

POWYS COUNTY COUNCIL – LICENSING REVIEW PANELS & SUB-COMMITTEES PROCEDURE AT HEARING (simplified)

INTRODUCTIONS

- Chair introduces themselves and asks other members of panel to do so.
- Each person in turn introduces themselves
 - Council's representative(s) [Licensing Officer]
 - Applicant and/or their representative
 - For reviews - the licence holder and/or any representatives or witnesses
 - Any Objector(s) and/or their witnesses (only objectors who have submitted relevant representations may participate in the hearing)
 - Clerk/Solicitor
- Clerk/Solicitor outlines the process to be followed in the meeting.

ORDER OF HEARING

Chair manages / takes the lead at the meeting to ensure the correct order of proceedings is adhered with. Assistance from Solicitor/Clerk should be sought where necessary

- 1) Council's representative presents the report
 - Panel may ask questions of the Council's representative
- 2) Applicant or their representative puts their case forward (in the case of a review application this is a responsible authority or an interested party and not the licence holder)
 - Panel may ask questions of the applicant
 - For reviews - the licence holder and/or their representative may ask questions of the applicant
 - Objectors and/or their representatives may ask questions of the applicant
- 3) In the case of a Review Application the licence holder is invited to put their case forward.
 - Panel may ask questions of the licence holder or their representative
 - For reviews - the applicant may ask questions of the licence holder or their representative
 - Objectors may ask questions of the licence holder or their representative
- 4) Each objector and/or their witnesses put their case forward in turn. After each objector/witness has presented then:
 - Applicant or their representative may ask questions of the objector/witness
 - For reviews – the licence holder or their representative may ask questions of the objector
 - Panel may ask questions of the objector/witness
- 5) Chair invites applicant or his/her representative to summarise points and make a final statement
- 6) Chair checks that all parties have had ample opportunity to present all aspects of their case and have said all they want to say before the panel and the clerk withdraws to deliberate in private.
- (7) All parties are recalled and the decision of the panel is announced verbally by the Chair / Clerk/Solicitor. The grounds for that decision and the reasons for reaching it are also explained
- (8) Conclusion of hearing.
- (9) The decision is conveyed in writing to the applicant and objectors by the Clerk/Solicitor as soon as possible along with details of the appeal mechanism.

NOTE ON OBJECTORS

- There is no limit on the number of objectors
- Each objector is limited to a maximum of 2 witnesses.
- Objectors may appoint a spokesperson to present their case in order to avoid repetition of the same issues.
- Where there are a large number of objectors each wishing to be heard then the chair may choose to set a time limit for each objector to present their case.