

## **CANNOCK CHASE COUNCIL**

### **LICENSING AND PUBLIC PROTECTION COMMITTEE**

#### **PROCEDURE FOR DEALING WITH MATTERS NOT GOVERNED BY THE LICENSING ACT 2003**

N.B. *The points in the procedure that are highlighted are to be used only where an objector/complainant/witness to the application has made representations.*

#### **General Points**

1. The applicant/licensee shall be given notice in advance of the time, date and place of the meeting, together with a copy of the procedure for the hearing and a copy of the report relating to the application. The applicant and other parties should assume that the Committee has read all the written material submitted to it.
2. The applicant/licensee shall have the right to be represented by a legal representative or some other person of their choice and shall be entitled to call witnesses.

#### **Procedure For The Hearing**

1. The Chairman of the Committee shall introduce the Members of the Committee and supporting staff.
2. The Chairman shall ask for the applicant/licensee (or their representative), together with any objectors/complainants/witnesses to the application to introduce themselves.
3. The Chairman shall outline the procedure to be followed at the hearing and ask all parties to confirm their understanding of the procedure.
4. The officer representing the Licensing Authority shall present a report on the matter in the presence of the applicant/licensee (or their representative) and any objectors/complainants and may call witnesses.
5. Any objectors/complainants/witnesses to the application shall have the opportunity to ask questions of the officer from the Licensing Authority.
6. The applicant/licensee (or their representative) shall have the opportunity to ask questions of the officer from the Licensing Authority and any witnesses called.
7. Members of the Committee may ask questions of the officer from the Licensing Authority and any witnesses called.
8. Where the officer of the Licensing Authority is legally represented, the legal representative may ask questions of the officer of the Licensing Authority and any witnesses called.

9. The applicant/licensee (or their representative) shall put the case in respect of the matter in the presence of the officer of the Licensing Authority and any objectors/complainants and may call witnesses.
10. Members of the Committee may ask questions of the applicant/licensee (or their representative).
11. The officer from the Licensing Authority may ask questions of the applicant/licensee (or their representative).
12. Objectors/complainants/witnesses to the application shall put their case in respect of the matter in the presence of the officer representing the Licensing Authority and the applicant/licensee (or their representative) and may call witnesses.
13. The applicant/licensee (or their representative) may ask questions of any objectors/complainants/witnesses.
14. Members of the Committee may ask questions of any objectors/complainants/witnesses.
15. The officer of the Licensing Authority shall have an opportunity to sum up their case if they so wish.
16. Any objectors/complainants/witnesses to the application shall have an opportunity to sum up their respective cases if they so wish.
17. The applicant/licensee (or their representative) shall have an opportunity to sum up their respective case if they so wish.
18. Members of the Committee shall deliberate in private, accompanied by the Council's Legal Advisor and Secretary to the Committee, only recalling the other parties or their representatives to clarify points of uncertainty on evidence or submissions already given. If it is necessary to recall any party, all parties are to return, notwithstanding that only one party may be concerned with the points giving rise to doubt.
19. At the conclusion of their deliberations, the Chairman of the Committee may inform the applicant/licensee (or their representative) of the decision of the Committee, briefly explaining the reasons for the decision.
20. The Council's Legal Advisor shall write within seven working days (or as soon as practicable if this cannot be completed) to the applicant/licensee confirming the Committee's decision and giving reasons for that decision.