

The North Yorkshire Council **Procedure for licensing hearings**

Mobile phones must be turned off throughout the hearing

The purpose of this procedure is to clarify how the Licensing Sub-Committee (the “Committee”) will conduct licensing hearings made under the Licensing Act 2003 and under other licensing regimes covered by the Licensing Committee. All hearings are conducted with due regard to the Council’s Constitution, relevant legislation and guidance.

The hearing will take the form of a discussion led by the Committee. Any questions will go through the Chair.

Where a large number of interested parties are involved; they will be encouraged to appoint a spokesperson(s) so as to avoid duplication of representations being made.

Licensing Sub-Committee Hearings

All Applicants, Responsible Authorities and Other Persons (who have submitted a valid representation/objection) (collectively called “Parties”) will only be able to participate in the hearing provided they take the following steps :-

(1) All Parties (and their adviser) **must register to participate** in the hearing by emailing the **Democratic Services Team of the Council** at democraticservices@northyorks.gov.uk no later than **12 noon on Friday 14 April 2023**.

(2) All Parties should **arrive for the hearing taking place in the Council Chamber, The North Yorkshire Council, Civic Centre, Doncaster Road, SELBY, YO8 9FT at least 15 minutes** before the advertised start time to ensure they are ready to start at the advertised start time.

(3) After the advertised start time has passed no registered parties will be allowed to join, except in exceptional circumstances, when permitted by the Chairman, as this could disrupt the meeting.

Final Submissions before the Hearing

If representations have been made objecting to or supporting the application to the Council’s Licensing team within the consultation period these will automatically be part of the report and do not need to be resubmitted.

All Parties (including the Applicant) should have submitted any evidence in support of their application or representations/objections within the permitted period and should have set out the key points, policies and conditions that a Party wishes the Committee to take account of in determining the application.

Any late submissions that a Party wishes to make, (that have not been submitted in time to be included in the committee report) should be submitted to the Democratic Services Team at democraticservices@northyorks.gov.uk by **no later than 12 noon on Friday 14 April 2023**. **Please note, if you provide additional information on the day of the hearing, it will only be accepted if all other parties consent to it.**

Procedure

1. **The Chair** will open the meeting and introduce himself, the other members of the Committee, the clerk to the Committee and any other officers present.
2. Each Member of the Committee will be asked to confirm whether they have any declarations of interests to make.
3. **The Chair** will ask the parties to introduce themselves and provide details of any witnesses they will be calling. If more than one interested party, the Chair will ask whether a representative can be appointed to speak on their behalf.
4. **The Chair** will summarise the procedure of the hearing, explain how the hearing will proceed and any time limits for the speakers.
5. **The Licensing Officer** from the Licensing Authority will introduce the application, giving a brief description of the application.
6. **The Chair** will ask for questions for the licensing officer from members, and then the Applicant, interested parties and officers.
7. Each party who has registered to speak, will be invited to make their representations and will be allowed **a maximum of 10 minutes each**. In order to ensure that the hearing is fair to all parties and is conducted in an orderly manner, the Chair has the discretion to extend this time limit where it is appropriate for the determination of the application.
8. **Parties** will normally speak in the following order, (the order may change for other types of licensing applications):
 - a. The Applicant
 - b. Responsible authorities (Environmental Health)
9. After each Party's submission, the Committee Members will ask questions of that Party if they wish to do so.
10. **The Chair** will then allow each Party to ask questions of the opposing Party for a **maximum of 10 minutes each**.

11. **The Chair** will ask each party if they wish to sum up their case, without adding any new evidence.
12. **The Chair** will confirm with all parties that they have had an opportunity to say all they wanted to say in relation to the application.
13. **The Chair** will then **close the meeting** and all Parties will leave the meeting. The Decision will not be announced at the end of the hearing unless there is a legal requirement to do so.
14. The Committee will deliberate in closed session and all Parties will be advised of the outcome in writing. Unless otherwise required by the Regulations, the Full Decision will be made within five working days of the last day of the hearing and sent to the Parties by the Democratic Services Team.

Rules during Licensing Hearings

The following rules must be followed by all Parties to ensure the hearing can progress as successfully as possible:

- All Parties must only address the hearing when invited to do so by the Chair.
- All Parties are asked to keep their comments as succinct as possible.
- All Parties should be mindful that the hearing is being streamed live onto the Council's website and is therefore open and visible to the public unless it is in the public interest to hold them in private.
- To ensure the smooth running of hearings, a time limit will be placed on each Party's submissions. This time limit must be adhered to, but the Chair has the flexibility to amend the time limit when it is considered appropriate to do so.
- When referring to the hearing papers, participants should give the page and paragraph number when appropriate.
- The Chair has the discretion to amend these rules in any given case where they consider it is appropriate to do so.

Council Committee Recordings

Members of the public who may wish to watch the broadcast of the hearing can do so by following the link to the hearing available on the Council's website here: [Agenda for Statutory Licensing Sub-Committee on Monday, 24th April, 2023, 10.00 am | North Yorkshire Council](#)