

## Licensing Panel – Licensing Act 2003

### Procedure for a Review Hearing - Oral Hearing in Public

This document provides a summary of the Panel's usual procedure for the conduct of a premises licence **Review** hearing, in public (either in person or by remote hearing).

Please note that:

- the **Applicant** is the party who has asked for a review of the premises licence.

- i. **Introductions:**
  - Chair of the Panel
  - Members (councillors)
  - Officer presenting the report
  - Officers of Responsible Authorities objecting
  - Applicant (the person(s) seeking the review)
  - The Licence holder
  - Other persons
- ii. **Procedure** - Chair of the Panel to outline the procedure for the hearing (with variations where needed).
- iii. **Presentation** of the report (**agenda item 6**) by a Licensing Officer of the Relevant Authority.
- iv. **Presentation** by the **Applicant(s)** (seeking the review) of their case/statements. Additional material may only be submitted at the hearing with the agreement of the Panel and the other party/parties, subject to advice by the Panel's legal advisor at the time.
- v. **Presentation** by **other persons** (if any) (including Responsible Authorities) who have made representations **supporting the Applicant's case**.
- vi. **Questioning** of the **Applicant(s)** and the **other persons** above by:
  - the Licence holder
  - the Panel
- vii. **Presentation** by the **Licence holder(s)** of their case/statements. Additional material may only be submitted at the hearing with the agreement of the Panel and the other party/parties, subject to advice by the Panel's legal advisor at the time.

## Agenda Item 4

- viii. **Presentation by other persons** (if any) who have made representations **supporting the Licence holder's case.**
- ix. **Questioning** of the Licence holder and the **other persons** above by:
  - the Applicant
  - the Panel
- x. **Concluding statement** by the Applicant.
- xi. **Concluding statement** by Licence holder(s).
- xii. The Panel together with its legal advisor (and committee clerk if in attendance) withdraw to consider the application. Before withdrawing, the panel will confirm (if not already done) how the decision will be provided (see below). Should the Panel wish to clarify any point with any particular party, all sides are recalled for the questions to be asked.
- xiii. **Decision:**
  - Option 1 - The hearing is reconvened for the Panel to announce their decision.
  - Option 2 – The Panel's written decision is sent to the parties within 5 working days.

The Panel will give reasons for its decision.

### Notes

**Witnesses:** Either side may call witnesses to support their case. Witnesses should have submitted written statements before the hearing which they present and on which they may be questioned. Witnesses introduced at short notice may speak with the agreement of the Panel and the other party/parties, subject to advice by the Panel's legal advisor at the time.

**Adjournment:** The Panel may at any time adjourn to a later date for the further consideration of an application. The date and time should be agreed with all parties as far as possible.