

11 September 2019 at 10.30 am

Council Chamber, Argyle Road, Sevenoaks  
Despatched: 03.09.19



# Licensing Hearing

## Membership: (Sub Committee D)

Cllrs. Carroll (substitute), Layland and Raikes

## Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. Appointment of Chairman		
2. Declarations of interest		
EXEMPT INFORMATION		
Recommendation: That, under section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting when considering agenda item 3, on the grounds that likely disclosure of exempt information is involved as defined by Schedule 12A paragraph 1 (information relating to any individual) and paragraph 2 (information which is likely to reveal the identity of an individual).		
3. Determination of Fit and Proper Following Complaint	(Pages 1 - 18)	Michael Moss Tel: 01732227364

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or [democratic.services@sevenoaks.gov.uk](mailto:democratic.services@sevenoaks.gov.uk).

Town Police Clauses Act 1847, Public Health Act 1875 and Local Government (Miscellaneous Provisions) Act 1976

- 1.1 Hearings shall be conducted in accordance with this Procedure Note which the Sub-Committee may vary at their discretion if considered in the public interest.
- 1.2 The agenda will be published 5 working days before the date of the hearing
- 1.3 The quorum for a Sub-Committee shall be two members.
- 1.4 At the commencement of each hearing the Sub-Committee shall elect one of its members as Chairman.
- 1.5 The order of business at hearings shall be:
  - (a) Election of Chairman.
  - (b) Declarations of interests.
  - (c) Chairman explains the procedure to be followed at the hearing including, if necessary, limiting the time given to the parties and witnesses (to allow all parties to have a fair hearing but preventing any one person dominating the proceedings) for all parties and the granting of adjournments.
  - (d) Chairman ascertains who is present, including all parties, representatives and witnesses.
  - (e) Presentation of report by Licensing Officer
  - (f) The Sub-Committee will hear from:
    - a. those opposed to granting the license / those seeking the review (or their representative(s)) together with their witnesses; and
    - b. the Applicant (or their representative(s)) together with their witnesses.
  - (g) All parties may use witnesses and supporting documentation, so long as these have been detailed to the Sub-Committee prior to the hearing. New information shall only be accepted at the Hearing if agreed by the Sub-Committee, if it would not cause significant undue prejudice to the other parties and if the other parties are given an appropriate opportunity to consider it and produce any response.
  - (h) It is expected that witnesses will not be present for any part of the hearing until they have addressed the Sub-Committee and responded to any questions. This shall not apply if the witness is:  
  
the Applicant; or

attending on behalf of a Public or Statutory Body.

- (i) Members will ask questions of each party (including their representative or witness) after they have spoken. The Applicant will be entitled to ask questions of the other parties or their witnesses after they have spoken. At the discretion of the Sub-Committee the other parties will be entitled to ask questions of the Applicant or their witnesses after they have spoken.
- (j) Sub-Committee may offer the parties a short adjournment to discuss in the absence of the Sub-Committee whether a solution acceptable to all the parties can be put to the Sub-Committee.
- (k) Those opposed to granting the licences / those seeking the review (or their representative(s)) make closing address.
- (l) The Applicant (or his/her representative) makes closing address.
- (m) Sub-Committee may grant a short adjournment to deliberate. The parties may not speak to Members regarding the application during adjournments.
- (n) The Sub-Committee considers the application and motions put to accept or reject the application in the terms requested or to grant the application subject to specified conditions. Reasons are to be given for motions.
- (o) The parties will usually be informed of the decision at the Hearing with a decision notice issued in due course along with details of any applicable appeals process.