
STATUTORY INSTRUMENTS

2007 No. 173

The Gambling Act 2005 (Proceedings of Licensing Committees and Sub-committees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007

Proceedings of a relevant committee in conducting a hearing

9.—(1) Subject to regulations 8 and 11, a relevant committee must permit a party to attend a hearing and be assisted or represented by any person whether or not that person is legally qualified.

(2) At the beginning of the hearing the relevant committee must explain the procedure that it proposes to follow in conducting the hearing.

(3) In conducting a hearing the relevant committee must ensure that each party is given the opportunity to—

- (a) address the relevant committee on any matter that is relevant to the application or review, or any representations made on the application or review;
- (b) call witnesses to give evidence on any matter that is relevant to the application or review, or any representations made on the application or review;
- (c) provide further information on, or explanation of, any matter on which the relevant committee has indicated that it will want further clarification under regulation 6(1)(j).

(4) In conducting a hearing the relevant committee must also—

- (a) permit any party to question any other party or person representing a party on any matter that is relevant to the application or review, or any representations made on the application or review, where the relevant committee considers that in all the circumstances it is appropriate to do so; and
- (b) take into consideration documentary or other information in support of the application or representations produced by a party—
 - (i) before the hearing; or
 - (ii) at the hearing, with the consent of all the other parties attending the hearing.

(5) Without prejudice to paragraphs (3) and (4), a hearing must be conducted so that it takes the form of a discussion led by the relevant committee, and the committee must not permit any cross-examination unless it considers that cross-examination is required for it properly to consider the application or representations made by any party.