

## **PROCEDURE FOR THE DETERMINATION OF A LICENSING REVIEW BY THE LICENSING SUB-COMMITTEE FOLLOWING A CLOSURE ORDER**

1. At the start of the hearing the Chair will introduce the Sub-Committee Councillors and colleagues and explain their roles for the purpose of the hearing.
2. The Chair will explain the procedure to be followed by the Sub-Committee, which will normally take the form of:
  - (a) The Licensing Officer for the Council will present the relevant details, but make no recommendations regarding a decision on the application to the Sub-Committee, together with information regarding any details relevant to the application, which may have come to light since the report was written.
  - (b) The Licence Holder or his/her representative can present his/her case, including calling any witnesses. Questions may then be put to the applicant, through and with the consent of the Chair, by the other parties and the Sub-Committee.
  - (c) The other parties will present their case, but only where representations are unresolved. Responsible authorities (within the meaning of the legislation) will present their case(s) before other persons. Questions may then be put to those persons, through and with the consent of the Chair, by the other parties and the Sub-Committee.
  - (d) The Licensing Officer will be invited to sum up the case.
  - (e) The other parties will be invited to sum up their case.
  - (f) The licence holder or his/her representative will be invited to sum up his/her case.
  - (g) The Sub-Committee will be invited to adjourn to come to its decision. Upon adjournment, all parties will withdraw, directly or through retirement of the Sub-Committee. The only colleagues who may remain with the Sub-Committee during its adjournment shall be the legal advisor and the Committee Manager.
  - (h) Where the Sub-Committee has to make a decision at the end of the hearing, all parties will be called back and informed orally of the decision of the Sub-Committee and any conditions made, with the reasons for those conditions.

3. The Sub-Committee will be permitted to retire to deliberate in private on any matter it chooses. The Sub-Committee may seek legal advice on a point of law at any point but the substance of any advice given in private must be repeated in open session.