

COMMITTEE REF:

LP/11/14



NOTICE OF MEETING

COMMITTEE : LICENSING PANEL (327)

DATE : WEDNESDAY 19TH NOVEMBER 2014

TIME : 10.00 AM

PLACE : COMMITTEE ROOM 4, TOWN HALL, LUTON

COUNCILLORS: HUSSAIN
RIVERS
TAYLOR


QUORUM : 3 MEMBERS

Contact Officer: Bert Siong – Tel: 01582 546781

INFORMATION FOR THE PUBLIC


PURPOSE: To exercise the Council's functions under the Scrap Metal Dealers Act 2013.

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AGENDA

<i>Agenda Item</i>	<i>Subject</i>	<i>Para. No.</i>	<i>Page No.</i>
	EMERGENCY EVACUATION COMMITTEE ROOM 4 Turn left, follow the green emergency exit signs to the main town hall entrance and proceed to the assembly point at St George's Square.		
1.	ELECTION OF CHAIR		
2.	MINUTES (REFS; 2.1 & 2.2)		
	2.1 10 th September 2014		2.1/1 – 2.1/6
	2.2 17 TH September 2014		2.2/1 – 2.2/4
3.	SECTION 106, LOCAL GOVERNMENT FINANCE ACT 1992 Those item(s) on the Agenda affected by Section 106 of the Local Government Finance Act 1992 will be identified at the meeting. Any Member so affected is reminded that (s)he should disclose the fact and refrain from voting on those item(s).		
4.	DISCLOSURES OF INTERESTS Members are reminded that they must disclose both the existence and the nature of any personal interest that they have in any matter to be considered at this meeting. A Member with a personal interest in any matter to be considered at this meeting will also have a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest. A Member who has a prejudicial interest must withdraw from the meeting room unless (s)he has obtained a dispensation from the Council's Standards Committee.		
5.	URGENT BUSINESS The Chair to report on any business which is considered to be urgent and which should be discussed at the meeting in accordance with Section 100B(4)(b) of the Local Government Act 1972 and to determine when, during the meeting, any such business should be discussed.		

<i>Agenda Item</i>	<i>Subject</i>	<i>Para. No.</i>	<i>Page No.</i>
REPORTS			
6.	Procedure for dealing with Scrap Metal Dealers Act Applications (Report of the Head of Policy and Performance)		6/1 – 6/4
7.	LOCAL GOVERNMENT ACT 1972, PART VA To consider whether to pass a resolution under Section 100A (4) of the Local Government Act 1972 to exclude the public from the meeting during consideration of the item(s) listed below as it is likely that if members of the public were present during those items there would be disclosure to them of exempt information falling within Paragraphs 1, 2 or 3 of Part 1 of Schedule 12A to the Local Government Act 1972.		
8.	Application for the Grant of a Scrap Metal Collectors Licence under Scrap Metal Dealers Act 2013 – Mr G.T. (Report of the Head of Environmental and Consumer Services)	1,2,3	8/1- 8/24

Note: The draft procedure for dealing with Scrap Metal Dealers Act applications is attached to this Agenda Page and may be used subject to any amendments agreed by the Panel. (See Item 6)

LICENSING PANEL (323)

10TH SEPTEMBER 2014 at 10.00a.m.

PRESENT: Councillors Hussain, Mead and Worthing

OFFICERS: C. Tobin – Clerk to the Panel (Solicitor)
Mernagh, Holly – Licensing Manager's Representative
J. Miller - Licensing Manager's Representative
Eunice Lewis – Democracy & Scrutiny Officer
Angela Fraser – Democracy & Scrutiny Officer

85. ELECTION OF CHAIR (REF: 1)

Resolved: That Councillor Hussain be elected Chair of this Panel.

86. MINUTES (NONE THIS TIME)

**87. APPLICATION FOR GRANT OF PREMISES LICENCE MORRISONS M. LOCAL
323 ASHCROFT ROAD, LUTON LU2 9AE (REF: 6)**

PRESENT:

APPLICANT: Morrisons M. Local

**APPLICANT'S
REPRESENTATIVE:** Kelly Nichols – Licensing Manager
Clare Johnson - Solicitor

INTERESTED PARTIES: Ron Boyle
Julie Cross
Cllr. D. Moles (Luton Borough Council)

The Clerk to the Panel explained the procedure at oral hearings before the Council's Licensing Panel to those parties present.

The Licensing Manager's representative reported on an application received from WM Morrison Supermarkets PLC of Morrison's M Local, 323 Ashcroft Road, Luton, LU2 9AE for the grant of a premises licence that would allow the supply of alcohol consumption off the premises from Monday to Sunday 06:00 to 24:00 to take place.

The Licensing Manager's representative further reported that no representations had been received from responsible authorities however a representation had been received from a neighbouring occupier which was included in the report and related to concern of crime and disorder and public nuisance. She further advised that other premises licences should not influence the Panel's decision as each application should be considered on its merit.

Councillor D. Moles was present to speak as a ward councillor but was advised that under the Act and Regulations she was unable to make verbal representation as no written representation has been received from her. She was advised that she could assist members of her constituency who were present if nominated by them to do so.

The Applicant's representative, Clare Johnson, Solicitor, made her representation in support of the application and asked the Panel to consider the following key points which she said were vital to the application.

- The application is made for the main purpose of a convenience store that will focus mainly on fresh produce unique to Morrison's Stores.
- Morrison's has huge expertise in dealing with and managing the sale of alcohol around its premises with over 600 similar stores all over the UK.
- In all its applications Morrison's would consider Challenge 25, protection of children from harm and have regard to the 4 licensing objectives.
- It carries out comprehensive training and retesting of staff in line with processes and procedures required for the sale of alcohol.
- Morrison's install very comprehensive CCTV systems for the prevention of crime and disorder.
- The Previous owners had an alcohol license in operation.
- This particular application had received no objections from responsible authorities and no issues around the safeguarding of children and no additional conditions are proposed by the Police.
- The Panel should only consider reduced hours based on the Licensing objectives.
- The concerns raised by the interested parties are merely speculations and have not been supported by any responsible authorities
- Morrison's operates nationally and can manage any concerns relating to congregation and nuisance around its premises with impeccable licensing history.
- Should the speculations materialise with credible evidence, the authorities or interested parties can always call for the License to be reviewed.

The Panel questioned the Applicant's representative and he responded in compliance with the approved Procedure.

The interested parties present gave reasons for their objection to the grant of the application; including the loitering and congregation of youths which was already a concern for local residents in the area. The Panel heard that this had caused the Bedfordshire Police to issue a dispersal order in the area.

The Panel adjourned at 10.50am for a short break and resumed again at 11.15am.

The Clerk to the Panel advised Members of the Panel and all parties present on the points of law and asked that the Panel in their consideration of the matter should consider:

- Section 18 of the Licensing Act, which set out the steps which could be taken by the Licensing Authority.

- The 4 licensing objectives in the Licensing Act 2003.
- Further attention was drawn to the Operating Schedule, on page 6/4 of the Report relating to revision of the plans submitted with the application. The Panel were advised not to include this condition as allowing it was effectively giving the applicant permission to do anything they chose on the site
- That, if the evidence they have heard demonstrates that it is appropriate to do so, case law allows them to attach a condition to the licence regarding the opening hours of the premises.
- That the Panel should disregard anything that they have heard which is merely speculation.

All parties were then given the opportunity to comment on the legal points raised.

Members considered whether the public interest in retiring to make their decision in private outweighed the public interest in holding their deliberations in public, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

Following discussion by Members, the Panel determined that the public interest of retiring to make their decision in private outweighed the public interest in holding their deliberations in public.

88 LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 6)

Resolved: That in accordance with regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005, the public and press be excluded from the meeting during consideration of the decision in relation to the report of the Head of Environmental and Consumer Services (Ref 6) as referred to in Minute No. 87/14.

89 LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 6)

Resolved: That the press and public be no longer excluded from the meeting.

90. APPLICATION FOR GRANT OF PREMISES LICENCE MORRISONS M. LOCAL 323 ASHCROFT ROAD, LUTON LU2 9AE (REF: 6)

The Panel considered the papers before it including the oral representations made by the Applicant's representative. The Panel had regard to the licensing objectives set out in the Licensing Act 2003.

Resolved: (i) That the application received from WM Morrison Supermarkets PLC, in respect of Morrisons M Local, 323 Ashcroft Road, Luton LU2 9AE, for the grant of a Premises License to allow supply of alcohol for consumption off the premises Monday to Sunday 06.00 to 24.00 to take place be **GRANTED** in accordance with the Operating Schedule subject to the following modifications relating to wording in the Operating Schedule and the following added conditions:

- The sentence in Part M, Section (A) of the form be amended to read (The premises will be constructed and laid out in accordance with Drawing No. LUT/REF/05/SK4) as served with the application.
- That the CCTV system referred to in Section M, (b) of the Operating Schedule be extended to cover the whole of the area to the front of the store together with the car park area at the store

(ii) The Panel were satisfied that this additional condition would address the licensing objectives regarding prevention of crime and disorder and prevention of public nuisance which has caused the Police to issue a dispersal order in the area.

91. APPLICATION FOR GRANT OF PREMISES LICENCE TESCO STORES LTD, 4 EATON GREEN ROAD LUTON LU4 5HB (REF: 7)
PRESENT:

APPLICANT: Tesco Stores Ltd

APPLICANT'S
REPRESENTATIVE: Jeremy Bark
Associate Director
Berwin Leighton Paisner LLP

ALSO PRESENT Greg Bartley, Licensing Manager, Tesco

The Clerk to the Panel explained the procedure at oral hearings before the Council's Licensing Panel to those parties present.

The Licensing Manager's representative reported on an application received from for Tesco Stores Ltd, 4 Eaton Green Road, LU4 5HB, for the grant of a premises licence that would allow the supply of alcohol consumption off the premises from Monday to Sunday 06:00 to 23:00.

The Licensing Manager's representative further reported that no statutory objections had been received other than the one included in the report which relates to concern of crime and disorder and public nuisance.

The Applicant's representative (Jeremy Bark) spoke on behalf of the Applicant in support of the application. The following points were made:

- Tesco's is a national retailer which sells alcohol as part of a broad offering of goods and services; and has held off-licences in their stores for many years and are approved by the British Institute of Inn-keeping as an examination centre.
- The spirits will be displayed behind the counter and sold in half bottle sizes;
- No statutory objections was received by the statutory agencies;
- Digital CCTV cameras will cover many areas of the shop floor such as: the main entrance, tills and alcohol areas;
- CCTV images would be made available for 21 days upon enforcement requests;

- There will be a member of management present in the store at all times during opening hours and between 7 and 8 staff working in the store;
- Management will receive training to support the running of the store adhering to all rules and regulations relating to public safety;
- The store will be an active member of the community and liaise with Police and enforcement authorities should the need arise;
- The store will comply with the 'Think 25' policy and be brought to customers attention at point of sale of alcohol;
- All staff will receive training on the corporate 'Think 25' policy to look at customers and 'think 25' before selling alcohol;
- All tills will have a prompt on initial sale of alcohol to remind staff of their responsibility not to sell alcohol to anyone under the age of 18;
- Signage will be displayed around the premises to inform staff and customers of the 'Think 25' policy on alcohol.

The Panel questioned the Applicant's representative and he responded in compliance with the approved Procedure.

The person who made the representation was not present.

Members considered whether the public interest in retiring to make their decision in private outweighed the public interest in holding their deliberations in public, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

Following discussion by Members, the Panel determined that the public interest of retiring to make their decision in private outweighed the public interest in holding their deliberations in public.

92 LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 7)

Resolved: That in accordance with regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005, the public and press be excluded from the meeting during consideration of the decision in relation to the report of the Head of Environmental and Consumer Services (Ref 7) as referred to at Minute No. 91/14.

93 LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 7)

Resolved: That the press and public be no longer excluded from the meeting.

94 APPLICATION FOR GRANT OF PREMISES LICENCE TESCO STORES LTD, 4 EATON GREEN ROAD LUTON LU4 5HB (REF: 7)

The Panel considered the papers before it including the oral representations made by the Applicant's representative. The Panel had regard to the licensing objectives set out in the Licensing Act 2003.

Resolved: That the application received from Tesco's Stores Ltd, 4 Eaton Green Road, Luton LU4 5HB for the grant of a premises licence, that will allow the sale of alcohol for consumption off premises, be **GRANTED** in accordance with

the operating schedule opening times from 06.00 hrs to 23:00 hrs Monday to Sunday, subject to the following conditions:

- That the CCTV images be retained for 31 days and be made available upon enforcement requests;
- That the CCTV be expanded to cover the outside areas of the premises to include the car park but not the highway.

The Panel was satisfied that the above conditions would address the concerns relating to the prevention of crime and disorder and the dispersal order which is already in operation in the area to meet the licensing objective of prevention of public nuisance.

The meeting ended at 12.41pm

LICENSING PANEL (70)

17TH SEPTEMBER 2014 at 10.00 a.m.

PRESENT: Councillors Campbell, Mead and Rivers

OFFICERS: C. Tobin – Clerk to the Panel (Solicitor)
Mernagh, Holly – Licensing Manager's Representative
Bert Siong – Democracy & Scrutiny Officer

95. ELECTION OF CHAIR (REF: 1)

Resolved: That Councillor Rivers be elected Chair of Panel No. 70.

96. MINUTES (REF: 2.1 & 2.2)

Withdrawn, as entered on agenda in error. These minutes had previously been authorised at the Panel meeting on 29th August 2014.

97. OBJECTION TO TEMPORARY EVENT NOTICE FOR J10 RESTAURANT & VENUE, 37-39 GUILDFORD STREET, LUTON (REF: 6)

PRESENT:

APPLICANT: Mr David Barryclough

**APPLICANT'S
SUPPORTER:** Mr Sundar Ali (Licensee)

OBSERVER: Mr Akhlaqul Ambia

INTERESTED PARTY: None

The Panel Chair and Members and all present introduced themselves.

The Chair explained the procedure at oral hearings before the Council's Licensing Panel to those parties present.

The Licensing Manager's representative reported on an Objection Notice received from the Environmental Health Officer in response to a Temporary Event Notice from Mr David Barryclough for an event to take place on 04th October 2014 - 05th October 2014 at J10 Restaurant & Venue, 37-39 Guildford Street, Luton.

She further reported the Objection Notice from Environmental Health, a Responsible Authority, made representation on the grounds of public

nuisance. She added there had been five noise complaints between 5th February and 16th July 2014 since the premises were taken over by the new owners.

The Panel questioned the Licensing Manager's representative and she responded in compliance with the approved procedure, confirming the complaints were from residents living in the vicinity of the premises.

The Applicant had no questions for the Licensing Manager's representative.

Mr Sundar Ali, who is the permanent Licence Holder for the premises and Mr Barryclough made their representation in support of the Temporary Event Notice as follows:

Mr Ali:

- The Notice was only asking for an additional 2 hours;
- All persons attending would be out by 5.00 a.m.;
- Security Officers and ushers would disperse people after the event;
- The premises had held other parties which were very successful;
- In relation to a letter from the Council about the noise complaints, he said the premises had no bookings or parties for the days in question, a matter he had reported back to the Council, but had not heard back from the Officer yet;

Mr Barryclough:

- He was not aware about the complaints;
- He suggested the noise could have come from the Diamond club over the road from the venue;
- The sound system would be turned lower than the recommended level, with speakers placed off the floor and all doors kept closed at all time. Door supervisors would help;
- He would do his best to ensure no noise nuisance caused.

Mr Ali:

- No further admissions would be allowed after 2.00 a.m.;
- The event would be in basement, which had undergone sound proofing enhancement;
- He had learnt from mistakes of the first party and other parties since then had not caused any problems;
- He was willing to co-operate and take advice on making further improvements.

Mr Ali and Mr Barryclough were questioned by the Panel and responded in compliance with the approved Procedure, making further points as follows:

- The event would be in basement for a maximum of 175 people;

- There were 4 layers of sound proofing. All doors and seals were upgraded. The DJ would check the sound level; A noise limiter would be set;
- The party would be private after 2.00 a.m.
- No special smoking area was available. People would smoke on the pavement outside. After 2.00 a.m. smokers could use the rear of the restaurant;
- There was one door to exit the basement and another to exit the restaurant;
- The flats at the rear of the premises were around 200 metres away, across the car park, the river and an open space;
- Extension to 5.00 a.m. needed as many people did not arrive until late, some around 1.00 a.m.
- The restaurant was not doing well. Hiring the venue for parties was another channel of revenue to promote the business;
- Clients would be expected from around Luton, but no media promotion done, until the Panel decision was known;
- The event would be a multicultural one to promote integration.

The Licensing Manager's representative had no questions for Mr Ali and Mr Barryclough.

In the absence of the Environmental Health Officer, the Panel invited the Licensing Manager's representative and the Applicant to make any final representations.

Mr Ali stated if they were allowed to go ahead, it would benefit the business and enhance multicultural integration. It would be a taster for people to see the restaurant, which would be closed after 2.00 a.m.

The Clerk to the Panel advised the Panel as follows:

- As the Environment Health Officer was not present, his written representation could be considered, but there would not be an opportunity for him to be questioned on it;
- Needs were not relevant to the Licensing Objectives and should not be considered;
- There were three options open to the Panel: 1. Allow the event to go ahead, as applied for; 2. Issue a counter notice to stop the event taking place; 3. Allow the event to go ahead with conditions, which form part of the main licence, which must not be anything that would effectively stop the event going ahead.

Following discussion by Members, the Panel determined that the public interest of retiring to make their decision in private outweighed the public interest in holding their deliberations in public.

Resolved: That in accordance with regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005, the public and press be excluded from the meeting during consideration of the decision in relation to the report of the Head of Environmental and Consumer Services (Ref 6) as referred to at Minute No. 97/14.

99 LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 6)

Resolved: That the press and public be no longer excluded from the meeting.

100. OBJECTION TO TEMPORARY EVENT NOTICE FOR J10 RESTAURANT & VENUE, 37-39 GUILDFORD STREET, LUTON (REF: 6)

The Panel considered the papers before it including the oral representations made by the Applicant and the Licensee and the written representation made by the Environmental Health Officer. The Panel had regard to the licensing objectives set out in the Licensing Act 2003, the Council's Statement of Licensing Policy and the Guidance issued under the Act.

Resolved: (i) The Panel decided that it was appropriate for the promotion of a licensing objective, the prevention of public nuisance, to give a Counter Notice in relation to the Temporary Event Notice served by the Applicant.

The Panel took account of the on-going investigation of complaints from residents living in the vicinity of the premises relating to noise nuisance caused since the change of ownership.

The Panel also considered the lack of appropriate smoking area outside the premises would add to public nuisance with smokers using the pavement outside the premises.

The Panel further considered that imposing conditions on the Temporary Event Notice would not be effective in preventing a public nuisance due to noise.

(ii) The Panel resolved that a counter notice, under section 105 of the Licensing Act 2003 be given to the Applicant in response to the Temporary Event Notice.

(Notes: The meeting ended at 11.00 am)

COMMITTEE: LICENSING PANEL

DATE: 19TH NOVEMBER 2014

**SUBJECT: PROCEDURE TO DEAL WITH APPLICATIONS UNDER THE
SCRAP METAL DEALERS ACT**

REPORT BY: HEAD OF POLICY AND PERFORMANCE

CONTACT OFFICER: BERT SIONG

TEL: 01582 546781

IMPLICATIONS:

LEGAL ☒

COMMUNITY ☐

SAFETY

EQUALITIES ☐

ENVIRONMENT ☐

FINANCIAL ☐

OTHER ☐

STAFFING ☐

WARDS AFFECTED: ALL

PURPOSE

1. To seek the Panel's approval for the Procedure for dealing with applications under Scrap Metal Dealers Act 2013 ("the 2013 Act").

RECOMMENDATION

2. That the Panel approves the procedure for dealing with applications under the 2013 Act, attached as Appendix A;

BACKGROUND

3. Where the Council proposes to refuse an application for or to revoke or vary a Scrap Metal collectors Licence under the 2013 Act, and the Applicant has invoked their right to make representations, an oral hearing before the Council's Licensing Committee or any of its sub-committees must be held.
4. On 5th February 2014, the Licensing Committee delegated the power to hold oral hearings under the 2013 Act, to any of its sub-committees (Licensing

Panels), whilst retaining its powers to hold such hearings if considered appropriate.

5. The Procedure attached at Appendix A has been prepared for use by the Committee / Panels, in conducting oral hearings.
6. The Panel is requested to approve the Procedure under its delegated responsibility and use it in conducting oral hearings under Scrap Metal Dealers Act 2013.

LEGAL IMPLICATIONS

7. As indicated above, a hearing must be held under the 2013 Act where the Council proposes to refuse an application for a licence and the applicant makes representations, or where it intends to revoke or vary a licence. Any such hearings must be conducted in a manner which is fair to the applicant or holder of a licence. The Procedure for Oral Hearings attached for approval meets this requirement and, if followed by the Committee or Sub-Committee when an applicant appears before it, will ensure that all those concerned have a fair hearing. This has been cleared by Clive Tobin, Senior Solicitor, in Legal Services on 18th August 2014.

APPENDIX

Appendix A: Procedure for Oral Hearings at Licensing Committee / Panels under the Scrap Metal Dealers Act 2013.

LUTON BOROUGH COUNCIL

Procedure for Oral Hearings

Licensing Committee/ Panels under the Scrap Metal Dealers Act 2013

Notes:

- i. *An oral hearing before the Licensing Panel/ Committee under this Act is held where the Council proposes to refuse an application or to revoke or vary a licence and the Applicant has invoked their right to make representations.*
- ii. *The hearing will normally be in public. However, the Panel/ Committee may decide to pass a resolution under section 100A of the Local Government Act 1972 to exclude the public from all or part of the hearing if it is likely that exempt information would be disclosed within Schedule 12A of the Act are met.*
- iii. *If the Applicant submits any paperwork to the meeting, this should be passed directly to the Clerk (Solicitor) to check that it is in order to accept it. The paperwork should then be passed to the Licensing Officer to allow them the opportunity to raise objections. Any paperwork accepted by the Clerk will need to be photocopied for the record and the originals returned to the Applicant.*
- iv. *Custom and practice is not to accept any character references from Councillors to avoid any perception of bias.*
- v. *Criminal convictions should be taken as indisputable fact. It is not the role of the Panel / Committee to rehear a criminal case and the Clerk should remind the Panel / Committee of this if necessary.*
- vi. *Applicants are not allowed to bring their own interpreters or have friends interpret for them. If necessary, the case should be deferred to a future meeting to allow for an official interpreter to be provided by the Council.*

PROCEDURE

1. The Chair will introduce the Members of the Panel / Committee to the Applicant and others present will introduce themselves.
2. The Panel / Committee will then decide whether to pass a resolution under section 100A of the Local Government Act 1972 to exclude the public from the hearing if any of the grounds in Schedule 12A of the Act are met (Note (ii) above applies).
3. The Clerk will give a very brief outline of the Procedure. He / she will ensure that those present understand the procedure to be followed.
4. The Chair or the Clerk will ask the Applicant if he knows any of the Members of the Panel / Committee.
5. The Chair or the Clerk will ask the Members of the Panel / Committee if they know the Applicant or anyone accompanying the Applicant.
6. The Licensing Officer will present the report on the application / renewal / review and state his / her case (which may include an objection to the application).
7. The Chair will ask the Applicant if they accept the factual accuracy of the report.
8. The Applicant may question the Licensing Officer.

9. The Panel / Committee may question the Licensing Officer.
10. The Licensing Officer may call any witness(es).
11. The Applicant may question any witness(es) called by the Licensing Officer.
12. The Panel / Committee may question any witness(es) called by the Licensing Officer.
13. The Licensing Officer may ask further questions of any witness in order to clarify any point brought out in questioning of the witness by the Applicant or the Panel / Committee.
14. The Applicant will present his / her case.
15. The Licensing Officer may question the Applicant.
16. The Panel / Committee may question the Applicant.
17. The Applicant may call any witness(es) and ask questions of them.
18. The Licensing Officer may question any witness(es) called by the Applicant.
19. The Panel / Committee may question any witness(es) called by the Applicant.
20. The Applicant may ask further questions of any witness in order to clarify any point brought out in questioning of the witness by the Licensing Officer or Panel / Committee.
21. The Licensing Officer will sum up his / her case.
22. The Applicant will sum up his / her case.
23. The Clerk will then raise any points that need to be raised before the Application is determined.
24. The Licensing Officer and Applicant will each be asked whether there is anything further they wish to say.
25. Members of the Panel / Committee will need to consider whether the public interest of holding their deliberations in private outweighs the public interest in holding their deliberations in public. Where Members consider that they should deliberate in private all persons other than the Members, the Clerk and any person present solely for the purpose of taking notes, shall withdraw from the room. Any advice given by the Clerk to the Panel in private will be repeated to all the parties before the Panel announces their decision.
26. The Clerk or the Chair will advise the Applicant that they can contact Licensing Unit after 10.00 a.m. the next day to hear the outcome of their Application, if they did not wish to wait. The Clerk will confirm the decision of the Panel / Committee to the Applicant in writing within 7 working days.
27. The Panel / Committee will come to a decision. If their deliberation had been in private, the Panel / Committee will pass a resolution to go back in public to orally inform the Applicant of their decision. (**Note:** The decision reached by the Panel / Committee must be legally robust. Therefore, Members should reach a consensus and give reasons why they have reached that particular decision. Any dissenting Members should have the opportunity to have their comments / views separately considered and noted).