

## **APPENDIX A8**

### **HEARING PROCEDURE: PERSONAL LICENCE / TRANSFER / DPS**

#### **Pre-Hearing Matters**

Democratic Services to seek nominations for the Appointment of Chairman.

1. Chairman to welcome everyone and read Fire Evacuation Procedure.
2. Apologies / Substitutes.
3. Ask for declarations of interest and lobbying.
4. Chairman will Introduce members of the hearing Sub-Committee.
5. Chairman will ask those present to introduce themselves in the following order:
  - The Legal Adviser.
  - The officer from Democratic Services.
  - Licensing officer(s).
  - Applicant and any person representing or assisting them.
  - Any other party to the hearing (normally the Suffolk Constabulary).

*(The Police have indicated that they will request the applicant be excluded from the proceedings under Regulation 14)*
6. The Chairman will ask all parties to the hearing whether they wish to withdraw their application or representation.
7. The Chairman will ask the Licensing Officer to report any documentary or other information that a party to the hearing wishes to present. If there is any such material, the Chairman will ask all the other parties to the hearing whether they consent to it being presented. If they agree, the material will be distributed.

*(additional documents provided by Suffolk Constabulary have already been circulated)*
8. Resolve to go into Exempt Session (if required).

#### **The Hearing**

Immediately after the pre-hearing matters have been dealt with, the Sub-Committee hearing will commence:

1. The Chairman will clarify with everyone present that they are clear about the procedure to be followed.

[The Legal Adviser to explain if necessary]
2. The Chairman will ask the Licensing Officer to summarise the matter under consideration.

3. The Members, Applicant, and those making representations (Suffolk Constabulary) may ask questions of the Licensing Officer.
4. Starting with the Applicant, each party will exercise their rights as follows:
  - Each party to present their case and call any approved witness in support of their case.
  - If given permission by the Chairman, and only through the Chairman of the hearing, each party may raise questions for any other party or witness.
5. The Applicant or his representative will be asked to sum up their case.
6. The Sub-Committee will leave the room to consider its decision, along with the legal advisor and the officer from Democratic Services.
7. After Adjournment, the hearing resumes so that the Chairman can announce the decision including rights of appeal.
8. The decision and rights of appeal will be confirmed in writing by the Licensing Officer.