

7. Additional Rules Applying to Planning, Licensing and Appeals Committees

Written representations

Written representations received within the published timetable will be summarised in written reports placed before the Regulatory committees or their sub-committees.

Late representations will be summarised and circulated to the Regulatory committees or their sub-committees at the time of the meeting. Where appropriate and necessary, the meeting will adjourn at the discretion of the chairman to consider whether it is fair and lawful to accept the late representation and, if accepted, to read through such representations.

Site visits

The purpose of a site visit is for members of the Regulatory committees to gain knowledge of the site/premise involved in the application. A site visit should only be made where an objective decision cannot be made without a site visit. All members of the relevant Regulatory committee or sub-committee will be notified. Planning site visits normally take place on the Friday prior to the Planning Committee meeting (except where an alternative date is agreed between the chairman and the Strategic Manager of Planning & Infrastructure Delivery).

Site visits will be organised when deemed necessary, for licensing matters by the Strategic Manager of Regulatory & Community Safety Services and for planning matters by the Strategic Manager of Planning & Infrastructure Delivery, in consultation with the relevant committee chairman.

The applicant (or their agent) shall be notified in writing of a site visit and asked to notify the Democratic Services officer at the earliest opportunity if they have any objections to the proposed visit.

Attendance at a site visit shall be limited to members of the relevant Regulatory committee or sub-committee, the local councillor (if not a member of the committee/sub-committee), relevant council officers and the applicant/agent (where appropriate).

Only those members attending a site visit will be able to consider and vote on the matter when the Regulatory committee or sub-committee formally meets to consider the matter.

Site visits are not open to the public and press and access to any site is subject to permission being granted by the landowner or their agent.

No debate or decision regarding the application shall take place at a site visit. The relevant Strategic Manager (or their deputy) will summarise the issues that have led to a site visit and draw attention to any salient points, but there will be no discussion on the merits of an application during a site visit, although members may ask questions and request clarification on individual points.

Members will follow the chairman of the Regulatory committee or sub-committee, accompanied by the relevant staff member, onto the site. Members should form and continue to form a single group. The applicant/ agent shall not be permitted to make representations to members during a site visit. As an exception to the rule, however, the applicant/agent may, with the permission of the chairman, give any purely factual information which is required by members and which cannot be ascertained by viewing alone. Such information shall be relayed through the relevant Strategic Manager (or their deputy).

The application will be determined at a meeting that will take place at the earliest opportunity following a site visit. See also the Code of Practice for Members and Officers Dealing with Planning Matters (Part 5 Section 11).

Hearing of licensing applications/issues

All applicants, agents and relevant parties who have made a representation shall be sent copies of the agenda and relevant papers.

Anyone wishing to address the Licensing Committee or its sub-committee in respect of an application or other licensing matter can be legally represented.

Consideration of applications or licensing matters shall be in accordance with statutory procedures or common law rules of natural justice, as approved by the Monitoring Officer.

The Licensing Committee or its sub-committee (when acting as the statutory Licensing Committee or sub-committee) may exclude the public from all or part of the hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or part of the hearing, taking place in public. A party and any person assisting or representing a party may be treated as a member of the public. For all other determinations, members of the public and press may be excluded in accordance with the Access to Information rules (see Part 5 Section 2).

All persons, except for the Licensing Committee or sub-committee councillors, clerk and Legal Services officer, may be asked to withdraw from the room whilst the committee or sub-committee decides the matter in private. Upon reconvening in public, the chairman will announce the committee or sub-committee's decision and the reasons for this.