



2004-2005
Supporting People
2006-2007
Waste and Recycling
2006-2007
Culture and Sport for
Hard to Reach Groups

Licensing Sub-Committee Babergh District Council

HEARINGS PROCEDURE: LICENSING ACT 2003 **TEMPORARY EVENT NOTICES (TENS)**

(Where Chief Officer of Police has issued objection notice under section 104 of the Licensing Act 2003):

1. The Licensing Officer will present a report to the Sub-Committee outlining details of the Temporary Event Notice, Police Objection Notice and reasons for the hearing.
2. The Licensing Officer may then be questioned on his report by the Premises-User (i.e. the Applicant) and/or his advocate, Police representative and Members of the Sub-Committee.
3. The Police representative will then present their case, confirming the reasons for issuing the objection notice and clarifying why the Police are satisfied that the Temporary Event would undermine the crime prevention objective.
4. The Police representative calls any witnesses.
5. The Police representative and his witnesses may then be questioned on their submissions by the Applicant and/or his advocate, Licensing Officer and Members of the Sub-Committee.
6. The Applicant or his advocate makes an opening address to the Sub-Committee.
7. The Applicant or his advocate calls any witnesses.
8. The Applicant and/or his advocate, and his witnesses if applicable, may then be questioned on their submissions by the Police representative, Licensing Officer and Members of the Sub-Committee.
9. The Applicant or his advocate may then question the witness to clarify any points.
10. The Licensing Officer gives any closing address to the Sub-Committee.
11. The Police representative gives a closing address to the Sub-Committee.
12. The Applicant and/or his advocate give a closing address to the Sub-Committee.
13. The Sub-Committee retires to deliberate in private session. All parties will then be called back into the meeting for the announcement of the decision and reasons for the decision will be given by the Sub-Committee Chairman or Legal Adviser to the Sub-Committee. The Applicant and/or his advocate will be given opportunity to clarify any points on the decision.

NOTES:

- (a) The hearing will take the form of an informal discussion led by the Licensing Authority.
- (b) The Sub-Committee Chairman and, with his consent, any Member of the Sub-Committee may at any time question the Applicant, Police representative, Licensing Officer or any witnesses. The Sub-Committee Chairman may deviate from this procedure as he considers necessary or appropriate, to allow a discussion to flow and to allow all parties fair and equal opportunity to raise all points they may wish to make.