



## PROCEDURE FOR SCRAP METAL LICENSING SUB-COMMITTEE HEARINGS

1. Chairman introduces the Officer(s) and explains procedure to parties present.
2. Presentation by Officer(s) (This should be a factual report and should not contain recommendations for grant or refusal etc.)
3. Questions to Officer(s) by Members on Policy etc.
4. Presentation by Applicant (opening, call witnesses and produce documents relevant to application).
5. Questions to Applicant by Members.
6. Interested parties/ Responsible Authorities may question Applicant.
7. Presentation by Interested Parties / Responsible authorities (opening, call witnesses and produce documents relevant to the representations made and the licensing objectives).
8. Questions to Interested Parties/ Responsible Authorities by Members.
9. Questions to Interested Parties/Responsible Authorities by Applicant.
10. Summary by Applicant.
11. Advice from Officer(s) on policy and/or Solicitor on law and jurisdiction.
12. Members retire from hearing accompanied by the Committee Officer to consider the matter (They may call in Solicitor to help draft reasons for decision. Any other advice must be repeated in open forum).
13. Members return and the decision, including reasons, is announced. The decision and reasons will be provided to all parties in writing within 5 working days of the hearing.

### **Notes**

All parties will be allowed an equal amount of time to present their case. In normal circumstances, the Sub Committee will expect each party to present their case within a maximum of 20 minutes, although this time limit may be varied by the Sub Committee, either on the application of a party to the hearing or at the Sub Committee's own instigation. Where there are a number of interested parties whose representations reveal similar grounds of concern, the interested parties are strongly urged to appoint a spokesperson from amongst their number, in order that hearings are not unnecessarily lengthened by the repetition of the same points.

The Sub-Committee will be clerked by a Solicitor and a representative from Committee Services who will produce a record of the hearing, the decision and reasons of the Sub Committee. No decision should be publicly delivered without first obtaining legal advice. Members may ask for legal advice at any time to assist them in discharging their responsibilities. This should ordinarily be done at the meeting except when Members retire to make their decision.

Where applicants, Interested Parties, or Responsible Authorities intend to call witnesses at the hearing, the name of the witness and a brief summary of the points to be raised by them shall be supplied to the Licensing Authority. This summary together with the application and the representations received shall be combined into the report. A notice of hearing shall be given no later than 10 working days before the day of the hearing.