

## **LICENSING PROCEDURE AND CHECKLIST**

### **1. INTRODUCTION**

- 1.1 It is considered to be good practice to periodically review and update the Licensing Procedure in order to ensure that the procedure takes into account any changes to the legislation and/or new guidance.
- 1.2 The proposed updated Licensing Procedure is attached as Appendix 1. A checklist (attached as Appendix 2) has also been prepared and it is considered that this list could be used by the Chair of the Licensing Sub-Committee as a tool to ensure that the correct procedure is followed. The Sub-Committee does not meet on a regular basis. Indeed in the last municipal year only two Licensing hearings have taken place and, therefore, it is not necessarily a meeting that a member would chair on a regular basis.

### **2. BACKGROUND**

- 2.1 The Licensing Procedure is sent to all parties involved in a hearing under the Licensing Act 2003. Following the District Council elections in May 2019, it is timely to give the procedure some consideration and review.
- 2.2 The proposed changes to the Procedure are minor in nature and have been proposed to ensure that the procedure is clear, user friendly and is in line with the current licensing legislation and guidance. The order of business and process for hearings has not changed.
- 2.3 The Terms of Reference for the General Purposes and Licensing Committee state that the Committee shall: *“determine the procedure to be followed at the hearings of the Licensing Sub-Committee.”* The Committee is asked to consider and approve the revised draft Licensing Procedure and the checklist to be followed at a hearing, which is in line with the Licensing Procedure.
- 2.5 The Committee is also asked that in the future, if minor technical changes need to be made to the Licensing Procedure for any reason, authority be delegated to the Monitoring Officer (or the Deputy Monitoring Officer) to make these changes without the requirement for approval by the General Purposes and Licensing Committee. However, if major changes are needed, they would continue to be presented to the Committee for consideration.

### **3. FINANCIAL/CRIME & DISORDER/ENVIRONMENTAL/EQUALITY & DIVERSITY/ DATA PROTECTION IMPLICATIONS**

- 3.1 None.

### **4. RECOMMENDATIONS**

- 4.1 That the revised draft Licensing Procedure (Appendix 1) and checklist (Appendix 2) be approved.

- 4.2 That authority be delegated to the Monitoring Officer (or the Deputy Monitoring Officer), in consultation with the Chairman of the General Purposes and Licensing Committee to update the Licensing Hearing procedure to take account of any new legislation or guidance, provided that any changes are technical in nature.

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**Background Papers:**

None