

**Guildhall Gainsborough
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AGENDA

*** * PLEASE NOTE THERE WILL BE A BRIEFING FOR MEMBERS OF
THE COMMITTEE ONLY AT 9.15am * ***

**Licensing Sub-Committee
Monday 11 July 2016 at 9.30am
Council Chamber, 1st Floor, the Guildhall, Gainsborough**

Members: Councillor David Cotton
Councillor Paul Howitt-Cowan
Councillor Jessie Milne

Reserve Member Councillor Richard Oaks

1. To elect a Chairman for this meeting only.
2. Apologies for absence.
3. Members' Declarations of Interest.

Members may make any declarations of interest at this point but may also make them at any time during the course of the meeting.

4. Licence Hearing
Licence Number: 32UHB90014
Hearing Type: Review of a Premises Licence
Applicant: Lincolnshire Police
Premises: Bells Newsagents
Premises Licence Holder: Mr Ashok Mistry

M Gill
Chief Executive
The Guildhall
Gainsborough

1 July 2016

Notes : This licensing authority will only allow licensing decisions to be taken by a minimum of three Councillors. In the event of one member being unable to attend, their place will be substituted by another member. In the event of this substitution taking place all parties will be informed of the change of membership at the beginning of the hearing.

Please note the procedure to be taken by the committee (which is attached to this agenda marked A).

LICENSING ACT 2003 REVIEW HEARING PROCEDURE

1. Chairs welcome and opening remarks
 - Name of applicant and the premises address
 - The introduction of members on the sub-committee and officers
 - Introduction of applicant and objectors
 - Chair to explain that all parties have been given notice to attend the hearing and that the hearing will proceed notwithstanding a party's failure to attend the hearing.

Solicitor to explain the procedure to the parties

Senior Licensing Officer will present details of the review and will include any previous licensing history.

2. Applicant to present case for review

This procedure will be followed for each individual Applicant:

- The Applicant or their representative presents their case.
- The Applicant their representative will then call any witnesses and/or give evidence in support of their case.
- The Premises licence holder or their representative may then question the Applicant and their witnesses.
- The Members of the sub-committee may ask questions of the Applicant and their witnesses.
- The Applicant or their representative will then be given a final opportunity of asking any further questions of their witnesses to clear up any points raised in the earlier questioning.

3. The Premises Licence Holder Case

- The Premises licence holder or their representative will present their case regarding the review submitted.
- The Premises Licence Holder or their representative will then call any witnesses.
- The Applicant or their representative may then question the Premises licence holder and any witness.
- The Members of the sub-committee may ask questions of the Premises Licence Holder and any witnesses.

- The Premises Licence Holder or his/her representative will then be given a final opportunity of asking any further questions of their witnesses to clear up any points raised in the earlier questioning.

4. Closing Statement or Summary

The Premises Licence Holder can summarise any points they wish to make and comment briefly on the Applicant's replies to questions. They cannot introduce any new issues at this stage.

Applicants can summarise any points they wish to make and comment briefly on the Premises Licence Holder's replies to questions. They cannot introduce new issues at this stage.

5. Conclusion

The Chair will then ask the Solicitor whether there are any other matters to be raised or resolved before the sub-committee retires to begin its deliberations. The Sub-Committee will exclude the press and public from its deliberations and its decision making.

The Chair will advise the hearing that they will retire to consider the application and that the Solicitor will be retiring with them but will take not part in the deliberation.

Once a decision has been made everybody is invited back in and the Chair announces the decision and will give reasons for the decision including any conditions that have been attached and the right of appeal if necessary. The decision will subsequently be formally notified to the Applicant and the Premises Licence Holder or their representatives in writing by the Licensing Authority within 5 working days.

NB. If legal Advice is given to Members by the Solicitor then this advice will be repeated in summary form by the Solicitor when the public are re-admitted.

If any party to the hearing or the Senior Licensing Officer are required to address the Committee during their deliberations, all parties will be invited to hear these issues.