

REVIEW (SUMMARY/EXPEDITED) HEARING PROCEDURE (PREMISES ONLY)

NOTE: Upon receipt of an application for expedited (or 'summary') licence review, where the Chief Officer of Police and Superintendent (or rank above) is satisfied that a licensed premises are associated with **serious crime** or **serious disorder (or both)** the Council will be required to determine, within 48 hours of the application, whether it is **necessary** to take any interim steps. This meeting will precede the review hearing. The following is the review hearing procedure:

1. The Licensing Officer will present a report to the Sub-Committee outlining details of the review application and reasons for the hearing. This will include reference to any prior interim steps and certification from the Police.
2. The Licensing Officer may then be questioned on his/her report by the Applicant for Review, Licence-holder (and his/her advocate if applicable), any other persons making relevant representations and Members of the Sub-Committee.
3. The Applicant for Review will then present their case, detailing the grounds for review. The Applicant may amplify the grounds stated within the application.
4. The Applicant for Review calls any witnesses (if applicable).
5. The Applicant for Review and his witnesses (if applicable) may then be questioned on their submissions by the Licence-holder and/or his advocate, any other person making relevant representations, Licensing Officer and Members of the Sub-Committee.
6. REPEAT STEPS 3-5 FOR ANY OTHER PARTY JOINING THE REVIEW
7. The Licence-holder and/or his advocate make an opening address to the Sub-Committee.
8. The Licence-holder and/or his advocate call any witnesses.
9. The Licence-holder and/or his advocate, and his witnesses if applicable, may then be questioned on their submissions by the Applicant for Review, any other person making relevant representations, Licensing Officer and Members of the Sub-Committee.
10. The Licence-holder and/or his advocate may then question the witnesses to clarify any points.
11. The Chairman may then allow additional questioning/ clarification of any of the parties in the order indicated by him.
12. The Applicant for Review gives any closing address to the Sub-Committee.
13. The Licensing Officer gives any closing comments to the Sub-Committee.
14. The Licence-holder and/or his advocate give a closing address to the Sub-Committee.
15. The Sub-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 Sub-Committee Chairman or Legal Adviser to the Sub-Committee. The Sub-Committee will determine the application at the conclusion of the hearing in accordance with Regulation 26(1)(a)(ab). A written decision notice will follow forthwith to all parties including reference to the status of any interim steps (if any) and rights of appeal.

NOTES:

- (a) The hearing will take the form of an informal discussion led by the Licensing Authority. Regulation 14 enables exclusion of the public from all or part of the hearing, where this is considered to be in the public interest.
- (b) The Sub-Committee Chairman and, with his consent, any Member of the Sub-Committee may at any time question the Applicant, Responsible Authorities, Other Persons, Licensing Officer or any witnesses. The Sub-Committee Chairman may deviate from this procedure as he considers necessary or 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 Sub-Committee will be aware that the Licensing Act 2003 (Hearings) Regulations 2005 have application in full to the summary review hearing, unlike in the case of a hearing to determine interim steps.
- (d) 'Applicant for Review' means the person(s) who made the original application to review the licence. This will be the Chief Officer of Police in respect of any summary review under section 53A. 'Licence-holder' means the holder of the premises licence subject to the review, or their authorised representative.