

ADDITIONAL INFORMATION CONCERNING THE HEARING

1. You may attend the Hearing and may be assisted or represented by any other person, whether or not that person is legally qualified, subject to the following conditions:-
 - (a) The Licensing Authority may exclude the public from all or any part of a Hearing where it considers that the public interest in so doing outweighs the public interest in the Hearing, or that part of the Hearing, taking place in public. For the purposes of this condition, an applicant or person making relevant representations or others representing such parties are treated as members of the public.
 - (b) The Licensing Authority may require any person attending the Hearing who in their opinion is behaving in a disruptive manner, to leave the Hearing and may:-
 - (i) refuse to permit that person to return, or
 - (ii) permit that person to return only on such conditions as the Licensing Authority may specify.

However, such a person may, before the end of the Hearing, submit to the Licensing Authority in writing any information which they would have been entitled to give orally had they not been required to leave.

At the Hearing you will be entitled to:-

- (a) respond to a point upon which the Licensing Authority has given notice to you that it will want clarification, give further information in support of your Application, Representation[s] or Notice [as applicable].
 - (b) question any other party, if given permission by the Licensing Authority, and
 - (c) address the Licensing Authority.
2. If you have informed the Licensing Authority by Notice that you do not intend to attend or be represented at a Hearing, the Hearing may proceed in your absence.

If you have not so indicated and fail to attend or be represented at a Hearing the Licensing Authority may:-

- (a) where it considers it to be necessary in the public interest, adjourn the Hearing to a specified date, or
 - (b) hold the Hearing in your absence.

Where the Licensing Authority holds the Hearing in your absence, the Licensing Authority will consider at the Hearing the application, and the representations or notice made by you.

Where the Licensing Authority adjourns the Hearing to a specified date it will forthwith notify all parties of the date, time and place to which the Hearing has been adjourned.

3. Details of the procedures which the Licensing Authority has adopted for Hearings of this type are attached.
4. As mentioned in Note 1 above, if there are any particular points on your application, representations[s] or notices [as applicable] which the Authority considers that it will want clarified at the Hearing, details will be included in the Notice of Hearing.

**GENERAL INFORMATION CONCERNING
DETERMINATION OF APPLICATIONS FOR A PREMISES LICENCE**

- A. In the case of an application:-
- made at the same time as an application for conversion of an existing licence
 - made at the same time as an application for conversion of an existing Club Certificate
 - as a counter notice following a Police objection to a Temporary Event Notice
 - for a review of a Premises Licence following a Closure Order
 - for conversion of an existing licence
 - for conversion of an existing Club Certificate
 - for the grant of a Personal Licence by the holder of a Justices' Licence
- the Licensing Authority must make its determination at the conclusion of the Hearing.
- B. In any other case the Licensing Authority must make its determination within the period of five working days beginning with the day or the last day on which the Hearing was held.
- C. In considering any representations or notice made by a party, the Licensing Authority may take into account documentary or other information produced by a party in support of their application, representations or notice [as applicable] either before the Hearing or, with the consent of all the other parties, at the Hearing.
- D. The Licensing Authority shall disregard any information given by a party or any person to whom permission to appear at the Hearing is given by the Licensing Authority which is not relevant to:-
- (a) their application, representations or notice [as applicable] or in the case of another person the application, representations or notice of the party requesting their appearance.
 - (b) the promotion of the Licensing Objectives or, in relation to a Hearing, to consider a notice given by a Chief Officer of Police, the Crime Prevention Objective.
- E. Any irregularity resulting from any failure to comply with any provision of the Regulations before the Licensing Authority has made a determination shall not of itself render the proceedings void.
- F. In any case of such an irregularity, the Licensing Authority shall, if it considers that any person may have been prejudiced as a result of the irregularity, take such steps as it thinks fit to cure the irregularity before reaching its determination.
- G. Clerical mistakes in any document recording a determination of the authority or errors arising in such document from an accidental slip or omission may be corrected by the Licensing Authority.
- H. All notices that are required to be served must be given in writing. However, notices may also be deemed to be properly served by electronic means in the following circumstances:-
- (i) If the text of the notice is completely legible, can be reproduced in written form and used for subsequent reference. The person to whom the notice is being sent must be able to access it.
 - (ii) The person to whom the notice is to be given shall have agreed in advance that the notice may be given to them by electronic means.
 - (iii) As soon as the notice has been sent electronically the recipient is sent the notice in writing.

Where a notice is given electronically and provided the requirements of para (ii) have been complied with, then the giving of the notice is deemed to have been effected.