

BEDFORD BOROUGH COUNCIL
GUIDANCE FOR COUNCILLORS DEALING WITH
LICENSING MATTERS

1. Introduction

Definitions

1.1 In this Guidance:

- **“Licensing Committee”** means the Licensing Act 2003 Committee and the General Licensing Committee and their respective Sub-Committees. It also refers to the Full Council when dealing with licensing matters.
- **“Licensing matters”** include all applications for, and reviews of, licences, consents, permits and registrations etc. as set out in the Committee’s terms of reference within Part 3 of the Council’s Constitution.
- **“Party”** for Licensing purposes includes an applicant, or an objector.
- **“Interested party”** is any other person who has submitted a valid representation within the prescribed timescales in respect of the matter concerned and has a right to attend the hearing.

- **”Licensing administrative fairness duty”** means the particular responsibilities of the three or four Licensing Committee Members who sit in formal administrative hearings and consider matters fairly following the rules of natural justice and the relevant principles of the Human Rights Act in a non-political manner and make decisions in the public interest.

Licensing Committee Role

- 1.2 The role of an Elected Member at the Licensing Committee involves sitting in a formal hearing and following the rules of natural justice and the relevant principles of the Human Rights Act 1998 in making decisions.

The relevant principles and rules are that:

- (1) A party at a Committee must be provided with the written report together with any other information received regarding the substance of any allegation or objection or allegations (which may be relevant in the context of a proposed revocation of a licence or details of the application) and this is usually in the form of the written report provided to attendees (see (2) below).
- (2) The written report must be provided to the party in reasonable time for them to read and understand the content of the objection, allegation or, as the case may be, details set out in the report and to arrange for representation.

- (3) A party must be able to put their case and be represented if they so wish and is entitled to a fair hearing.
- (4) A party must be able to present their case under conditions that do not place them at a disadvantage.
- (5) A party must be entitled to have their representations taken into account by the Committee.
- (6) Any member of the Committee having a Disclosable Pecuniary Interest or a local interest in the matter before the Committee must declare the nature of that interest and in the case of a Disclosable Pecuniary Interest must withdraw from the room in which the meeting is being held whilst the matter is being considered.
- (7) The Committee should not make an irrational decision by taking into account matters it ought not to take account of and/or not taking into account matters of which it should take account.
- (8) There should be no bias leading up to, or in, the decision reached.
- (9) In its decision making, the Committee must ensure that its decision is proportionate to the case before it.

1.3 There are two fundamental principles of English Law that every decision making body must observe, and be seen to observe. These are called “ the principles of natural justice” and they are:-

- (1) The right to have a fair determination;

(2) There should be no bias leading up to, or in, the decision reached.

1.4 This guidance has been prepared:-

(1) To assist Members to observe these principles in relation to reaching decisions on licensing matters;

(2) To provide guidance to Members on how to maintain high standards of conduct in relation to their licensing responsibilities and also on how the Council's Code of Conduct applies to the licensing systems. In this respect, its purpose is to help Members to maintain high standards of conduct and to observe the Council's Code of Conduct when dealing with licensing matters. It does not however replace or in anyway modify that Code.

1.5 In view of 1.2 to 1.4 above Members should follow this Guidance when they deal with licensing matters. It is also important that Members follow all other Guidance of the Standards Committee as the Guidance is given in accordance with the Standards Committee's delegation to promote and maintain high standards of conduct by Members and co-opted Members of the Council.

2. The general role and conduct of Councillors

2.1 Councillors serve the public and are responsible to the electorate. Officers advise Councillors and the Council and carry out the Council's work. They are employed by the Council, not by individual Councillors, and it follows that instructions may only be given to Officers through a decision:-

- at a meeting of the Executive or of the Council, or a Committee or Sub-Committee of either, or

- by an individual decision of the Mayor or a portfolio holder properly taken in accordance with the decision making protocol.

Any other system which develops is open to question. A successful relationship between Councillors and Officers can only be based upon mutual trust and understanding of each other's positions. This relationship, and the trust which underpins it, must never be abused or compromised. The Council undertakes licensing functions in its position as Licensing Authority. As such the licensing systems are non-executive functions and so instructions can only be given by Members to Officers through minuted decisions of the Licensing Committee.

2.2 Councillors are required to observe the Council's Code of Conduct for Members. This sets out the requirements on Councillors in relation to their conduct. It covers issues central to the preservation of an ethical approach to Council business, including the need to register and declare interests, and also appropriate relationships with other Members, staff and the public which will impact on the way in which Councillors participate in the determination of licensing matters.

2.3 It is crucial that Councillors serving on the Licensing Committee, or who become involved in making a licensing decision, must observe the requirement that a Member:-

“must not use or attempt to use [their] position as a Member improperly to confer on or secure for [themselves] or any other person, an advantage or disadvantage”.

2.4 Councillors must not favour any person, company, group or locality, nor put themselves in a position where they appear to do so.

- 2.5 Councillors who do not feel that they can act in this way cannot serve on the Council's Licensing Committee.
- 2.6 Impartiality and the need to be seen to be impartial is always essential for members and officers involved in determining licensing matters (irrespective of how contentious or otherwise the matter is). This is re-inforced by the requirement on Members in the Council's Code not to do anything which compromises or which is likely to compromise the impartiality of those who work for, or on behalf of, the Council. Members of the Licensing Committee should always be aware that when they consider licensing matters they do so in a formal hearing and in accordance with their "Licensing administrative fairness duty". Therefore, matters that are part and parcel of ordinary Committee meetings do not apply to the Licensing Committee in this mode, because of the nature of legal procedures required to be followed during that part of the meeting.
- 2.7 It is essential that all Members of the Licensing Committee receive appropriate and adequate training to carry out this important function. Therefore, before any Councillor can be a Member of a Licensing Sub-Committee, they must have completed at least seven hours of training approved by the Assistant Chief Executive (Governance) (the Monitoring Officer).

3. Right to fair determination

- 3.1 It is important that all the Licensing Committee Members read all the agenda papers prior to each meeting and listen to all points raised during those meetings. Members have a duty to take into account all relevant matters, including licensing advice, and to ignore irrelevant matters. Members

should be present during the whole discussion of an item or they should take no further part in the debate and should not vote on that item. Infrequently, certain applications may be adjourned at meetings for site visits etc and it is important that the same Members attend the subsequent meeting in order to determine the application.

4. Registration and declaration of interests

- 4.1 The Council's Code of Conduct requires Members (including co-opted ones and the Elected Mayor) to register and declare their financial and other interests, and sets out the consequences for the Councillor's participation in consideration of an issue, in the light of those interests.

- 4.2 These requirements must be followed scrupulously and Councillors should review their situation regularly. Separate guidance on the registration and declaration of interests is issued by the Council and further advice may be sought from the Council's Monitoring Officer. However, ultimate responsibility for fulfilling the requirements of the Council's Code of Conduct rests individually with each Councillor.

Registration of Interests

- 4.3 The Council's Monitoring Officer maintains a Register of Members' Interests. This is available for public inspection. A Member must provide the Monitoring Officer with written details of relevant interests within 28 days of the Member's election, or appointment, to office. Any changes to those interests, once registered, must be notified to the Monitoring Officer within 28 days of the Member becoming aware of such changes.

Declaration of Interests

- 4.4 Paragraphs 3, 4, 5, 7 and 8 of the Council's Code of Conduct sets out the following in relation to local and disclosable pecuniary interests and their disclosure at meetings.

3 Local Interests

3.1 *You have a local interest (which is an interest other than disclosable pecuniary interest) in any business of the Council where either -*

(a) it relates to or is likely to affect -

(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council;

(ii) any body -

(aa) exercising functions of a public nature;

(bb) directed to charitable purposes; or

(cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management.

(b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected by the decision.

(Note: In sub-paragraph 3.1(b), a relevant person is -

(a) a member of your family or any person with whom you have a close association; or

- (b) *any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;*
- (c) *any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or*
- (d) *any body of a type described in sub-paragraph 3.1(a)(i) or (ii)above).*

4 Disclosable Pecuniary Interests

You have a disclosable pecuniary interest for those subjects in the first column below as set out in the description in the second column.

Subject:	Description:
<i>Employment, office, trade, profession or vocation</i>	<i>Any employment, office, trade, profession or vocation carried on by you or your partner¹ for profit or gain.</i>
<i>Sponsorship</i>	<i>Any payment or provision of any other financial benefit (other than from Bedford Borough Council) made or</i>

	<p><i>provided to you within 12 months ending with the day on which you notified the Council's Monitoring Officer of any disclosable pecuniary interests in respect of any expenses you incurred in carrying out your duties as a member, or towards your election expenses. (This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.)</i></p>
<p><i>Contracts</i></p>	<p><i>Any contract that Bedford Borough Council has with you or your partner¹ (or a body² in which you or your partner¹ have a beneficial interest) provided you are aware of the interest of your partner and—</i></p> <ul style="list-style-type: none"> <i>(a) under which goods or services are to be provided or works are to be executed; and</i> <i>(b) which has not been fully discharged;</i>

<i>Land³</i>	<i>Any beneficial interest you or your partner¹ has in land³ which is within Bedford Borough.</i>
<i>Licences</i>	<i>Any licence you or your partner¹ has (alone or jointly with others) to occupy land³ within Bedford Borough for a month or longer.</i>
<i>Corporate tenancies</i>	<i>Any tenancy where to your knowledge— (a) the landlord is Bedford Borough Council; and (b) the tenant is a body² in which you or your partner¹ have a beneficial interest.</i>
<i>Securities⁴</i>	<i>Any beneficial interest in securities⁴ of a body² where— (a) that body (to your knowledge) has a place of business or land within Bedford Borough and (b) either— (i) the total nominal value of the securities⁴ exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</i>

1 your partner for this purpose includes –

- (i) any spouse or civil partner you might have,*
- (ii) any person with whom you might be living as husband and wife, or*
- (iii) any person with whom you might be living with as if you are civil partners*

2 “Body” means a firm in which you are a partner or a body corporate of which you are a director (which includes a member of the committee of management of an industrial and provident society), or in the securities of which you have a beneficial interest

3 “Land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income

4 “Securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society

5 Disclosure of Local and / or Disclosable Pecuniary Interests

5.1 Subject to paragraphs 5.2 to 5.5, where you have a local and/or disclosable pecuniary interest in any business of the Council and you attend a meeting of the Council at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

5.2 Paragraph 5.1 only applies where you are aware or ought reasonably to be aware of the existence of the local and /

or disclosable pecuniary interest.

5.3 *Where you have a local and / or disclosable pecuniary interest but, by virtue of paragraph 10, sensitive information relating to it is not within copies of the register that are made available for inspection, and any published version of the register, you must indicate to the meeting that you have a local and / or disclosable pecuniary interest, but need not disclose the sensitive information to the meeting. Copies made*

5.4 *Not relevant for the purposes of this guidance.*

5.5 *Not relevant for the purposes of this guidance.*

7 Effect of Disclosable Pecuniary Interests on Participation

7.1 *Where you have a disclosable pecuniary interest in any business of the Council -*

(a) you must withdraw from the room or chamber where a meeting considering the business is being held -

(i) in a case where sub-paragraph 7.2 applies, immediately after making representations,

answering questions or giving evidence;

(ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

unless you have obtained a dispensation from the Council's standards committee or the Council's monitoring officer;

(b) you must not exercise executive functions in relation to that business; and

(c) you must not seek improperly to influence a decision about that business.

7.2 Where you have a disclosable pecuniary interest in any business of the Council, you may attend a meeting (including a meeting of the Overview and Scrutiny Committee of the Council or of a Sub-Committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

8 Effect of Decision Maker's Conflicts of Interest

- 8.1 *Where an executive decision maker has any conflict of interest in any business of the Council which arises from that role and attends a meeting of an Overview and Scrutiny Committee of the Council or any Sub-Committee of such a committee, they may only do so for the purpose of making representations, answering questions or giving evidence relating to that business.*
- 4.4 Any Member of the Council's Licensing Committee who has a disclosable pecuniary interest in any Licensing application or other matter may not sit as a Member of the Committee/Sub-Committee dealing with, or determining, the matter and must not otherwise seek improperly to influence a decision on that matter.
- 4.5 Generally, Members who have a Disclosable Pecuniary Interest in a matter are required under the Code both to disclose the existence and nature of that interest and, having done so, to leave the room whilst the matter is being considered. However, the Code also provides that any member who has a Disclosable Pecuniary Interest may, having disclosed its existence and nature, remain in the meeting for the purposes of making representations, answering questions or giving evidence relating to the business provided that the public are allowed to attend for the same purpose. Having made their representations/answered questions/given evidence, the member must then withdraw from the room. In essence this means that the Councillors who have a Disclosable Pecuniary Interest have the same (but no wider) rights as members of

the public do to make representations/answer questions/give evidence on the matter but must first declare their interest and then leave immediately they have finished making those representations etc.

- 4.6 Whilst for the purposes of the Code of Conduct a Member can participate in and vote on an item in which they have a Local Interest, owing to the particular responsibilities of Licensing Members to determine applications in an administratively fair manner following the rules of natural justice a Member with such an interest should not only disclose it but also should not participate in and determine that application.

5 Licensing proposals submitted by Councillors

- 5.1 Licensing applications to the Council as Licensing Authority by serving and former Councillors, their family members and close associates, are perfectly legitimate. However, it is vital to ensure that they are handled in such a way that provides no grounds for accusations of favouritism or suspicions of impropriety.
- 5.2 Councillors on the Licensing Committee should not act as agents for people pursuing licensing matters within their Authority. Similarly, if they submit their own proposal to the Council as Licensing Authority they should state the nature of their interest and play no part in its processing and should, unless they are named specifically as the applicant on the requisite forms, notify the Council's Monitoring Officer of its submission. Any proposals from Councillors in their own right will normally be determined by a Licensing Sub-Committee and will not be dealt with under Officer delegated powers.
- 5.3 Submission of an application by, or concerning, a Councillor would be regarded as a disclosable pecuniary interest for that Councillor under the Council's Code of Conduct and as such, s/he must not attend any

hearing during the consideration of the matter other than to exercise any rights that applicants or the wider public have to make representations, answer questions or give evidence.

- 5.4 The Council's Code of Conduct provides that Members should "not seek improperly to influence a decision about the matter" – this however does not imply that a Member is not able to explain their position to an Officer in advance of consideration by a Committee. The Member should take great care, of course, not to use their position as a Member to gain any advantage or do anything which compromises or is likely to compromise the impartiality of anyone who works for, or on behalf of, the Council. They should also be aware that:
- they should have no further access to Officers, documentation, etc than would be available to a member of the public
 - they should scrupulously avoid placing any pressure on the officer
 - their position as a Councillor creates a public expectation that the member will observe the requirements of licensing legislation in relation to their own private property interests, or a property owning company in which they have a material interest.
- 5.5 Although a Member may make a written submission in a private capacity to relevant Officers, they should not be made to individual Members. If a proposal is submitted by a family member, close associate or other "relevant person" then the Member must consider whether they have a Disclosable Pecuniary Interest in the application and, if so, take no part in its processing.

6 Lobbying of and by Councillors

- 6.1 Although lobbying is a normal and perfectly proper part of the political process, it is not acceptable in the case of Members who serve on the Licensing Committee about licensing matters given the “Licensing administrative fairness duty”.

7 Open and fair hearing

- 7.1 Councillors, and Members of the Licensing Committee in particular, need to take account of the public’s expectation that a licensing matter will be processed and determined in an open and fair manner, in which the Members taking the decision will take account of all of the relevant evidence presented before arriving at a decision, and that committing themselves one way or another before hearing all the arguments makes them vulnerable to an accusation of partiality. Determination of a licensing matter is a formal and fair administrative process involving the following of rules and procedures, including the rules of natural justice, and is subject to rights of appeal and an expectation that people will act reasonably and fairly. There is an added possibility that an aggrieved party may seek judicial review of the way in which a decision has been arrived at; or complain to the Ombudsman on the grounds of maladministration; or that a Member has breached the local Code of Conduct.
- 7.2 Councillors on the Licensing Committee must therefore not organise or get involved in organising support for or opposition to a licence application and must not lobby other Licensing Committee Councillors on a particular matter. Such actions can easily be misunderstood by parties to an application and by the general public and leave Committee Members and the Committee’s decision open to attack.

- 7.3 A Councillor who does not sit on the Licensing Committee may wish to express an opinion and decide that a particular licensing issue is of such importance that he or she wishes actively to campaign either for or against the application in question. This would typically be in respect of a high profile issue within the Ward which the Member represents. This is a legitimate political position for a Member to take, but in such special circumstances it would be impossible for that Member to be seen to remain impartial. Councillors not involved in the determination of a licensing matter may attend the public element of its hearing. Their status as a Councillor does not enable them to make any representations on licensing matters not available to members of the public. In line with any rights available to members of the public they may however make representations on licensing matters in accordance with the procedures approved by the Licensing Committee. A Member with a Disclosable Pecuniary Interest may not attend even in a private capacity and sit in the public gallery of any meeting of the Council, including one involved in the determination of a licensing matter.
- 7.4 A Member of the Licensing Committee that is to determine a licensing matter must not campaign for or against it prior to it being considered otherwise a challenge could be made for bias. If a Member of the Committee that is to determine a Licensing matter feels that they must express an opinion on licensing matters before they are determined their continued membership of the committee would not be possible having regard to their Licensing administrative fairness duty.
- 7.5 Members are entitled to hold a particular view for or against a particular decision and this is known as a predisposition, but they must still be able to consider and weigh relevant factors before reaching the final decision at a committee meeting. An example of a predisposition would be a policy commitment. Pre-determination arises when Members' minds are closed (or reasonably perceived to be closed) to the consideration and weighing of the relevant factors so that the decision is already made or Members are

determined to reach a particular decision without considering the merits. That risks making the whole decision vulnerable to legal challenge.

7.6 Section 25 of the Localism Act 2011 has sought to clarify the law regarding allegations that a decision is affected by bias or predetermination. Section 25 states that:

“A decision maker is not taken to have had, or appeared to have had, a closed mind when making a decision just because:

- (a) the decision maker had previously done anything that directly or indirectly indicated what view the decision maker took, or would or might take in relation to that matter, and
- (b) the matter was relevant to the decision.”

7.7 Whilst Section 25 provides some comfort to Members on the extent to which they are entitled to express firm views on matters before decisions are made it is still the case that Members must retain an open mind at the time the decision is made and be prepared to listen to and consider the arguments, together with any advice or information from officers, at the committee meeting before finally making up their mind on how to vote.

- 7.8 Given the formal hearings nature of licensing matters and the Licensing administrative fairness duty, Members of the Licensing Committee should not participate in any discussion on the merits or otherwise of particular cases including whether or not to grant or refuse any application. There should be no discussions at political group meetings to decide how Members will vote; this includes any pre-committee meetings or discussions between Licensing Committee Members of a political group.
- 7.9 The fundamental principle is that a Member on a Committee determining a licensing matter must both: -
- (a) have an open mind; and
 - (b) be capable of being seen by an objective and reasonable third party as having an open mind.
- 7.10 A Member of the Licensing Committee can pass on the views of a constituent to the appropriate officer prior to its hearing, but the Member must be careful not to be seen to be an advocate trying to influence the decision in any way on behalf of the constituent. It would be inappropriate for the Member to pass on the views to a Member involved in the determination of the Licensing Matter.
- 7.11 Even if a Member of the Licensing Committee has not expressed a view on a licensing matter, if their mind is closed the Member should not participate in the hearing/ determination of the matter. In these circumstances, another Member of the Committee or a substitute may attend to replace the Member (subject to the rules permitting or preventing such replacements and to them having undertaken the required training). It is not possible for a Member merely to act as replacement for part of the meeting only while a particular licensing matter is determined. Any replacement Member must accept all of the principles set out in this guidance, including the need to have an open mind. In other words, the Member

who has declared an interest must not give an instruction or even an indication to the replacement Member on how that member should vote. In addition the Member should not seek or be seen to seek to influence the decision in any way, otherwise the integrity of the licensing processes would be damaged.

7.12 A Member should declare a Disclosable Pecuniary Interest if they are the partner of the applicant. Normally for the purposes of the Code of Conduct a Member can participate in and vote on an item having a local interest where, for example, the applicant is a close associate or another family member. However, owing to the particular responsibilities of Licensing Members in respect of the Licensing administrative fairness duty a Member with a local interest should not only disclose it but also should not participate in and determine that application:

- A member who is or has been a regular customer of an applicant licensee or a former licence holder who would not even have any local interest should nevertheless not participate in the determination of that application
- A member who has had any previous dealings regarding the premises should consider very carefully before they decide it is appropriate for them to participate in the determination of an application.

Ward Councillors are able to attend a Committee hearing as a party provided that they have submitted valid representations in advance and, therefore, they would have the same legal rights in this respect as any other person. They would have no other right to attend and speak at a meeting.

- 7.13 At no time should Councillors put pressure on Officers for a particular recommendation. Discussion between Councillors and Licensing Officers is beneficial and to be encouraged but should be only for the exchange of information and personal/professional views.

8. Pre and post application discussions

- 8.1 Discussion between a potential applicant and the Council as Licensing Authority prior to the submission of an application can be of considerable benefit to both parties. Such discussions should however only be dealt with by Officers.

9. Decisions contrary to officer recommendation

- 9.1 If the Licensing Committee makes a decision which is contrary to the Officers' recommendation, a detailed minute of the Committee's reasons will be made and a copy placed on the application file. Reasons must be clear on licensing grounds.

10. Committee site visits

- 10.1 To date there have been very few site visits by a Licensing Committee. The lack of any common approach on when and why to hold a site visit leaves the Council as Licensing Authority open to accusations of being arbitrary and unfair. In a licensing context, site visits cause delay and additional costs and should be used only where the expected benefits are substantial. A site visit should be necessary only if: -

- (1) The impact of the proposal is difficult to visualise from the plans and any supporting information; or
- (2) There is good reason why the comments of the applicant and objectors cannot adequately be expressed in writing; or
- (3) The proposal is particularly contentious.

10.2 Requests for site visits by the Licensing Committee Members involved in the determination of a licensing matter will normally be acceded to, but the “substantial benefit” test will apply and Councillors should be able to give clear and convincing reasons, which will be minuted accordingly. All Councillors should exercise this representative role responsibly. A site visit will only consist of Licensing Committee Members involved in the determination of the licensing matter, and an appropriate Officer.

10.3 No representations from the applicant and/or objectors, and/or Ward Members must be made. Members of the Licensing Committee involved in the determination of the licensing matter visiting the site have no delegated powers to decide the application which will be considered at the next formal meeting to determine the licensing matter.

11. Applications by the Council (in another capacity)

11.1 Applications may be received by the Council as the Licensing Authority from the Council itself acting in another capacity. This could include a licence application for a Council sponsored event or for Council

owned premises. This could also include an application for a review of a premises licence/club premises certificate following a recommendation by the Council as an Environmental Health or Licensing Authority (“a recommendation”). Under the Licensing Act 2003, this situation is expressly permitted. Such applications will be dealt with in the same way as any other application and will give no advantage or disadvantage to the fact that it has been submitted by the Council (or following a recommendation). There should be no recommendation for a review of a premises licence/club premises certificate from the Full Council.

11.2 No Member of the Executive or any Committee making an application should seek to influence in any way the determination of the application/review by the Licensing Committee other than by having participated in the decision to apply for a licence/call for a review.

11.3 The guidance set out in the entirety of this document applies also to this paragraph 11.

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