

## SEX ESTABLISHMENT LICENSING PROCEDURES

1. The **Chairman** and those present at the meeting will be asked to identify themselves, and their position, if officers.
2. The **Chairman** will ask whether the applicant, if unaccompanied, is aware that he/she can be represented.
3. The **Licensing Officer** presenting the report on the item to the Committee will open the proceedings with an outline of the basic facts under consideration and a brief outline of the objections.
4. The **Applicant** or his or her **advocate** will present his/her case
5. The **Applicant** will call his or her witnesses to speak.
6. **Objectors** and officers may question the applicant and his or her witnesses. However, in order to be able to do this, objectors must have first given written notice of their objection(s) to the Council. This must have been given not later than 28 days after the date of the application for the licence. Any such written notice must have stated, in general terms, what the grounds of the objection(s) were. (Note: objectors put their objections at No.8 below).
7. The **Chairman and Committee** may question the applicant and witnesses.
8. The **Chairman** will invite objectors to state their objections. **Objectors** who failed to submit notice of their objections within 28 days of the date of the application cannot be heard (see No.6 above).
9. The **Chairman** will invite representations and/or objection from its officers and, if appropriate, third party statutory bodies.
10. The **Applicant** may ask questions of any Council or other officer including statutory bodies and objectors who have submitted statements or evidence.
11. The **Chairman and Committee** may question the objectors, Council officers or statutory bodies.
12. The **Applicant** will be given an opportunity to make a Final Statement and to reply to any representations and/or objections. The Committee will hear no further objections or representations following the Applicant's Final Statement or reply, except in so far as any such representations consist of legal advice provided by the Legal Adviser to the Committee.
13. The **Committee** will pass a resolution to move into private session. At that stage all other persons will then vacate the committee room. The Committee may invite the Legal Adviser to the Committee to join them in private session for the purposes of providing or clarifying advice on any matters relating to the law. In that event, the Legal Adviser will, upon returning to the public forum, inform interested parties of the nature of any legal advice given to the Committee, if so requested.
14. If it is necessary to recall any party to clarify points in issue, or to seek their views

on any legal issues raised, all parties will be invited to return.

15. When a conclusion has been reached, **all parties** will be recalled and the decision will be announced to the applicant, together with any conditions, provisos, or restrictions, or the reasons for refusal of an application, as appropriate.
16. The Committee's decision will also be notified to the applicant in writing within 7 days, together with any statutory rights of appeal, which may be available. If, for any reason, such notification is provided late and this causes the applicant to lodge any appeal outside the 21 day time limit provided, then the Council will take no objection to any application to appeal 'out of time',

**COMMITTEE FORMALLY CLOSED**