

Procedure at Hearing

1. The Chairman will introduce the Members of the Committee and the Officers present.
2. The Chairman will explain the purpose of the hearing and briefly summarise the order of events.
3. The Chairman may place a limit on the duration of the hearing and the time which a party has to present their case, subject to allowing a sufficient time for parties to be heard.
4. The Regulatory Officer (Senior Licensing Officer) will introduce the report and present their case, call any other witnesses and answer any questions from the applicant and the panel.
5. The Applicant will be invited to present his/her case, call any other witnesses and answer any questions from the Regulatory Officer and the panel.
6. The Regulatory Officer will be invited to make their closing statement, which must not include any new material.
7. The Applicant will then be similarly invited to make a closing statement.
8. The Committee will consider its decision and may retire to do so in private. It may request the attendance of the Council's Legal Advisor to give advice on law and procedure.
9. The hearing will be resumed and (if one has been reached) the decision communicated to the applicant.
10. The decision will be formally notified or confirmed in writing with supporting reasons by the Council's Legal Advisor within 5 working days of the hearing.
11. This procedure is subject to the Committee complying with specific statutory requirements that may apply in individual cases.
12. When the applicant is notified in writing of the decision of the Committee, he will be informed of any statutory right of appeal to the courts.

Human Rights

The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way which is incompatible with a convention right. The Committee will have regard to the Human Rights Act when exercising its Regulatory functions, with particular reference to the following provisions:

- Article 6 – in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
- Article 8 - everyone has the right to respect for his/her home and private and family life.
- Article 1 of the first protocol – every person is entitled to the peaceful enjoyment of his/her possessions.