

7.14 Licensing Applications

7.14.1 Speaking Rights

Members of the public shall be entitled to speak during the consideration of any application for any approval or consent required under the Licensing Act 2003 in accordance with Rules 7.14.2 to 7.14.4 below.

7.14.2 Procedure

The following procedure shall apply in respect of each item where any of the aforementioned persons are present:

- Introduction of item by Officers;
- Representation by Applicant/Agent;
- Members' questions to Applicant/Agent;
- Questioning of Applicant/Agent by interested parties;
- Representations by objector(s);
- Members' questions to objector(s);
- Questioning of objector(s) by interested parties;
- Representations by supporter(s);
- Members' questions to supporter(s);
- Questioning of supporter(s) by interested parties;
- Representations by Responsible Authorities;
- Members' questions to Responsible Authorities
- Questioning of Responsible Authorities by interested parties;
- Representations by Ward Member;
- Members' questions to Ward Member(s);
- Questioning of Ward Member(s) by interested parties;
- Applicant/Agent's right to address comments made at the Sub-Committee meeting;
- Consideration of application by Members.

[Note: Questions raised as part of the above process must either be for clarification, be relevant to the application or the Council's Licensing Policy)

7.14.3 Time Allowed

The total time allowed for speeches in respect of each of the following groups of speakers shall not exceed ten minutes or such longer period as the Chairman may allow with the consent of the Sub-Committee:

- Applicant;
- Objectors;
- Supporters;

- Responsible Authorities as defined by the Act; eg Police, Environmental Health;
- Ward Member(s)
- Applicant/Agent whilst addressing comments made at the Sub-Committee meeting.

Where more than one objector to an application wishes to speak the Chairman may if he/she considers it convenient and conducive to the despatch of the business of the meeting require that a spokesperson be appointed to represent the views of the objectors or supporters as the case may be.

[Note: If the Sub-Committee consents to a longer period for speeches this will be applicable for all those groups of speakers as set out above.]

7.14.4 Continuation of Meeting

Meetings of Committees and Sub-Committees shall not normally continue past 10.00pm. If, however, the Chairman believes that business can be concluded by 10.30pm, a Motion under Rule 7.6.2 (Motions which may be moved without notice) must be moved and supported by a majority of those Members present. All meetings will conclude by 10.30pm at the latest.

7.14.5 Suspension or Variation

The Chairman may:

- suspend the operation of Rule 7.14.3 above (Time Allowed) during the consideration of any application or for the remainder of the meeting if he/she considers it necessary so to do for the purpose of maintaining order at the meeting; or
- vary the order of representations if he/she considers that it is convenient and conducive to the despatch of the business and will not cause any prejudice to the parties concerned.

7.14.6 Determination of Applications

Following the hearing of all the evidence the Sub-Committee will then retire to a separate room, from that used for the Sub-Committee meeting, to make its determination.

(a) In the case of a hearing under:

- Section 105(2)(a) – counter notice following police objection to temporary event notice;
- Section 167(5)(a) – review of premises licence following closure order;
- Paragraph 4(3)(a) of Schedule 8 – determination of application for conversion of existing licence;
- Paragraph 16(3)(a) of Schedule 8 – determination of application for conversion of existing club certificate; or
- Paragraph 26(3)(a) of Schedule 8 – determination of application by holder of a justices' licence for grant of personal licence;

The Sub-Committee must make its determination at the conclusion of the hearing.

- (b) In any other case the Sub-Committee must make its determination within the period of five working days beginning with the day or the last day on which the hearing was held.

In relation to the hearings identified in (a) above once the Sub-Committee has come to a decision they will return to the meeting room and notify all parties of their determination.