

NORTH NORFOLK DISTRICT COUNCIL

Licensing Sub-Committee Hearings

Information to Accompany Notice of Hearing



1. Consequences if the Party does not attend Hearing

- 1) If a party has informed the Authority that he does not intend to attend or be represented at a Hearing, the Hearing may proceed in his absence.
- 2) If a party who has not so indicated fails to attend or be represented at a Hearing the Authority may –
 - a) Where it considers it to be necessary in the public interest, adjourn the Hearing to a specified date, or
 - b) **Hold the Hearing in the party's absence.**
- 3) Where the Authority holds the Hearing in the absence of a party, the Authority shall consider at the Hearing the application, representations or notice made by that party.
- 4) Where the Authority adjourns the Hearing to a specified date it must forthwith notify the parties of the date, time and place to which the Hearing has been adjourned.

2. Procedure to be followed at the Hearing

Please note: before the Hearing begins the Licensing Representative will take the names of everyone attending and find out if they want to speak.

1. The **Chairman** introduces

- a) Himself or herself and the Members of the Committee
- b) The Legal Advisor
- c) The Licensing Representative
- d) The Committee Administrator.

2. The **Legal Advisor**

- a) Introduces the subject of the Hearing
- b) Notes attendances
- c) Outlines the procedure and explains her part in it.
- d) Asks if there are any preliminary matters, such as requests for adjournment.

3. The **Chairman** asks the Licensing Representative to explain the application.

4. The **Licensing Representative** refers the Sub Committee to the report, which they have read beforehand, and updates them on any new information. S/he may call witnesses.

5. The **Licensing Representative** invites questions on the report from all parties (The Applicant, the Objectors, the Board Members and the Legal Advisor)

6. The **Chairman** asks the **Applicant** (or his/her representative) to put forward their case. The Applicant may also call witnesses.

7. The **Chairman** invites questions to the **Applicant** from the Objectors, the Board Members and the Legal Advisor.

8. The **Chairman** invites the **Objectors** to put forward their case.
9. The **Chairman** invites questions to the **Objectors** from the Applicant, the Board Members and the Legal Advisor. Any party may call witnesses or ask questions of the witnesses.

10. Closing Statements

The **Chairman** invites closing statements:

FIRST: Objectors (or Objectors Spokesman)
LAST: Applicant (or his/her representative)

The **Chairman** will ask the Legal Advisor if there is any advice before the Sub-Committee retires.

11. The **Chairman** thanks all those who have spoken and invites the Sub Committee to retire to the Members' Room to make a decision.
12. The **Legal Advisor** accompanies the Sub Committee to provide legal advice and to assist them to formulate their reasons (but does not take part in the making of the decision).
13. The **Sub Committee** makes the decision.
14. The **Sub Committee** returns. The **Chairman** reads out the decision and the reasons for the decision.