

## LICENSING ACT 2003 – Hearing Procedure checklist.

**Premises/Applicant Name:**

**Date:**

	This is the procedure that the Council has adopted under the Licensing Act 2003 (Hearings) Regulations 2005 for all of its licensing hearings to achieve a consistent approach.	
1	Once all parties are present and seated the Sub-Committee to enter the room.	
2.	Committee Manager to open hearing by using agenda – appointment of Chairman.	
3.	Ask Members if they have any declarations of interest.	
4.	State that the hearing is quasi-judicial based on discussion and the principle of reasonableness. It is not a court procedure but is conducted in a non-adversarial friendly format.	
5.	Introduce yourself as Chairman, the other members of the Sub-Committee and the Committee Manager and Legal Advisor.	
6.	Invite all other attendees to introduce themselves (Licensing Officer, representatives from responsible authorities, applicant and those with applicant, those making representations against applications).	
7.	Invite the Licensing Officer to introduce their report.	
8.	Invite the sub-committee to ask questions of the Licensing Officer if considered necessary.	
9.	Ask if requisite notice of attendance at the hearing was given.	
10.	Invite the applicant to state their case and to call any witnesses they consider necessary.	
11.	Allow cross examination if required.	
12.	Allow Members to ask the applicant or their witnesses questions for further clarification.	
13.	Invite the Responsible Authorities to state their case.	
14.	Allow cross examination if required.	

15.	Invite the objectors to state their case and to call any witnesses they consider necessary.	
16.	Allow cross examination if required.	
17.	Allow Members to ask the objectors or their witnesses questions for further clarification.	
18.	Invite Responsible Authorities to make a final address to the sub-committee.	
19.	Invite objectors to make a final address to the sub-committee.	
20.	Invite the applicant to make a final address to the sub-committee.	
21.	The sub-committee to retire from the room (with the Legal Adviser and Committee Manager) to consider the representations which have been made and to make its decision.	
22.	If any legal clarification is required, the Legal Adviser must return to inform all parties of the point considered, together with the advice given.	
23.	Return to the hearing room to inform all parties of the decision.	

**Notice of the determination will be given in writing after the hearing. For certain applications, the determination will be made within five working days of the hearing.**

<b>Premises</b>	
<b>Applicant</b>	
<b>Representative</b>	
<b>Objectors</b>	
<b>Representative</b>	
<b>Other persons appearing for the objectors</b>	