited to ask questions of the Police and/or their witnesses;

- 9 Other persons who have made representations will be invited to submit their representations to the Sub-Committee;
- 10 The Members, the Trading Standards Officers, the Police and the Licence Holder will be invited to ask questions of those other persons who have made representations and/or their witnesses;
- 11 The Licence Holder, will be invited to submit representations to the Sub-Committee and call witnesses in support of their representations;
- 12 The Members, the Trading Standards Officers, the Police and any other persons who have made representations will be invited to ask questions of the Licence Holder and/or their witnesses;
- 13 The Trading Standards Officers will be given an opportunity to submit any final comments to the Sub-Committee;
- 14 The Police will be given an opportunity to submit any final comments to the Sub-Committee;
- 15 Other persons who have made representations will be given an opportunity to submit any final comments to the Sub-Committee;
- 16 The Licence Holder will be given an opportunity to submit any final comments to the Sub-Committee;
- 17 The Chairman will announce that the Sub-Committee will retire to consider its determination. The Sub-Committee, in retiring, will be accompanied by the Council's Solicitor, for legal advice only, and the Democratic Services Officer;
- 18 If at any time before making its determination, the Sub-Committee wishes to ask any additional 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 parties of those additional questions, if this is deemed necessary;
- 19 After any further retirement, the Sub-Committee will return to the Committee Room and the Democratic Services Officer will announce the decision of the Sub-Committee, together with the reasons for that decision.