

## **LICENSING APPEAL HEARING**

### **1. Purpose of Meeting**

For the Gambling, Licensing and Regulatory Committee Sub-Committee to consider an appeal against a decision of officers in respect of the revocation of a private hire drivers licence.

### **2. Nature of Meeting**

(a) Appeals are heard under Council procedure as a measure of good administration, they are not statutory. In respect of the appeal above concerning revocation of a vehicle licence there is a further right of appeal to the Magistrates Court.

(b) In hearing the appeal, The Gambling, Licensing and Regulatory Committee Sub-Committee observes the “rules of natural justice” and to that end:-

- the members of the Sub-Committee have not previously been involved in the application(s);
- each side is given an equal opportunity to present its case: the decision of the Sub-Committee is based on the written evidence submitted and the evidence submitted at the meeting

Council policies are not applied in a blanket fashion. They are considered in relation to the circumstances of each appeal.

### **3. Procedure**

The following formal procedure will normally be observed:

- The appellant and/or his/her representative and the officer(s) appearing for the Council are invited into the meeting.
- The Chair of the Sub-Committee will confirm the nature of the appeal and that the appellant and/or his/her representative are aware of the procedure to be followed
- The Council’s representative(s) will present the Council’s case and will call and question any supporting witnesses he/she considers necessary.

- Following the presentation of the Council's case, the Sub-Committee will be invited to put questions to the Council's representative(s).
- Then the appellant or his/her representative will be invited to put questions to the Council's representative(s).
- The appellant or his/her representative will present his/her case and will call and question any supporting witnesses he/she considers necessary.
- Following the presentation of the appellant's case, the Sub-Committee will be invited to put questions to the appellant or his/her representative.
- Then the Council's representative(s) will be invited to put questions to the appellant or his/her representative.
- The Council's representative(s) will be invited to make a closing statement.
- The appellant or his/her representative will be invited to make a closing statement.
- The appellant, his/her representative and the officer(s) presenting the case on behalf of the Council will be asked to leave the meeting while the Sub-Committee considers its decision. Both parties will be asked to wait for a few minutes in case the Panel wish to seek clarification of the evidence given. If it does then both parties will be invited back into the hearing.

#### **4. Decision**

The Sub-Committee will consider and reach its decision at the end of the appeal. Both sides will normally be notified of the decision, in writing, within five working days.