

## LICENSING PANEL HEARING – CHAIRMAN’S NOTES

### INTRODUCTION

Good (*morning/afternoon*) ladies and gentlemen and welcome to Wycombe District Council

I just want to introduce myself and the rest of the panel and explain briefly the procedure for today’s hearing.

But before I do so can I ask you all to switch off your mobile phones. Also, in the event of the alarm going off please evacuate the room in an orderly manner, follow me and assemble in the front of the Council offices.

I am the Chairman of the panel today and my name is Cllr.....

I am accompanied by Cllr..... and Cllr .....

You should all have a copy of the Council’s Procedure to be followed today and we have spare copies should anyone need one. I would like to draw your attention particularly to point 13, which deals with the order of oral presentations. This is the order that will be followed today:

### Order of Oral Presentations

- a. The Licensing Officer will present the report on the application and outline any objections received. He/she will refer in particular to objections and representations where a party has chosen not to attend the hearing.
- b. Any party may question the Licensing Officer.
- c. The Panel may question the Licensing Officer.
- d. Any Responsible Body having made a written representation may present their case.
- e. Any other person may question a Responsible Body.
- f. The Panel may question a Responsible Body.
- g. Any other person, having made a written representation, may present their case.
- h. Any other party may question a person who has made a written representation.
- i. The Panel may question the person who has made a written representation.
- j. The Applicant may present their case.
- k. Any other person may question the Applicant.
- l. The Panel may question the Applicant.

I would remind those making representations and any person speaking on their behalf that the purpose of this hearing is to amplify and expand upon written representations which have been made as part of the application process. Speakers

must therefore stick to these issues, as new evidence or information cannot be heard at this stage. Oral presentations should be to the point and should not be used as a means to make long speeches. I would remind all parties that the Chair shall retain the right to conclude oral presentations that drift onto those matters not applicable to the Licensing Act, or that include matters not relevant to this hearing and its jurisdiction.

If any parties want to appoint a spokesperson, please let me know now before we commence the hearing.

**Noting particular points – Changes following the Police Reform & Social Responsibility Act 2011**

Part 2 of the Police Reform & Social Responsibility Act 2011 makes changes to the Licensing Act 2003. The term interested party has been deleted throughout the Act and replaced by “any other person”. This means that any person including resident, business, Parish Council, a Councillor or an MP can make representation regardless of where they reside and in their own right. There is no vicinity requirement any more.

Parish Councillors and Ward Members can also speak if requested to do so by any other person who may appoint them.

**Additional points**

You should also have been provided with the Council’s statement of licensing policy and a plan of the relevant area.

- At this stage before the hearing begins, as part of procedural matters, may I ask the Applicant if there are any amendments or changes to be considered by the Panel or if the Application is to stand as submitted to the Council?
- Are there any other procedural matters that we need to resolve before we begin the hearing?

I would like to start by going around the room so that everybody can introduce themselves and the capacity in which they are here.

Unless there are any urgent questions we will now proceed with the hearing.

We will start by formally opening the Panel with the Agenda in front of you:

- Apologies for Absence
- Declarations of Interest
- Introductory Remarks

Will the Licensing Officer now please present her/his report on behalf of the licensing authority.

**CLOSING**

We have now heard all of the representations and unless anyone has anything further to add, we will now go into private session so that the panel may consider the

application in light of what we have heard and read. The legal advisor and clerk will accompany us whilst a decision is reached.

The Legal Advisor will endeavour to notify you of our decision in writing within seven days, if there is to be a delay the Licensing Officer will inform you of this.

Thank you all for attending.