

Special Procedure -Applications for Sex Establishment licences

One of the Council's Legal Advisors will be in attendance throughout the proceedings and he/she is there to advise Members. Sub-Committee Members may seek clarification on points of procedure at any time. Please note that for day time hearings the Sub-Committee will normally adjourn for lunch at 1:00 p.m. and that comfort breaks will be taken at the discretion of the Chair at appropriate points during the meeting. Members should request a comfort break if required and not leave any meeting in progress.

1. *INTRODUCTION*

- Everyone to introduce themselves
- The Licensing Officer will introduce the report, including background information and any written objections received.
- Members' questions to the Licensing Officer

2. *APPLICATION*

The applicant or their representative will outline the details of the application and call any witnesses in support.

Questions may be asked of the applicant or of any witnesses by:

- Members of the Sub-Committee
- Licensing Officer

The applicant may call supporting witnesses at their discretion during the presentation of their application. Questions may be asked by the Sub-Committee Members / Licensing Officer of such witnesses at any appropriate point in their presentation.

If any written objections have been received the applicant or their representative will be invited to comment on them.

3. *OBJECTORS*

If Objectors (including Police) have attended indicating a wish to address the Sub-Committee the Sub-Committee will consider each request in light of its discretion to permit oral representations.

As a guide, such representations will only be permitted if appropriate in order to briefly summarise and expand upon the main points of objection as set out in written submissions. Mere recitation of previous written submissions will not be permitted, nor will the introduction of entirely new grounds of objection.

Questions may be asked of the objector by:

- Members of the Sub-Committee
- The Applicant
- Licensing Officer

4. *SUMMING UP*

Summing up will take the following order:

- Objectors
- Licensing Officer
- Applicant

5. *CONSIDERATION OF DECISION- CONFIDENTIAL SESSION*

Members of the Sub-Committee will retire to consider the decision. In doing so the Solicitor to the Sub-Committee and the Committee Administrator will retire with them, but will take no part in the discussion of the merits of the case or what the decision should be. Should the Solicitor to the Sub-Committee be required to clarify any points of law, these will be repeated in the public session. The Licensing Office will confirm the decision in writing along with any right of appeal.

6. ANNOUNCEMENT OF DECISION

NOTE:

Sub-Committee Members will return and the Chair of the Sub-Committee will deliver the decision in public session. The Licensing Officer will confirm this decision in writing to the Applicant within 7 days of the Sub-Committee decision, together with details of any relevant right of appeal.

This procedure note is issued as a guide only- the order and conduct of business may be varied by the person presiding at any time in order to facilitate the determination of the matter, having regard to statutory restrictions and the rules of natural justice.