



HEARINGS PROCEDURE: LICENSING ACT 2003 **TEMPORARY EVENT NOTICES (TENS)**

(Where relevant person has issued objection notice under section 104 of the Licensing Act 2003)

1. The Licensing Officer will present a report to the Committee outlining details of the temporary event notice(s), the 'relevant person' (i.e. Police/EHO*) objection notice and reasons for the hearing.
2. The Licensing Officer may then be questioned on his report by the premises-user (i.e. the person giving the TEN) and/or his advocate, relevant person representative and members of the Committee.
3. The Police/EHO representative will then present their case, confirming the reasons for issuing the objection notice and clarifying why the Police/EHO are satisfied that the temporary event(s) would undermine the licensing objectives. Repeat steps 3-5 if more than one objection notice.
4. The Police/EHO representative calls any witnesses.
5. The Police/EHO representative and his witnesses may then be questioned on their submissions by the premises-user and/or his advocate, Licensing Officer and members of the Committee.
6. The premises-user or his advocate makes an opening address to the Committee.
7. The premises-user or his advocate calls any witnesses.
8. The premises-user and/or his advocate, and his witnesses if applicable, may then be questioned on their submissions by the Police/EHO representative, Licensing Officer and members of the Committee.
9. The premises-user or his advocate may then question the witness to clarify any points.
10. The Licensing Officer gives any closing address to the Committee.
11. The Police/EHO representative gives a closing address to the Committee.
12. The premises-user and/or his advocate gives a closing address to the Committee.
13. The Committee retires to deliberate in private session. All parties will then be called back into the meeting for the announcement of the decision and reasons for the decision will be given by the Committee Chairman or Legal Adviser to the Committee. The premises user and/or his advocate will be given opportunity to clarify any points on the decision if the Chairman consents. The decision notice, counter notice and any statement of conditions (if applicable) will follow in writing.

* EHO = Environmental Health Officer

NOTES:

- (a) The hearing will take the form of an informal discussion led by the Licensing Authority.
- (b) The Committee Chairman and, with his consent, any member of the Committee may at any time question the premises-user, Police/EHO representative, Licensing Officer or any witnesses. The Committee Chairman may deviate from this procedure as he considers appropriate, to allow a discussion to flow and to allow all parties fair and equal opportunity to raise all points they may wish to make.
- (c) The Committee will be aware that the Licensing Act 2003 (Hearings) Regulations 2005 have application to the hearing.