

SEX ESTABLISHMENTS LICENSING

COMMITTEE HEARING PROCEDURE NOTE

1. The Parties are invited into the meeting.
2. The Chair will introduce him/herself, the other members of the Committee and any officers assisting the Committee. The Chair will invite each of the parties present and any representatives to identify themselves.
3. The Chair will ask the parties if they have received a copy of the Licensing Officer's report and understand the hearing procedure?
4. The Chair will ask if any party wishes to submit any documents in addition to their application/representation? If the other parties have not previously seen the document, the Chair will request that it first be passed to them, so that they can decide whether they object to it being submitted to the Committee*. Any further documents being put forward must relate to application and/or the statutory grounds for objecting. The final decision on whether any further documents are admitted will rest with the Chair.
5. The Chair will remind the parties that the purpose of the hearing is to consider arguments in favour of the application and arguments against it. The hearing is not a court of law where the truth of what is said has to be tested and proved and therefore cross-examination between the parties will not normally be allowed.
6. The Licensing Officer will present his/her report.
7. The applicant will address the Committee to present the application and may call evidence in support.
8. If the Police have lodged an objection, they may address the Committee to present their objection and may call evidence in support.
9. If any council officer (other than the Licensing Officer) has lodged an objection, they may address the Committee to present their objection and may call evidence in support.
10. All other objectors may address the Committee to present their objection and may call evidence in support. Where several objectors have submitted similar objections, the Chair may invite those objectors to nominate a spokesperson to speak on their collective behalf.
11. The Chair will invite the members of the Committee to ask the parties questions.

12. Objectors will be asked if they wish to make a closing statement?
13. The applicant will be asked if he/she/they wish to make a closing statement?
14. The Chair will ask if any members of the Committee have any points they want clarified by any of the parties before the parties leave the room?
15. The Chair will invite the parties to leave the room whilst it debates the application in private**. Relevant supporting officers (e.g. legal adviser, minute taker) will remain with the Committee in order to provide professional advice and to record the deliberations.
16. The Parties will be invited back into the room and the Chair will announce the Committee's decision. Written confirmation of the decision will be issued to the Parties within 10 working days.

* The Chair may adjourn the hearing to another date where it is appropriate to do so, for example to consider further documentation submitted or to allow a formal site visit to take place.

** If a point arises during the adjournment that requires clarification, then all of the parties will be invited back into the room so that the appropriate questioning can take place with everyone present.

*** The Chair may alter or depart from this procedure where it is appropriate in the circumstances to do so.