

# AGENDA

## Regulatory Committee

Date: **Tuesday 5 October 2010**

---

Time: **2.00 pm**

---

Place: **The Council Chamber, Brockington, 35 Hafod Road,  
Hereford**

---

Notes: Please note the **time, date** and **venue** of the meeting.

For any further information please contact:

**Pete Martens, Committee Manager Planning & Regulatory**

Tel: 01432 260248

Email: [pmartens@herefordshire.gov.uk](mailto:pmartens@herefordshire.gov.uk)

---

If you would like help to understand this document, or would like it in another format or language, please call Pete Martens, Committee Manager Planning & Regulatory on 01432 260248 or e-mail [pmartens@herefordshire.gov.uk](mailto:pmartens@herefordshire.gov.uk) in advance of the meeting.

# **Agenda for the Meeting of the Regulatory Committee**

## **Membership**

<b>Chairman</b>	<b>Councillor JW Hope MBE</b>
<b>Vice-Chairman</b>	<b>Councillor PGH Cutter</b>
	<b>Councillor CM Bartrum</b>
	<b>Councillor SPA Daniels</b>
	<b>Councillor JHR Goodwin</b>
	<b>Councillor RC Hunt</b>
	<b>Councillor Brig P Jones CBE</b>
	<b>Councillor PJ McCaull</b>
	<b>Councillor GA Powell</b>
	<b>Councillor A Seldon</b>

## **GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS**

The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.

A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.

Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is. A Councillor who has declared a prejudicial interest at a meeting may nevertheless be able to address that meeting, but only in circumstances where an ordinary member of the public would be also allowed to speak. In such circumstances, the Councillor concerned will have the same opportunity to address the meeting and on the same terms. However, a Councillor exercising their ability to speak in these circumstances must leave the meeting immediately after they have spoken.

**AGENDA**

		Pages
1.	<b>APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
2.	<b>NAMED SUBSTITUTES (IF ANY)</b> To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.	
3.	<b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest by Members in respect of items on the Agenda.	
4.	<b>MINUTES</b> To approve and sign the Minutes of the meeting held on 4th September, 2010.	1 - 6
5.	<b>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER FOOTPATH CD83 (PART) IN THE PARISH OF CRADLEY</b>  To seek approval for the making of an order through the powers of the Highways Act 1980, Section 119 to divert footpath CD83 (part) in the parish of Cradley.  Wards Affected: Hope End	7 - 12
6.	<b>PROCEDURAL ARRANGEMENTS</b> To note the procedural arrangements for the meeting.	13 - 14
7.	In the opinion of the Proper Officer, the following item will not be, or is likely not to be, open to the public and press at the time it is considered.  <b>RECOMMENDATION:</b> <b>that under section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</b>	
	1 <b>Information relating to any individual.</b>	
	2 <b>Information which is likely to reveal the identity of an individual.</b>	
	3 <b>Information relating to the financial or business affairs of any particular person</b>	

<b>8.</b>	<b>DUAL (HACKNEY CARRIAGE &amp; PRIVATE HIRE) DRIVER'S LICENCE - TO CONSIDER A MATTER REGARDING THE HOLDER OF A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b>	15 - 22
	To consider an incident involving a licensed hackney carriage/private hire driver.	
<b>9.</b>	<b>DUAL (HACKNEY CARRIAGE &amp; PRIVATE HIRE) DRIVER'S LICENCE - TO DETERMINE AN APPLICATION FOR A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b>	23 - 32
	To consider an application for a dual drivers licence.	
<b>10.</b>	<b>DUAL (HACKNEY CARRIAGE &amp; PRIVATE HIRE) DRIVER'S LICENCE - TO DETERMINE AN APPLICATION FOR A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b>	33 - 44
	To consider an application for a dual drivers licence.	
<b>11.</b>	<b>DUAL (HACKNEY CARRIAGE &amp; PRIVATE HIRE) DRIVER'S LICENCE - TO DETERMINE AN APPLICATION FOR A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b>	45 - 56
	To consider an application for a dual drivers licence.	

## **The Public's Rights to Information and Attendance at Meetings**

### **YOU HAVE A RIGHT TO: -**

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

### **Public Transport Links**

- Public transport access can be gained to Brockington via the service runs approximately every 20 minutes from the City bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus stop to Brockington is located in Vineyard Road near to its junction with Old Eign Hill. The return journey can be made from the same bus stop.

## **HEREFORDSHIRE COUNCIL**

**BROCKINGTON, 35 HAFOD ROAD, HEREFORD.**

### **FIRE AND EMERGENCY EVACUATION PROCEDURE**

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit.

You should then proceed to Assembly Point H which is located at the southern entrance to the car park. A check will be undertaken to ensure that those recorded as present have vacated the building following which further instructions will be given.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.



Where possible this agenda is printed on paper made from 100% Post-Consumer waste. De-inked without bleaching and free from optical brightening agents (OBA). Awarded the Nordic Swan for low emissions during production and the Blue Angel environmental label

HEREFORDSHIRE COUNCIL

**MINUTES of the meeting of Regulatory Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Tuesday 7 September 2010 at 2.00 pm**

**Present:** Councillor JW Hope MBE (Chairman)  
Councillor PGH Cutter (Vice Chairman)

Councillors: CM Bartrum, SPA Daniels, JHR Goodwin, RC Hunt,  
Brig P Jones CBE, PJ McCaull, GA Powell and A Seldon

**38. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**39. NAMED SUBSTITUTES (IF ANY)**

There were no named substitutes present at the meeting.

**40. DECLARATIONS OF INTEREST**

10. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER'S LICENCE - MATTER REGARDING THE HOLDER OF A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976.

Councillor A Seldon, Prejudicial.

Mrs C Berrow (Officer), Prejudicial.

14. MATTER REGARDING THE HOLDER OF A DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976.

Councillor GA Powell, Prejudicial.

**41. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 3 August 2010 be approved as a correct record and signed by the Chairman.

**42. EVENING VISIT TO TOWN CENTRE VENUES IN HEREFORD BY MEMBERS, OFFICERS AND POLICE**

Members thanked the Police for allowing the Committee to be escorted throughout the city centre in order to monitor issues dealt with by police in respect of licensing matters on a regular basis. They also requested that a letter of thanks be sent to Superintendent Kevin Purcell.

**43. PROCEDURAL ARRANGEMENTS**

To note the procedural arrangements.

**44. APPLICATION TO LICENCE A VEHICLE OUTSIDE STANDARD CONDITION BY MR ISSAM BAIRKDAR**

The Licensing Officer introduced a report about an application from Mr Bairkdar to renew a hackney carriage hire vehicle licence outside the Council's standard condition 9.5 which stipulated that an application for the renewal of a vehicle licence after it had expired would be treated as a new application. She said that Mr Bairkdar's licence had expired in September 2008.

Mr Bairkdar advised the Committee that his previous vehicle had been replaced with a newer vehicle which had been registered in 2004.

Having considered the matter, the Committee decided that in view of the particular circumstances involved, Mr Bairkdar's licence should not be renewed and that he should apply for a new licence in accordance with the Council's Standard Condition 3.1.

**RESOLVED:**

**THAT the application be refused.**

**45. APPLICATION TO LICENCE A VEHICLE OUTSIDE STANDARD CONDITION 5.2 (I) BY MR CHRISTOPHER RICHARDS**

The Licensing Officer introduced a report about an application from Mr Richards to renew a hackney carriage hire vehicle licence outside the Council's standard condition 5.2. She advised that the vehicle was deemed acceptable to the Licensing Authority.

Mr Richards advised the Committee that the vehicle benefited from secure rear seats and not the collapsible seats which had raised concerns to the Licensing Authority previously.

Having considered the matter, the Committee decided that in view of the particular circumstances involved, Mr Richards' licence could be renewed.

**RESOLVED**

**That the Committee allow this vehicle to have "grandfather rights" on this occasion outside of the standard conditions.**

**That Officers named in the scheme of delegation to Officers be permitted to approve applications for licenses in respect of similar vehicles.**

**46. APPLICATION TO LICENCE A VEHICLE OUTSIDE STANDARD CONDITION 5.2 (I) BY MR STEPHEN DAVID WILLIAMS**

The Committee noted that the vehicle in question was the same as the vehicle approved in the previous agenda item. The application could therefore be dealt with under delegated powers.

**RESOLVED**

**That Officers named under the scheme of delegation to Officers be permitted to allow this vehicle to have "grandfather rights" on this occasion outside of the standard conditions.**



**47. DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER'S LICENCE - MATTER REGARDING THE HOLDER OF A DUAL DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

The applicant submitted a number of documents for the Committee to take into consideration in respect of his application. The Chairman adjourned the meeting for 10 minutes to ensure that Members had sufficient time to read the documents. The Committee also received a document from the Police regarding the applicant's previous convictions.

The Principal Lawyer and the Regulatory Services Manager referred to agenda item No. 10 regarding the fit and proper status of the applicant to continue to hold a dual hackney carriage/private hire licence following his recent suspension. The applicant provided the Committee with the reasons why he felt that he should continue to hold a licence.

The applicant and his representative provided the Committee with details of the circumstances regarding his recent conviction, which had resulted in his licence being suspended.

Jim Mooney, representing West Mercia Police, presented the police account of the events surrounding the applicant's conviction.

Having considered all of the facts put forward by the Regulatory Services Manager and the applicant, the Committee decided that the applicant was no longer cumulatively a fit and proper person under the meaning of the Local Government (Miscellaneous Provisions) Act 1976 and that his application for a Hackney Carriage/Private Hire driver's licence should be revoked.

**RESOLVED:**

**That the applicant has ceased to be a fit and proper person and;**

**The applicant's dual driver's licence be revoked.**

**48. APPLICATION FOR DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

The Principal Lawyer and the Licensing Officer referred to agenda item No. 11 regarding an application for a dual hackney carriage/private hire licence.

The applicant provided the Committee with details of the circumstances regarding his previous conviction and he explained the reasons why he felt that he should be granted a licence.

Members noted the nature of the applicant's previous conviction.

Having considered all of the facts put forward by the Licensing Officer and the applicant, the Committee decided that the applicant was a fit and proper person under the meaning of the Local Government (Miscellaneous Provisions) Act 1976 and that his application for a Hackney Carriage/Private Hire driver's licence could be granted.

**RESOLVED:**

**That the Regulatory Services Manager be delegated to grant an application for a dual hackney carriage/private hire drivers licence.**

**49. APPLICATION FOR DUAL HACKNEY CARRIAGE & PRIVATE HIRE DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

The Principal Lawyer and the Licensing Officer referred to agenda item No. 12 regarding an application for a dual hackney carriage/private hire licence.

The applicant provided the Committee with details of the circumstances regarding his previous convictions and he explained the reasons why he felt that he should be granted a licence. He explained the reason why he had omitted to declare his previous convictions on the application form.

Jim Mooney, representing West Mercia Police, presented the police accounts of the events surrounding the applicant's previous convictions.

Having considered all of the facts put forward by the Licensing Officer and the applicant, the Committee decided that the applicant was a fit and proper person under the meaning of the Local Government (Miscellaneous Provisions) Act 1976 and that his application for a Hackney Carriage/Private Hire driver's licence could be granted.

**RESOLVED:**

**That the Regulatory Services Manager be delegated to grant an application for a dual hackney carriage/private hire drivers licence.**

**The applicant's version of events put before the committee should, where at all possible, be substantiated by officers and brought back to the committee's attention if found not to be correct.**

**50. APPLICATION FOR A DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

Prior to the hearing the applicant and the Committee received a document from West Mercia Police containing details of records held by the police in respect of the applicant.

The Principal Lawyer and the Licensing Officer referred to agenda item No. 13 regarding an application for a dual hackney carriage/private hire licence.

The applicant provided the Committee with details of the circumstances regarding his previous convictions and he explained the reasons why he felt that he should be granted a licence. He explained the reason why he had omitted to declare his previous convictions on the application form.

Jim Mooney, representing West Mercia Police, presented the police accounts of the events surrounding the applicant's previous convictions.

Having considered all of the facts put forward by the Licensing Officer and the applicant, the Committee decided that the applicant was not a fit and proper person under the meaning of the Local Government (Miscellaneous Provisions) Act 1976 and that his application for a Hackney Carriage/Private Hire driver's licence should be refused.

**RESOLVED:**

**That the application for a dual driver's licence be refused. The Committee would however entertain a new application in 12 months from the date of this meeting.**

**51. MATTER REGARDING THE HOLDER OF A DUAL (HACKNEY CARRIAGE & PRIVATE HIRE) DRIVER'S LICENCE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

Prior to the hearing the applicant and the Committee received a document from West Mercia Police containing details of records held by the police in respect of the applicant.

The Principal Lawyer and the Regulatory Services Manager referred to agenda item No. 14 regarding the driver's recent suspension as a dual hackney carriage/private hire licence holder.

Jim Mooney, representing West Mercia Police, presented the police accounts of the events surrounding the applicant's previous convictions as well as additional details regarding complaints made to the police which had not resulted in further action.

The applicant and his representative addressed the Committee in respect of the applicant's current suspension.

Having considered all of the facts put forward by the Licensing Officer, the police representative and the applicant, the Committee decided that the applicant's dual driver's licence should continue to be suspended.

**RESOLVED:**

**That the applicant's dual driver's licence remains suspended until the outcome of the current police investigation is known.**

The meeting ended at 5.10 pm

**CHAIRMAN**



<b>MEETING:</b>	<b>REGULATORY COMMITTEE</b>
<b>DATE:</b>	<b>5TH OCTOBER 2010</b>
<b>TITLE OF REPORT:</b>	<b>HIGHWAYS ACT 1980, SECTION 119. PROPOSED PUBLIC PATH DIVERSION ORDER FOOTPATH CD83 (PART) IN THE PARISH OF CRADLEY</b>
<b>PORTFOLIO AREA:</b>	

**CLASSIFICATION:** Open

### **Wards Affected**

Hope End

### **Purpose**

To seek Regulatory Committee approval for the making of an order through the powers of the Highways Act 1980, Section 119 to divert footpath CD83 (part) in the parish of Cradley.

### **Key Decision**

This is not a Key Decision.

### **Recommendation**

**THAT Committee agree to make an order to divert the footpath CD83 (part) under Highways Act, section 119 as illustrated on the attached plan (DRWG No D326/99-83(ii)).**

### **Key Points Summary**

- An application to divert footpath CD83 (part) was received in February 1999.
- A pre-order consultation was sent out to user groups and statutory undertakers in 2002, to which there were no objections.
- Ordnance Survey redrew the mapping around The Mallings necessitating the plan to be re-drawn and therefore re-consulted, again there were no objections.
- The proposals then remained in the backlog of diversions until 2010 when it was felt that as such a length of time had elapsed since the last consultation, they should be consulted again.
- There was one objection from the Open Spaces Society, they requested that the line was slightly straightened to remove an unnecessary change of direction.

---

Further information on the subject of this report is available from  
Will Steel on (01432) 845980

- The applicant agreed to the amendments and the objection was removed.

## **Alternative Options**

- 1 Under the Highways Act 1980, s119, the Council has powers to make diversion orders, it does not have a duty to do so. The Council could decide not to make this order, however, this may be perceived as acting unreasonably by the applicant due to the consultations being made 3 times and the length of time taken to reach decision making stage.

## **Reasons for Recommendations**

- 2 The recommendation is to make an order to divert the footpath CD83 as illustrated on the attached plan (DRWG No D326/99-83(ii)) and applied for by the landowner of The Mallings, Cradley in order to increase the privacy and convenience of the property. The proposals have been sent to consultation three times to which only one objection was received, however, the proposals were amended and the objection was then removed. It is therefore unlikely that the proposals would sustain objections if an order was made. The applicant has agreed to pay the costs associated with the making of this order.

## **Introduction and Background**

- 3 Before an order is made to divert a footpath under the Highways Act, it is necessary to gain a decision from the Regulatory Committee as they have the delegated authority to make this decision.

## **Key Considerations**

- 4 An application to divert path CD83 (part) was received from the landowner of The Mallings, Cradley, Mr Townsend, in 1999.
- 5 The order was sent to pre-order consultation with statutory undertakers and user groups in 2002, to which there were no objections.
- 6 Whilst drawing up the paper-work ready to make the order, it was discovered that the Ordnance Survey had re-drawn the mapping around the diversion site and it was decided that it was necessary to re-consult with users and statutory undertakers (2003). There were no objections to this consultation.
- 7 Due to staffing issues the file remained within the backlog of diversions until it reached the top of the list and the applicant was approached to see if he still wished to divert the path in February 2010. Mr Townsend was still keen to progress the matter.
- 8 It was decided that, as the consultations were carried out some 7 years previously, it would be necessary to send them out again.
- 9 There was only one objection to the proposals which was from the Open Spaces Society (OSS) representative, who requested a slight variation to the proposals so that there were no 'counter-intuitive changes of direction'. The applicant agreed to the request and the OSS have now agreed to the removal of the objection.
- 10 In the view of the officers the key criteria in section 119 of the Highways Act 1980 have been met in that the new route is more convenient to the landowner, it is not substantially less convenient to users and it does not alter any termination points.

## **Community Impact**

- 11 Cradley Parish Council do not hold any objections to the proposals and neither of the Local Members, Cllr. Mills (at the time) and Cllr. Stockton had any objections.

## **Financial Implications**

- 15 The applicant, Mr Townsend has agreed to pay for administration and advertising costs plus costs of any works necessary in bringing the path into being. However, he will only be charged the price of the admin costs at the time of application ie £600, not the current rate of £800. Mr. Townsend will also not be charged for the repeated consultations. Any costs beyond this will be met by the public rights of way budgets

## **Legal Implications**

- 16 If the Committee resolves to make an order as suggested, the Order will be made under the Highways Act 1980, s 119. Herefordshire Council have the appropriate powers to make an order.

## **Risk Management**

- 17 If an order is made to divert footpath CD83 as recommended within this report, there is a risk that the order will receive objections and would therefore require referral to the Secretary of State. However, this risk has been minimised by assessing user group and statutory undertaker opinion at pre-order consultation stage, to which the only objection received has been adequately resolved.
- 18 The making of diversion orders under HA1980, s119. is a power of the Authority not a duty. The Committee could, therefore decline to make an order and reject this report. However, this would necessitate the re-opening of the path through the garden of 'The Mallings', impacting on the privacy and enjoyment of the landowners of this property.

## **Consultees**

- 19 List Prescribed organisations as per DEFRA Rights of Way Circular 1/09

Statutory undertakers

Cradley Parish Council

Cllr. Mills

Cllr. Stockton

## **Appendices**

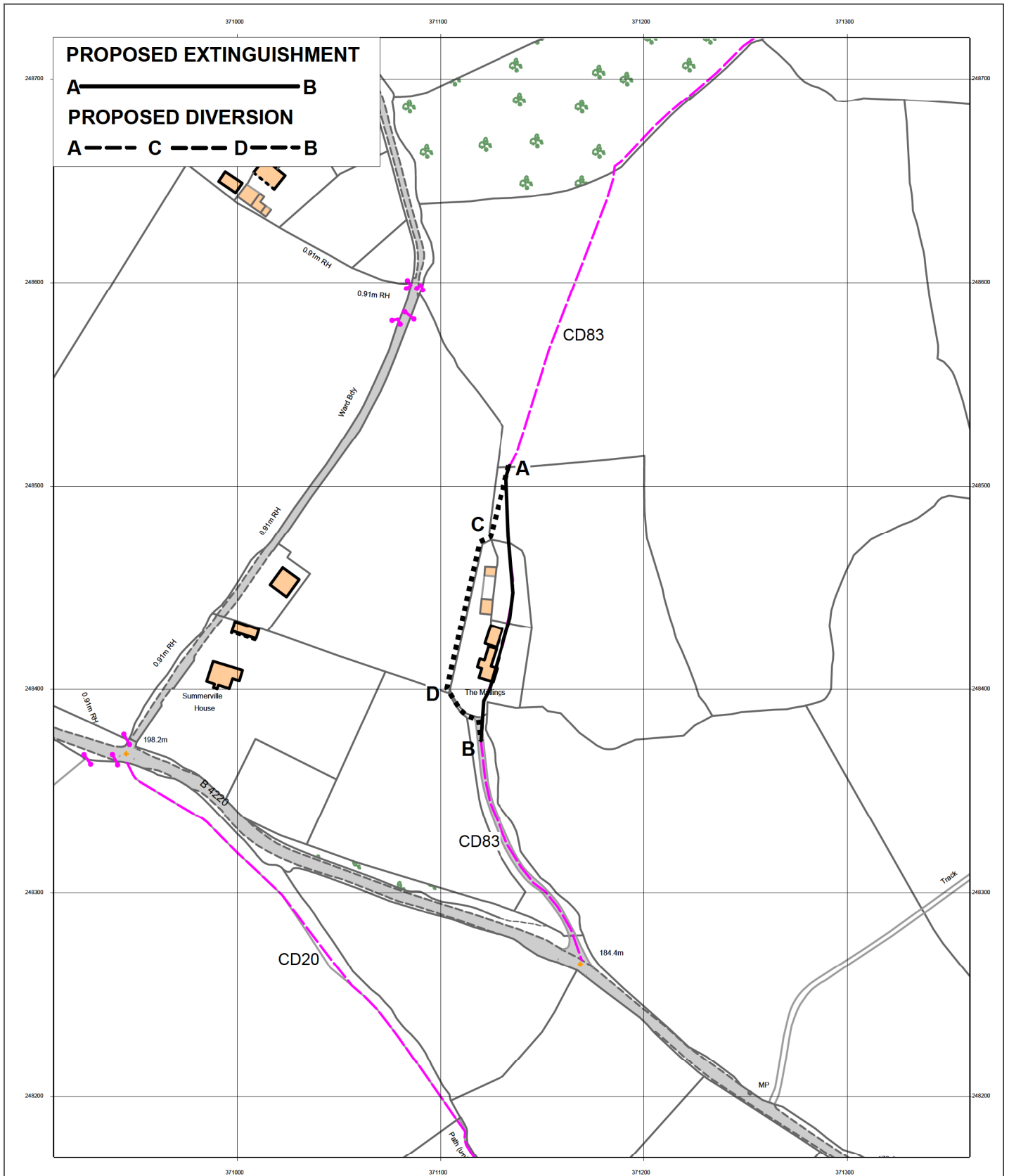
- 20 None

## **Background Papers**

- 21 Plan, DRWG No: D326/99-83(i)







**NORTH**  
**LOCATION PLAN - Parish of Cradley**  
**Proposed diversion of footpath CD83 (part)**



**DWG No. D326/99-83(ii)**  
**SCALE 1:2500**

PUBLIC FOOTPATH	
PUBLIC BRIDLEWAY	
RESTRICTED BYWAY	
BYWAY OPEN TO ALL TRAFFIC	

**Herefordshire Council**  
**Public Rights of Way**  
**PO Box 41**  
**Leominster**  
**HR6 0ZA**  
**Tel.: (01432) 260000**  
**Fax.: (01432) 260579**

Reproduced from Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100024168. 2004.  
 This information is based on that currently available to the County of Herefordshire District Council from the Definitive map and Statement and other public records. It is given on the strict understanding that neither the Council nor any of its officers will be responsible for the accuracy of this information or accept any liability whatsoever for any error or omission therein for any loss or damage arising from interpretation or use of the information supplied. The inquirer should rely on the results of their own investigations.



**REGULATORY COMMITTEE**  
**LICENSING APPEAL PROCEDURE**

1. Introduction by Legal Advisor to the Committee.
2. Licensing Officer outlines the case.
3. Applicant (or his solicitor) sets out his case.
4. Questions asked by the Committee or Licensing Officer or Applicant.
5. Applicant (or his solicitor) asked if he would like to make further comment or representation, or if he requires time to comment or investigate (if so, Chairman defers application).
6. In dealing with each application, the applicant (and any representative) should also withdraw should be asked to withdraw when they have finished their presentation. All officers, other than the Legal Advisor to the Committee, should also withdraw. It would be preferable for the applicant and officers to await the decision at different locations.
7. If either the applicant or the officer are needed to furnish additional information, they should all be invited back before the Committee. When the additional information has been furnished, they should all be asked to leave again.
8. The Committee can then reach a decision in the usual way, but in the absence of parties.
9. The applicant and officers will then be invited to return. The Chairman will announce the decision. The Chairman should also say that the decision will be communicated in writing in due course, and that the applicant will be informed of any right of appeal (if the decision is one of refusal).
10. When the first applicant is finished, that applicant should leave. Deal with the second and subsequent applications in the same way.



Document is Restricted



Document is Restricted





Document is Restricted



Document is Restricted



Document is Restricted



Document is Restricted





Document is Restricted



Document is Restricted



Document is Restricted



Document is Restricted





Document is Restricted



Document is Restricted

