



## **WEST LANCASHIRE BOROUGH COUNCIL**

### **LICENSING AND GAMBLING COMMITTEE LICENSING SUB COMMITTEE**

#### **HEARING PROCEDURE**

1. The Chairman introduces the Members and the main Officers.
2. The Chairman invites the other parties to the hearing to introduce themselves.
3. The Chairman refers to this procedure, which will be followed.  
**NB.** The Chairman will explain that he will allow the parties to proceed without specific time constraints. However, the Chairman will reserve the right to stop any cross examination unless it is required to consider the case as necessary.<sup>1</sup>
4. The Chairman asks the Assistant Director Community Services (or their representative) to outline the application.
5. Applicant's case
  - (a) The Applicant (or representative) will present their case. This will include general opening remarks followed by calling witnesses.
  - (b) The other parties to the hearing may then ask questions of the Applicant and witnesses, commencing with each Responsible Authority (if present) and concluding with the Sub-Committee.
6. Relevant representations – Responsible Authorities (if present)
  - (a) Each Responsible Authority (or representative) will present their case. This will include general opening remarks followed by calling witnesses.
  - (b) The other parties to the hearing may then ask questions of each Responsible Authority and witnesses, commencing with the Applicant and concluding with the Sub-Committee.
7. Relevant Representations – Interested Parties (if present)

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<sup>1</sup> Regulation 23 Licensing Act (Hearings) Regulations 2005 2005/44

- (c) Interested Parties will be asked by the Chairman if they wish to elect a spokesperson or representative (or speak individually). Interested Parties will present their case. This will include general opening remarks followed by calling witnesses.
  - (d) The other parties to the hearing may then ask questions of the Interested Parties and witnesses, commencing with the Applicant and concluding with the Sub-Committee.
8. If several representations (objections) have been received, Interested Parties may question the Applicant and witnesses in turn in an order to be determined by the Chairman. The same order will follow when it comes to the Interested Parties being questioned.
  9. The Chairman to ask all parties and the Sub-Committee if they have any further relevant questions or comments arising from the hearing.
  10. Interested Parties, Responsible Authorities and the Applicant to make their closing address in that order (so that the Applicant has the final say).
  11. The Chairman will ask the Legal Adviser whether there are any other matters to be raised or resolved before the hearing is closed for deliberations.
  12. The Sub-Committee will retire to determine the application calling the Legal Advisor and Member Services Officer as needed. All parties may then leave the hearing.
  13. All parties to the hearing will be provided with the decision and accompanying reasons in writing within five working days of the date of the hearing.

End.

If any of the parties, representative or observers, wish to discuss any matters relating to the hearing, Officers will be available at the conclusion of the hearing.