



**West Devon
Borough
Council**

COMMITTEE HEARINGS PROCEDURE LICENSING ACT 2003

HEARINGS PROCEDURE UNDER THE LICENSING ACT 2003 AND THE LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005.

1. This procedure will apply to the Licensing Act 2003 hearings by the Licensing Sub-committee.
2. The Chairman introduces members of the Sub-Committee and the Officers present.
3. The Chairman asks the Applicants and any other parties to identify themselves and then consider any requests for any witnesses or representatives to appear at the hearing.
4. The Chairman explains to those present that the hearing is the subject to the procedure distributed to the parties with the notice of hearing and summarised with the agenda.
5. The Chairman explains that Parties will have up to 10 minutes to make their representations, which should be relevant to the promotion of the licensing objectives.
6. The Licensing Officer outlines the Application to be considered by the Sub-Committee.
7. The Applicant (or his/her representative) addresses the Sub-Committee.
8. The Sub-Committee asks the Applicant questions about the Application.
9. The Applicant (or his/her representative) may call witnesses in support of their case and each witness may be asked questions by the Sub-Committee.
10. The Chairman asks the Licensing Officer whether they have any comments they wish to make. The Sub-Committee may ask the Officer questions.
11. Any Responsible Authorities address the Sub-Committee. The Sub-Committee may ask the Responsible Authorities questions about the Application.
12. (a) The Chairman invites each interested party to address the Sub-Committee. The Sub-Committee may ask Interested parties questions.

(b) Interested parties may call witnesses in support of their representations and each witness may be asked questions by the Sub-Committee.

13. The Applicant will be invited to make a closing statement.
14. The Sub-Committee will exclude the press and public to consider its decision. The Sub-Committee may reconvene to resolve any points of uncertainty on matters already raised. The Sub-Committee will be accompanied for advice only by the Legal Adviser.
15. Having reached a decision, the Sub-Committee admit the press and public to the hearing will return to the meeting room and the Chair will announce the Sub-Committee's decision with reasons, although these may follow within 5 working days.
16. The Chairman asks whether there are any questions about the procedure.