

## **Appendix A2**

### **HEARING PROCEDURE : PRIVATE HIRE/HACKNEY CARRIAGE – EXISTING LICENSEE**

#### **Pre-Hearing Matters**

Democratic Services to seek nominations for the Appointment of Chairman.

1. Chairman to welcome everyone and read Fire Evacuation Procedure.
2. Apologies / Substitutes.

Chairman to read:

There is a substitute present at today's hearing. The reason for a substitute is that if anything happens to a member of the Sub-Committee before the hearing commences, the substitute can take their place. The substitute is remaining for the hearing and will retire with the Sub-Committee, to observe the discussion when it is arriving to its decision, for training purposes. Are there any objections to the substitute retiring with the Sub-Committee?

*(If there are objections, the Chairman will explain that the substitute will NOT therefore retire with the Sub-Committee)*

3. Declaration of Interests and lobbying.
4. Chairman will introduce members of the hearing Sub-Committee.
5. Chairman will ask those present to introduce themselves in the following order:
  - The legal adviser to the Sub-Committee.
  - The officer from Democratic Services.
  - The licensing officer(s) of the authority.
  - Licensee and any person representing or assisting them.
  - Any other party to the hearing (confirming whether a spokesman or spokesmen has been nominated and, if so identify them).
6. The Chairman will ask the Licensing Officer to report any documentary or other information that a party to the hearing wishes to present. If there is any such material, the Chairman will ask all the other parties to the hearing whether they consent to it being presented. If they agree, the material will be distributed.
7. Resolve to go into Exempt Session.

#### **The Hearing**

Immediately after the pre-hearing matters have been dealt with the Sub-Committee hearing will commence.

1. The Chairman will clarify with everyone present that they are clear about the procedure to be followed.  
[The Legal Adviser to explain if necessary]
2. The Chairman will ask the Licensing Officer to summarise the matter under consideration.
3. The Members, Licensee and any person making representations may ask questions of the Licensing Officer.
4. The Licensee will present their case and call any approved witness in support of their case.
5. The Members, Licensing Officer and any person making representations (with Chairman's permission) can ask questions.
6. Each person making representations will present their case, including calling any witnesses.
7. The Members, Licensee and the Licensing Officer (with Chairman's permission) can ask questions of each person making representations.
8. All parties will be asked to sum up their case.
9. The Sub-Committee will leave the room to consider its decision, along with the legal adviser and the officer from Democratic Services.
10. After adjournment, the hearing resumes so that the Chairman can announce the decision including rights of appeal.
11. The decision and rights of appeal will be confirmed in writing by the Licensing Officer.