

# LICENSING ACT 2003 SUB COMMITTEE

Monday, 25th March, 2019  
10.00 am





# LICENSING ACT 2003 SUB COMMITTEE

## BURNLEY TOWN HALL

**Monday, 25th March, 2019 at 10.00 am**

This agenda gives notice of items to be considered in private as required by Regulations (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Members are reminded that if they have detailed questions on individual reports, they are advised to contact the report authors in advance of the meeting.

Members of the public may ask a question, make a statement, or present a petition relating to any agenda item or any matter falling within the remit of the committee.

Notice in writing of the subject matter must be given to the Head of Legal & Democracy by 5.00pm on three days before the meeting. Forms can be obtained for this purpose from the reception desk at Burnley Town Hall or the Contact Centre, Parker Lane, Burnley. Forms are also available on the Council's website <https://bit.ly/2BWX7d2>, or you can register to speak via the online agenda.

## **AGENDA**

### **1) *Appointment of Chair***

To consider the appointment of Chair for the meeting.

### **2) *Apologies for Absence***

To receive any apologies for absence

### **3) *Minutes of the last Meeting***

5 - 6

To approve as a correct record the Minutes of the last Licensing Act 2003 Sub Committee meeting held on 29<sup>th</sup> January 2019.

### **4) *Additional Items of Business***

To determine whether there are any additional items of business which, by reason of special circumstances, the Chair decides should be considered at the meeting as a matter of urgency

### **5) *Declaration of Interest***

In accordance with the Regulations, Members are required to declare any personal or personal and prejudicial interests they may have and the nature of those interests in respect of items on this agenda and/or

indicate if S106 of the Local Government Finance Act 1992 applies to them.

**6) Exclusion of the Public**

To determine during which items, if any, the public are to be excluded from the meeting

**7) Determination of a Temporary Event Notice Application - Carnivoro, 27 Hargreaves Street, Burnley** 7 - 8

To determine a Temporary Event Notice application under the Licensing Act 2003 relating to Rear Car park, Carnivoro, 27 Hargreaves Street, Burnley. (redacted documents)

a) **Appendix A - Application** 9 - 14

b) **Appendix B – Objections** 15 - 16

**8) Conduct of Hearing** 17 - 24

**9) Exclusion of the Public**

To consider the exclusion of the public from the meeting before discussion takes place on the following item of business on the grounds that in view of the nature of the business to be transacted if the public were present there would be a disclosure to them of exempt information within the meaning of Part VA of the Local Government Act 1972.

**10) Determination of a Temporary Event Notice Application - Carnivoro, 27 Hargreaves Street, Burnley** 25 - 26

To determine a Temporary Event Notice application under the Licensing Act 2003 relating to Rear Car park, Carnivoro, 27 Hargreaves Street, Burnley. (unredacted documents)

Information which is likely to reveal the identity of an individual.

a) **Appendix A - Application** 27 - 32

b) **Appendix B - Objections** 33 - 34

**MEMBERSHIP OF COMMITTEE**

Councillor Frank Cant  
Councillor Anne Kelly

Councillor Ann Royle  
Councillor Ivor Emo

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## **BURNLEY BOROUGH COUNCIL LICENSING ACT 2003 SUB COMMITTEE**

**BURNLEY TOWN HALL**

**Tuesday, 29th January, 2019**

### **PRESENT**

### **MEMBERS**

Councillors F Cant, A Royle and C White

### **OFFICERS**

Emma Barker	– Principal Legal Officer - Litigation & Regulation
John Yardley	– Licensing & Compliance Officer
John Clucas	– Licensing and Compliance Officer
Eric Dickinson	– Democracy Officer

### **20 Appointment of Chair**

Councillor Ann Royle was appointed as Chair for this meeting.

### **21 Minutes of the last Meeting**

The Minutes of the last meeting held on 4<sup>th</sup> December 2018 were agreed as a correct record and signed by the Chair.

### **22 Exclusion of the Public**

That the determination of a premises licence under the Licensing Act 2003 relating to European Foods, 260 Colne Road, Burnley BB10 1DZ be held in public due to the particular circumstances of this hearing, but that it may be held in private if circumstances changed.

### **23 Determination of a Premises Licence Application-European Foods**

John Yardley on behalf of the Licensing Authority informed the Committee that the applicant for a Premises Licence at European Foods, 260 Colne Road , Burnley had requested an adjournment in order to obtain legal advice regarding representations made about the application.

Emma Barker confirmed that the request related to representations made by the licensing authority.

## DECISION AND REASONS FOR DECISION

### Decision.

That the hearing for a Premises Licence for European Foods at 260 Colne Road, Burnley, BB10 1DZ be adjourned to 10a.m. , Monday 25<sup>th</sup> February 2019.

### Reason

To allow the decision making process to progress appropriately.

## REPORT TO LICENSING SUB COMMITTEE



DATE	25 <sup>th</sup> March 2019
PORTFOLIO	ENVIRONMENT
REPORT AUTHOR	Karen Davies
TEL NO	01282 425011
EMAIL	kdavies@burnley.gov.uk

### Licensing Act 2003 Hearing of an application for a Temporary Event Notice following receipt of a notice of objection

#### PURPOSE

1. To consider a notice of objection received by the Licensing Authority in response to a Temporary Event Notice given by Person A in accordance with Part 5 of the Licensing Act 2003.
2. The premises are Rear Car Park, Carnivoro, 27 Hargreaves Street, Burnley.

#### RECOMMENDATION

3. Members are recommended to make a determination with a view to promoting the licensing objectives:
  - The prevention of crime and disorder
  - Public safety
  - Prevention of public nuisance
  - Protection of children from harm

The committee may:

- Allow the licensable activities to go ahead as stated in the notice.
- Issue a Counter Notice, preventing the event taking place, to the premises user under Section 105(2b) if the Committee consider it appropriate for the promotion of the licensing objectives.
- Give a notice of the decision, with explanation, under Section 105(3a) to the premises user and the objecting relevant person.

#### REASONS FOR RECOMMENDATION

4. Members of the Licensing Committee are responsible for determining such applications where objections are received.

## **SUMMARY OF KEY POINTS**

5. The event is to be held from Thursday 18<sup>th</sup> April to Sunday 21<sup>st</sup> April 2019.  
The licensable activities applied for are:

The sale by retail of alcohol and provision of regulated entertainment 12.00hrs (mid-day) till 02.00hrs. The provision of late night refreshment from 23.00hrs till 02.00hrs.

The nature of the event is described as an outdoor live music event for up to 450 people. The event will be held in a marquee in the rear car park, Carnivoro, 27 Hargreaves Street, Burnley. (The application is contained in Appendix 'A').

Following receipt of the Temporary Event Notice the Licensing Authority received an objection notice from Environmental Health. The basis of the objections are that similar historical events have resulted in complaints of noise nuisance and that the proposed event will be of such a nature as to be intrusive to nearby residential premises and therefore lead to nuisance. Thereby undermining the 'Prevention of Public Nuisance' licensing objective (The objection notice is contained in Appendix 'B').

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

6. None

## **POLICY IMPLICATIONS**

7. None

## **DETAILS OF CONSULTATION**

8. The statutory consultation has taken place

## **BACKGROUND PAPERS**

9. None

## **FURTHER INFORMATION**

**PLEASE CONTACT:**

**Lisa Tempest 01282 425011**

**ALSO:**

ENC

## Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	N/A
3. Your date of birth	
4. Your place of birth	
5. National Insurance Number	
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	

CARNVORO BURNLEY 27 HARGREAVES STREET BURNLEY	
Post town <b>BURNLEY</b>	Postcode <b>BURNLEY</b>
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	N/A
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

  

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
CARNVORO BURNLEY (REAR CAR PARK) 27 HARGREAVES ST BURNLEY BURNLEY BURNLEY	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	PLA 0385
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
AREA TO WHICH LICENSABLE ACTIVITY RELATES TO WILL BE REAR OF PREMISES IN A MARQUEE LOCATED IN CAR PARK WITH SEPERATE ACCESS.	
Please describe the nature of the premises below. (Please read note 4)	
BAR AND RESTAURANT SERVING FOOD AND ALCOHOL	
Please describe the nature of the event below. (Please read note 5)	
A 4-DAY EVENT COMMENCING ON THURS 18/04/19 (INC) TO SUNDAY 21/04/19 (INC) LOCATED IN REAR OF CAR PARK SERVING BOTH FOOD AND ALCOHOL WITH LIVE MUSIC PERFORMANCES.	

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3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
THURSDAY 18/04/2019 (incl) - SUNDAY 21/04/2019 (incl)		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)		
18/04/19 - 1200 - 0200 19/04/19 - 1200 - 0200 20/04/19 - 1200 - 0200 21/04/19 - 1200 - 0200.		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	450	
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)	
LIVE ENTERTAINMENT (MUSIC) 18/04/2019 - 21/04/2019 - 1200 - 0200.	

4. Personal licence holders (Please read note 14)	
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	PENDLE BOROUGH COUNCIL
Licence number	
Date of issue	UNKNOWN
Any further relevant details	EXP DATE 31/12/9999

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)	
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)	
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.	

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input checked="" type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	
Name of Person signing	

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**From:**  
**Sent:**  
**To:**  
**Cc:**  
**Subject:** Temporary Event Notice Application  
**Importance:** High

Dear

Further to our telephone conversation earlier, I am writing to you to inform you that Environmental Health are objecting to your application for the following reasons;

The application is for a four day event (18<sup>th</sup> April 2019 to 21<sup>st</sup> April 2019) to be held outdoors at the rear of the premises and will include live music performances. You have applied to hold the events from 12.00pm until 2.00am. There is a history of complaints from nearby residents of noise from loud music emanating from similar premises in the town centre. This leads us to believe that music being played outdoors until the early hours as you propose is likely to cause a noise nuisance to residents in the vicinity.

It is our suggestion that you restrict the hours in which music will be played to 12.00am (Midnight), for this event.

As discussed please contact me in writing if you wish to alter the TEN accordingly.

Regards

**Principal Environmental Health Officer Safety & Environment**  
**Streetscene**  
01282 425011

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## **BURNLEY BOROUGH COUNCIL**

### **LICENSING ACT 2003**

### **THE CONDUCT OF HEARINGS**

#### **1. Application**

- 1.1 All hearings subject to the Licensing Act 2003 (Hearings Regulations) 2005 will be held in accordance with this procedure. Schedule 1 details the hearing which are subject to this procedure.

#### **2. Time of Hearing**

- 2.1 Hearings will commence within the times illustrated in Column 2 of Schedule 1, and where the hearing is scheduled to take place on more than one day, it will take place on consecutive working days.
- 2.2 Hearings will normally take place from 2-5pm or 6-9pm on the day of the hearing, but hearings may take place at the discretion of the Committee or Sub-Committee appointed to hear the matter in exceptional circumstances.

#### **3. Members of the Committee or Sub-Committee**

- 3.1 Where the full Licensing Committee sit to hear an application, the full Committee will sit, excluding a member who:
- a) has sat on a Development Control hearing in respect of the premises subject to, or concerned in the Licensing Act 2003 application and/or
  - b) is affected by the application e.g. to be assessed on a case by case basis when a Member is a Member for the Ward or a nearby Ward in which the premises are situated

- c) has become an interested party by representing the applicant or any interested party prior to the hearing.
- 3.2 Where a Sub-Committee sit to hear an application, it will consist of 3 members of the full Committee and will exclude a member who:
  - a) has sat on a Development Control hearing in respect of the premises subject to, or concerned in the Licensing Act 2003 application and/or
  - b) is affected by the application e.g. to be assessed on a case by case basis when a Member is a Member for the Ward or a nearby Ward in which the premises are situated
  - c) has become an interested party by representing the applicant or any interested party prior to the hearing.
- 3.3 Members will act in accordance with the Licensing Act 2003, be aware of the Local Authority Co-ordinators of Regulatory Services Guidance on the Role of Elected Members in Relation to Licensing Committee Hearings under the Licensing Act 2003 and the requirements of the Standards Board for England and Wales.

#### **4. Opening of a Hearing and Identifying Parties to the Hearing**

- 4.1 The Chair of the Committee or Sub-Committee will introduce the members of the Committee or Sub-Committee.
- 4.2 The Licensing Manager or Legal Advisor will advise the Committee or Sub-Committee but will not make recommendations or be part of the determination process. They will not retire with the Committee or Sub-Committee members for the purposes of a determination but the Legal Advisor may be asked by the Committee or Sub-Committee to give advice.
- 4.3 At the commencement of proceedings the Legal Advisor will identify in turn, each party to the hearing who is present, and in relation to that party, whether they are represented, and if so, by whom.
- 4.4 The Legal Advisor will identify in turn each party to the hearing who is not present at the hearing and in relation to that party will clarify;
  - a) whether there is evidence that they were given Notice of the Hearing

- b) whether that party has given notice that they intend to attend or be represented
  - c) whether that party has given notice that they consider a hearing to be unnecessary
  - d) whether that party has given notice that they wish to withdraw their representation
- 4.5 Where a party has given notice that they do not intend to attend or be represented, the Committee or Sub-Committee will state whether they intend to proceed in the absence of that party.
- 4.6 Where a party has not given such notice and has failed to attend or be represented, the Committee or Sub-Committee will then decide whether it is necessary in the public interest to adjourn the hearing to a specified date or hold the hearing in the party's absence. The Committee or Sub-Committee may invite representations from the other parties present on this issue before making their decision.
- 4.7 The Committee or Sub-Committee, should it decide to proceed must subsequently consider the application, representation or notice made by a party who does not attend, attaching the appropriate weight of evidence to it.

## **5. Hearings to be held in public**

- 5.1 Unless the Committee determine otherwise following consideration of representations, if any, from the parties present, the hearing shall take place in public. A member of the public, unless a party to the hearing or a person granted permission to address the hearing by the Committee or Sub-Committee at the request of one of the parties, shall not be entitled to address the hearing.
- 5.2 Where representations are made under 5.1 above, such parts or the hearing as the Committee or Sub-Committee in their absolute discretion determine shall be held in private.
- 5.3 The decision at paragraph 5.2 and the reasons for it will be given in public, and the Committee or Sub-Committee will also state whether any party or any persons assisting or representing a party are to be treated as a member of the public for this purpose.

## **6. Commencement of the Hearing**

- 6.1 The Legal Advisor will explain the procedures that the Committee or Sub-Committee will follow at the hearing. In particular the Legal Advisor will clarify that;:
- a) the hearing will take the form of a discussion led by the Committee or Sub-Committee and cross-examination will not be permitted unless the Committee or Sub-Committee considers that cross examination is required for it to consider the representations, application or notice as the case may require.
  - b) Members of the Committee or Sub-Committee may ask a question of any party or other person appearing at the hearing.
  - c) Members of the Committee or Sub-Committee may take into account documentary or other information produced to the authority before the hearing in support of their application, representation or notice. These will have been provided to the Committee or Sub-Committee members by the Licensing Manager prior to the meeting and the substantive content of the documents need not be repeated verbally at the hearing.
  - d) Members of the Committee or Sub-Committee may take into account any new documentary or other information produced to the authority on the day of the hearing with the content of all other parties (if any) and the substantive content of any such documents need not be repeated verbally at the hearing.
  - e) Parties will be allowed a maximum equal period to exercise their rights, such period to be determined by the Committee or Sub-Committee.
  - f) Parties will be allowed to clarify points upon which they wish to support their application.
  - g) Parties may seek permission to question any other party subject to Paragraph a) above.
  - h) Parties may seek permission to address the Committee or Sub-Committee.

## **7. Procedure**

- 7.1 The Licensing Manager or other appointed officer of the Licensing Authority are not a party to the hearing. The Manager will outline the facts of the application and relevant representations received from parties.

- 7.2 The Licensing Manager will then outline the legislation under which a determination is required.
- 7.3 The Licensing Manager will outline;
- a) Relevant parts of the Act
  - b) Relevant subordinate legislation
  - c) Relevant sections from the statutory guidance made under Section 182 of the Act
  - d) Relevant paragraphs of the Statement of Licensing Policy made under Section 5 of the Act.
  - e) The time limit which the Committee or Sub-Committee must make a determination under the law.
- 7.4 Each party to the hearing present will then in turn provide information supporting or clarifying of their representations – commencing with the Responsible Authorities, followed by any interested party and then the applicant.
- 7.5 The Committee or Sub-Committee may advise all the parties of details of representations they have received from parties not present.
- 7.6 Thereafter each party, commencing with the Responsible Authorities, followed by any interested party and finally the Applicant, will be given an opportunity to summarise their representations. No new evidence will be allowed to be introduced by any party during the course of any such summation.
- 7.7 The Committee or Sub-Committee will disregard any information given by a party or any other person to whom permission to appear at the hearing has been given which is no relevant to;
- a) Their application, representation or notice or in the case of another person, the application, representation or notice of the party requesting their appearance, and
  - b) the promotion of the Licensing Objectives or in the case of a hearing to consider a notice given by a chief officer of the police, the crime prevention objective only.
- 7.8 The Committee or Sub-Committee will satisfy themselves that they have heard all the relevant information and retire to make their decision in private.

## **8. Persons behaving in a disruptive manner**

- 8.1 The Committee or Sub-Committee may require any person attending the, hearing who in their opinion are behaving in a disruptive manner to leave the hearing and may;

- a) refuse to permit that person to return, or
- b) permit them to return only on such conditions as the Committee or Sub-Committee may specify

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

## **9. Adjournment of Hearing**

- 9.1 The Committee or Sub-Committee may adjourn a hearing to a specified date or arrange for the hearing to be held on specified additional dates where it considers this necessary to consider any representations or notice made by a party.
- 9.2 It will not adjourn a hearing in such a way to create an effect on the requirements of granting or rejecting an application under Schedule 8 of the Act or a review under Section 167 of the Act.

## **10. Determinations**

- 10.1 The Committee or Sub-Committee will make its determination at the conclusion of the hearing but in certain circumstances may make a determination within a period of 5 working days of the last day of the hearing.

## **11. Notice of Determination**

- 11.1 The Licensing Manager will issue a notice of determination forthwith to all parties. Such notice will include the reasons for the determination and details of the right of any party to appeal against the decision.

## **12. Record of Proceedings**

- 12.1 The Democracy Team Officer will provide for a record of the hearing to be taken in a permanent and intelligible form and kept for 6 years from the date of determination.

## SCHEDULE 1

Column 1		Column 2
<b>Provision under which hearing is held.</b>		<b>Period of time which hearing must be commenced.</b>
1.	Section 18(3)(a) (determination of application for premises license)	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 17(5)(c)
2.	Section 31(3)(a) (determination of application for a provisional statement).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 17(5)(c) by virtue of section 30.
3.	Section 39(3)(a) (determination of application to vary premises license).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 17(5)(c) by virtue of section 34(5).
4.	Section 39(3)(a) (determination of application to vary premises license to specify individual as premises supervisor).	20 working days beginning with the day after the end of the period within which a chief officer of police may give notice under section 37(5)
5.	Section 44(5)(a) (determination of application for transfer of premises license).	20 working days beginning with the day after the end of the period within which a chief officer of police may give notice under section 42(6)
6.	Section 48(3)(a) (cancellation of interim authority notice following police objection).	5 working days beginning with the day after the end of the period within which a chief officer of police may give notice under section 48(2)
7.	Section 52(2) (determination of application for review of premises licence).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 51(3)(c).
8.	Section 72(3)(a) (determination of application for club premises certificate).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 71(6)(c)
9.	Section 85(3) (determination of application to vary club premises certificate)	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 71(6)(c) by virtue of section 84(4)
10.	Section 88(2) (determination of an application for review of club premises certificate)	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 87(3)(c)
11.	Section 105(2)(a) (counter notice following police	7 working days beginning with the day after the end of the period within which a chief

	objection to temporary event notice)	officer of police may give a notice under section 104(2)
12.	Section 120(7)(a) (determination of application for grant of personal licence)	20 working days beginning with the day after the end of the period during within which the chief officer of police may give a notice under section 120(5)
13.	Section 121(6)(a) (determination of application for the renewal of personal licence)	20 working days beginning with the day after the end of the period during within which the chief officer of police may give a notice under section 121(3)
14.	Section 124(4)(a) (convictions coming to light after grant or renewal of personal licence)	20 working days beginning with the day after the end of the period during within which the chief officer of police may give a notice under section 124(3)
15.	Section 167(5)(a) (review of premises licence following closure order)	10 working days beginning with the day after the day the relevant licensing authority received the notice given under section 165(4)
16.	Paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence)	10 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under paragraph 3(2) or (3) of Schedule 8
17.	Paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)	10 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under paragraph 15(2) or (3) of Schedule 8
18.	Paragraph 26(3)(a) of Schedule 8 (determination of application by holder of a justices' licence for grant of personal licence)	10 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under paragraph 25(2) of Schedule 8

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A  
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