

# HUNTINGDONSHIRE DISTRICT COUNCIL

## LICENSING AND PROTECTION SUB COMMITTEE PROCEDURE

### **1. Introduction**

- 1.1 The following proceedings apply to the Licensing and Protection Sub-Committees established by the Licensing and Protection Committee of Huntingdonshire District Council acting as the Licensing Authority.

### **2. Membership**

- 2.1 Each Licensing and Protection Sub Committee shall comprise four members appointed from the Licensing and Protection Committee. In the event of the Chairman of the Licensing and Protection Committee not being present at a meeting, the Sub-Committee shall elect a Chairman from among its members for the purpose of that meeting.
- 2.2 The quorum for meetings of a sub-committee shall be three members but a sub- committee shall make every effort to ensure that each meeting is conducted when four members are present.
- 2.3 Members shall endeavour to be present throughout a meeting of a sub-committee. If a member of a sub-committee is required to leave a meeting temporarily, the Chairman shall adjourn the hearing for the duration of the period whilst that member is unavailable. Any member who is absent from a meeting for any reason whilst that meeting is taking place shall be precluded from commencing or continuing to take part in the matter under debate upon his arrival/return and from voting upon the matter at the conclusion of that item of business.
- 2.4 Where the Sub-Committee undertakes a site visit prior to a meeting, a member shall be precluded from taking part in the meeting if he has not attended that site visit.
- 2.5 A member will not take part in a meeting at which a matter is being discussed which relates to an application where either the applicant is resident in or the premises is situated in the ward which he represents.

### **3. Notice of Meetings**

- 3.1 Upon the date of a meeting of a sub-committee being arranged, notice shall be given to the parties to the meeting.

- 3.2 The notice of the meeting shall be followed by a copy of the meeting agenda 5 working days prior to the meeting.

#### **4. The Meeting**

- 4.1 The Sub-Committee may exclude the public from all or 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. The Sub-Committee will normally resolve to exclude the public from that part of the hearing during which the Sub-Committee determines the matter which is the subject of the hearing.
- 4.2 Subject to the above, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified
- 4.3 At the commencement of the meeting, the Chairman shall introduce the members of the Sub-Committee and any officers in attendance to support the Sub-Committee. He shall then ask the parties and any persons accompanying them to state their names and addresses or who they represent.
- 4.4 The Chairman shall explain to the parties present that the hearing is subject to this procedure, copies of which will have been distributed to the parties with the notice of the hearing, and shall enquire of the persons present whether there are any questions of clarity or explanation about its contents.
- 4.4 The Licensing Officer will present the application / case.
- 4.5 The Chairman will then invite the applicant / subject of the case or his representative to address the Sub-Committee, to respond to any point(s) upon which notice has been given that clarification is required by the licensing authority and to call any person(s) to whom permission has been granted to appear in support of his application / case.
- 4.5 The applicant / subject of the case or his representative or any person called on his behalf may then be asked any questions upon their presentation by any member of the Sub-Committee or by an officer of the Council.
- 4.6 The party or his representative or any witnesses may be asked any questions upon their presentation by any member of the Sub-Committee or by the applicant or his representative or any of the other parties present at the hearing or their representatives.
- 4.7 After the applicant or his representative has addressed the Sub-Committee and after comments and questions have been invited, the

applicant or his representative will be invited by the Chairman to leave the meeting and await the decision of the Sub-Committee. An officer from legal services will remain with the Sub-Committee to provide legal advice only.

## **5. Determination of Applications**

- 5.1 At the conclusion of the meeting, the Sub-Committee will determine the application and will endeavour to do so as soon as practicable after the meeting has concluded.
- 5.2 The Licensing Authority will notify the applicant and parties of its decision forthwith upon the making of the decision.