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| APPENDIX 13 PROCEDURES FOR LICENSING PANELS AND COMMITTEES |
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The procedure to be followed at meetings of Licensing Panels and at meetings of the Licensing Committees when conducting a hearing.

PUBLIC HEARINGS

- 1.1 All meetings of Licensing Panels and the Licensing Committees when conducting a hearing shall take place in public subject to paragraphs 1.2 and 1.3.
- 1.2 Material may be withheld from the public in advance of the hearing and at the hearing if the Proper Officer considers that the public interest in withholding the material outweighs the public interest in providing it.
- 1.3 A Licensing Panel or Licensing Committees may exclude the public from all or part of the hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing taking place in public.
- 1.4 For the avoidance of doubt, a party and a person assisting or representing a party may be treated as a member of the public and therefore may be excluded from all or part of the hearing where the public interest in excluding that person outweighs the public interest in permitting them to attend the hearing.

RIGHT OF ATTENDANCE, ASSISTANCE AND REPRESENTATION

- 2.1 Subject to the provisions of paragraph 1 (under which members of the public including their representatives may be excluded) and the rules below on disruptive behaviour, any party may attend the hearing and may be assisted or represented by any person, whether or not that person is legally qualified.

PROCEDURE AT THE HEARING

- 3.1 The procedure at the hearing shall be at the discretion of the Chair of the Panel or Committee considering the matter.
- 3.2 At the beginning of the hearing, the Chair shall explain to the parties the procedure which he/she proposes to follow at the hearing and shall consider any request made by a party for permission for another person to appear at the hearing. That permission shall not be unreasonably withheld.
- 3.3 The hearing shall take the form of a discussion led by the Panel and its legal adviser and no cross-examination shall be permitted unless the Panel or Committee considers cross-examination is required in order for it to consider the representations, application or notice as the case may require.

- 3.4 The Chair of the Panel must allow the parties an equal maximum period of time in which to exercise their rights to make representations, question another party and provide supporting information.
- 3.5 The Panel or Committee may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return or permit them to return only on such conditions as the Panel may specify. Any person excluded from the hearing under this rule may submit to the Panel or Committee in writing any information which they would have been entitled to give orally had they not been required to leave.
- 3.6 Where the Council has given notice to a party that it will want clarification of particular points at the hearing, a party attending the hearing shall be entitled to give that further information in support of their application.
- 3.7 At the hearing a party may be permitted to question any other party at the hearing at the discretion of the Chair of the hearing.
- 3.8 At the hearing, any party attending will be entitled to address the Panel or Committee.
- 3.9 Members of the Panel or the Committee shall be given an opportunity to question any party or other person appearing at the hearing.
- 3.10 The Panel or Committee may take into account documentary or other information produced by a party in support of their application or representations or notice provided either before the hearing or with the consent of all the other parties at the hearing.

FAILURE TO ATTEND THE HEARING

- 4.1 If any party has informed the Authority that they do not intend to attend the hearing or to be represented at the hearing, the hearing may proceed in his/her absence.
- 4.2 If any party fails to attend or be represented at the hearing the Panel or Committee may adjourn the hearing to a specified date if it considers this to be in the public interest, or hold the hearing in the party's absence.
- 4.3 If the Panel or Committee continues to have a hearing in the absence of a party, they shall take into account representations or notice provided in advance by that party.

DECISION

- 5.1 Where required by law and in other cases where this is possible, the Panel or Committee will make its decision at the conclusion of the hearing. In other cases

will do so within a period of 5 working days beginning with the last day on which the hearing was held.

- 5.2 Notification of the decision will be given to the parties within the timescale provided for in the Act or in other cases immediately on the making of a decision.

RECORD OF PROCEEDINGS

- 6.1 Proceedings of a Panel and Committee shall be recorded in permanent form.
- 6.2 The record of the hearing shall be approved by the Proper Officer or her or his representative on behalf of the Panel.

QUORUM

- 7.1 The quorum of a Panel holding a hearing shall be two members. In the case of an equality of votes, the Chair of the Panel shall have a second and casting vote.