

Appendix G

Hearing Procedure

SEXUAL ENTERTAINMENT VENUES

LICENSING SUB COMMITTEE HEARING PROCEDURE

This procedure has been drawn up to assist those attending Sexual Entertainment Venue Committee hearings. The hearing can be heard in two parts and may be held on separate dates. Part One will not apply if there are no objectors.

The hearing before the Council is Quasi-Judicial.

PART ONE

1. The Chair of the Licensing Sub-Committee will introduce the Sub-Committee and ask officers to introduce themselves.
2. The Chair will ask the objectors (or nominated speaker(s) on behalf of the objectors) to formally introduce themselves.
3. The Solicitor to the Sub-Committee will outline the procedure to be followed in the hearing.
4. Hearing Procedure:-
 - (a) The Licensing Officer will introduce the report.
 - (b) Questions concerning the report can be asked by Members.
 - (c) The Licensing Officer will introduce in turn the objectors (or nominated speakers) who will then be asked to detail the relevant representations. New representations must not be raised.
 - (d) The Chair of the Licensing Sub-Committee will invite members of the Sub-Committee to put any relevant questions to the objectors.
 - (e) The Chair of the Licensing Sub-Committee will close Part One of the hearing.

PART TWO

1. The Chair of the Licensing Sub-Committee will introduce the Sub-Committee and ask officers to introduce themselves.
2. The Chair will ask the applicants to formally introduce themselves.
3. The Solicitor to the Sub-Committee will outline the procedure to be followed in the hearing.
4. Hearing Procedure:-
 - (a) The Licensing officer will introduce the report.
 - (b) Questions concerning the report can be asked both by Members and the applicant.

- (c) The applicant/licensee (or his/her nominated representative) will then be asked to:-
 - i) Present their case to the Sub-Committee and respond to any objections made;
 - ii) Call on any witnesses in support of their application;
- (d) The Chair of the Licensing Sub-Committee will invite Members of the Sub-Committee to put any relevant questions to the applicant/licensee (or his/her nominated representative) and/or any witnesses who speak.
- (e) The applicant and objectors (if any) will be invited to make a closing submission, highlighting salient points and deal with any issues raised by the other party in evidence that has not already been dealt with in the primary presentation of the case.
- (f) The Licensing Officer will then detail the options.
- (g) There will then be a private session for Members to take legal advice and consider the application.

- 5. The decision of the Licensing Sub-Committee will be conveyed in writing following the hearing, to the applicant/licensee (or his/her representative).
- 6. Objectors will receive a copy of the written notification of the Sub-Committee's decision sent to the applicant, if they have advised the Licensing Authority that they wish to do so. The decision will also be made available on the Council's website.

NB: At any time in the Licensing Process, Members of the Sub-Committee may request legal advice from the Solicitor to the Sub-Committee. This advice may be given in open session or in private.

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