

AGENDA

Licensing Sub Committee
Friday, 2nd March, 2018 at 10.00 am
Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA

Members: Councillor Owen Bierley
Councillor David Cotton
Councillor Mrs Angela Lawrence

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. **Note:**

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.

To resolve that under Section 14 (2) of the Licensing Act 2003 (Hearings) Regulations 2005 – the public and press be excluded from the meeting for the following item of business.

5. **Licence Hearing** (PAGES 3 - 84)

Licence Number: 32UHB60016
Hearing Type: Review of a premises licence
Premises: Murco Costcutter Express, Bridge Filling Station,
Gainsborough

6. 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.

7. Licence Hearing

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164)

Licence Number: 32UHB15015
Hearing Type: Review of a Premises Licence
Premises: "Bankside News" 17 Bankside, Gainsborough

8. Procedure

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

Mark Sturgess
Head of Paid Service
The Guildhall
Gainsborough

22 February 2018

Agenda Item 5

By virtue of
Regulation 14(2) of the The Licensing Act 2003 (Hearings) Regulations 2005.

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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.