Licensing Panel hearings - Procedure - General information

The Panel hearing is a quasi-judicial process. It is a formal hearing, not a public meeting or open discussion. This means that it must follow a set procedure to allow everyone a fair hearing and must conduct business in an orderly fashion.

The Panel can only decide on the premises licence application or review before it. They can take into account only what is legally allowed under the Licensing Act 2003. They cannot adjudicate or rule on anything which is not part of the premises licence application or relevant to the licensing objectives.

If you wish to circulate papers or photographs, please give these to the clerk before the meeting. All parties have to be given the chance to see these and agree that they can be taken as evidence before they can be considered by the Panel. It speeds up the hearing, and reduces the chance that your evidence will not be considered, if you send these to the clerk a few days before the hearing so that they can be sent to all parties.

The Chairman of the Panel is in charge of proceedings. If you wish to speak please raise your hand. You must only speak when the Chairman has invited you to do so. You must not speak to other people in the room without his/her permission. If you wish to talk to other people, please do so outside the room. Please turn off your mobile phone.

Please do not interrupt other speakers. Interruptions cause delays as well as being disrespectful. You would be rightly annoyed if others interrupted you, so please extend them the same courtesy.

If you are at the table, please do not leave without permission. If you are in the ‘gallery’ listening, you may leave and come back at any time. You do not have to stay for the whole hearing. If you need to leave before the end of the hearing, you can select someone to represent you during the next stages.

The procedure allows everyone to make their case in order. After each person has made their case, other parties can question them. You cannot make statements during the time for questions. Please do not use the question times to make your case as this only slows down the hearing. If you wish to ask a question, please put up your hand when the Chairman asks. Questions should be brief, to the point, and relate to the application.

Local residents (interested parties) get to make their case last, once they have had a chance to hear what the other parties have to say. You can only speak if you have made valid written representations to the Licensing Officer. Please do not speculate as to what might happen. Do not make personal attacks or accusations and do not introduce new or irrelevant issues.

Once everyone has spoken, each person can sum up their case.

The Panel will then retire to consider their decision in private. This usually takes an hour or longer. You should be prepared to wait for the decision to be announced as you may need to come back to answer questions or comment on proposed conditions, but you do not have to stay. You might like to go and stretch your legs or get a coffee, but then please wait in Reception to be recalled.

If the Panel are considering any changes from the hours and conditions proposed by the parties at the hearing, the hearing will be reconvened. The clerk to the Panel will read out the Panel's proposed hours and conditions, and all parties will then have the opportunity to consider and comment on these. The Panel will take into consideration all comments made by all parties when making a final decision.

When the Panel has made its decision, all parties will be called back. The Chairman will announce the Panel's decision. This concludes the hearing. There is no opportunity for further questions or comments to the panel, but officers may be able to answer your questions once the Panel members have left. The clerk generally aims to send the Panel's decision in writing to all parties within 10 working days of the hearing. The Licensing Officer will issue the licence.

Licensing Panel hearings – Procedure at the hearing

1. The Chairman introduces the Panel and officers and asks everyone to introduce themselves.

2. The Licensing Officer introduces the case then answers questions in turn from the :
- Applicant
- Environmental Health Officer and Thames Valley Police (if present)
- Interested parties.
- Panel.

3. Applicant speaks to present his case then calls any witnesses and/ or supporters to speak

then the applicant, witnesses and supporters answer questions in turn from the :
- Licensing Officer
- Environmental Health Officer and Thames Valley Police (if present)
- Interested parties
- Panel

4. The Environmental Health Officer and Thames Valley Police (if present) present their cases in turn then answer questions in turn from the:
- Licensing Officer
- Applicant
- Interested parties
- Panel.

5. The interested parties speak to present their case.
- Each person speaks in turn. You may be questioned after you have spoken, or all together at the end of all the speeches. You must stick to the points you raised in your letter and not raise new matters.
- Please do not repeat previous speakers and please be brief.
- Please give your name and address before starting your speech.

Questions are asked by:
- Licensing Officer
- Applicant
- Environmental Health Officer and Thames Valley Police (if present)
- Panel.

6. Everyone sums up their case in the order above. The Panel can ask any final questions for clarification. Summing up should set out the main points, and any alterations to the application or suggested conditions that should be considered. It should not repeat the previous speeches.

7. The Panel withdraw from the room or ask everyone to leave. The Panel make their decision in private, accompanied by the clerk and the legal adviser to the panel.
This usually takes an hour or longer. You can go at this point, or wait for the decision to be announced. The Panel may reconvene the hearing to clarify facts or discuss proposed conditions or changes to operating hours.

8. When the Panel has made its decision, all parties will be called back into the meeting.

9. The Chairman will announce the decision without further discussion. This concludes the hearing.