



<p>TITLE: PUBLIC SPEAKING PROCEDURE FOR LICENSING COMMITTEE</p> <p>TO/ON: LICENSING COMMITTEE – 24TH OCTOBER 2005</p> <p>BY: ELAINE NEWSOME, COMMITTEE SERVICES MANAGER</p> <p>LEAD MEMBER: COUNCILLOR J DRIVER, STREET SCENE & LIVEABILITY</p> <p>STATUS: FOR PUBLICATION</p>
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1. PURPOSE OF THE REPORT

1.1. To identify proposals for a procedure to be introduced in respect of public speaking at Licensing Committee.

2. RECOMMENDATIONS

2.1 That the Public Speaking procedure and public guidelines be approved and introduced with immediate effect

3. REPORT AND REASONS FOR RECOMMENDATIONS AND TIMETABLE FOR IMPLEMENTATION

3.1. The Council and its Committees have established systems and procedure for public speaking at all public meetings with the exception of the Licensing Committee.

3.2. The Licensing Committee has established and maintains a systematic and controlled approach in dealing with applications for licences such as hackney carriage and private hire licences, and premises licences, however, does not have a similar mechanism for other items of business.

3.3. The implementation of public speaking protocol will enable the Licensing Committee to conduct its business more effectively and will further ensure that members of the public are aware of their rights in respect of speaking whilst the Committee is in session.

3.4 A copy of the proposed procedure and guidelines for members of the public are attached as appendices.

4. CORPORATE IMPROVEMENT PRIORITIES

4.1. FINANCE AND RISK MANAGEMENT

4.1.1. None

4.2. MEMBER DEVELOPMENT AND POLITICAL ARRANGEMENTS

4.2.1. None

4.3. HUMAN RESOURCES

4.3.1. None

5. ANY OTHER RELEVANT CORPORATE PRIORITIES

5.1. Customer Services: by introducing a public speaking protocol, the Licensing Committee will inform and further enable members of the public to engage their right to speak at meetings of the Committee.

6. RISK

6.1. None

7. LEGAL IMPLICATIONS ARISING FROM THE REPORT

7.1 None

8. EQUALITIES ISSUES ARISING FROM THE REPORT

None

9. WARDS AFFECTED

All

10. CONSULTATIONS

Chair of the Licensing Committee, Licensing Manager, Democratic Services Manager, Head of Legal & Democratic Services

11. Background documents:

None

For further information on the details of this report, please contact:

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Procedure for Public Speaking at Licensing Committee and Sub-committees

Please note: This procedure applies only to those items of the meeting not governed by Licensing Act 2003 Hearing Procedures or Determination of Application Guidelines.

Members of the public are required to contact a member of the Democratic Services team if they wish to speak on an item by no later than 12 noon on the day of the Committee. A maximum of 2 public representatives will be allowed per item, and will be allocated the opportunity to speak on a first come basis. Several persons wishing to speak on an item should nominate 1 representative to speak on their behalf. If no agreement can be reached then the first party to register a wish to speak will be chosen.

1. The Licensing Manager will briefly introduce and outline the content of the report.
2. The first public representative will then be allowed a maximum of 3 minutes to address the Committee on the item under consideration

Members of the Committee will then, if necessary, question the public representative to clarify any points or issues already raised by them.

The Licensing Manager will be provided the opportunity to respond to any comments or questions raised by the public representative or Elected Member.

3. The second public speaker (if applicable) will then be allowed a maximum of 3 minutes to address the Committee on the item under consideration.

Members of the Committee will then, if necessary, question the public representative to clarify any points or issues already raised by them.

The Licensing Manager will be provided the opportunity to respond to any comments or questions raised by the public representative or Elected Member.

4. Any Elected Member who is not a member of the Committee may, by prior agreement with the Chair, be allowed to address the Committee once per agenda item, for a maximum of 5 minutes in each case.
5. The Members of the Committee only then debate and decided upon the recommendations contained within the report. The public cannot take part in this debate and decision making.



YOUR RIGHT TO SPEAK AT MEETINGS OF THE LICENSING COMMITTEE

This leaflet explains how the Council's Licensing Committee works and how you can have your say upon an agenda item of concern to you.

The Committee has to make decisions in the public interest and upon the merits of each item individually, upon the basis of what is relevant in the Council's Licensing various Policy and Procedures. All representations made in writing will be taken into account in written reports, but this is another opportunity for you to make your view known.

**IF YOU WOULD LIKE ANY FURTHER INFORMATION
OR HAVE ANY QUERIES, PLEASE CONTACT:**

**Democratic Services Section
Rossendale Borough Council
Town Hall
Rawtenstall
Rossendale
Lancashire
BB4 7LZ**

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Email: elainenewsome@rossendalebc.gov.uk

DETAILS OF MEETINGS

Meetings of the Licensing Committee start at 6.30pm. Details of meeting dates and times are publicised outside Rawtenstall Town Hall and at Rawtenstall Library, or can be obtained from the Democratic Services Section.

AGENDA PAPERS

Agendas are usually published about 6 days before the meeting. Public copies of the agenda are available at the meeting. Please contact Democratic Services if you require information before the meeting or a copy of the agenda.

ABOUT THE MEETING

Please inform the Democratic Services Section by no later than 12 noon on the day of the Committee if you wish to speak on an application. Only 2 representatives may speak on any item. It is recommended that you arrive about 10-15 minutes before the meeting. If several people wish to speak on an item we will ask them to agree amongst themselves who will speak upon their behalf. If no agreement can be reached then the first party to have “registered” a wish to speak will be chosen.

THE PROCEDURE FOR SPEAKING ON LICENSING AGENDA ITEMS

The Licensing Manager will briefly identify, introduce and describe the report and refer to any new issues raised since the report was published.

The first speaker will then address the Committee for a maximum time of 3 minutes.

Members of the Committee may then, if necessary, through the Chair, question the speaker to clarify any points, or issues already raised by the objector.

The second speaker will then address the Committee for a maximum time of 3 minutes.

Members of the Committee may then, if necessary, through the Chair, question the speaker to clarify any points, or issues already raised by the first speaker.

The Licensing Manager will then bring any necessary information, in addition to that contained in the report to the Committee's attention.

Any Elected Member who is not a member of the Committee may, by prior agreement with the Chair, be allowed to address the Committee once per item, for a maximum of 5 minutes in each case.

The members of the Committee only then debate and decide upon the application. The public cannot take part in this debate and decision making.

After hearing the Committee's decision you are welcome to stay and listen to the discussion about other agenda items but if you wish to leave please do so as discreetly as possible so as not to unduly disturb and delay the Committee and other parties who may well be attempting to consider later items.

HOW SHOULD I ASK A QUESTION OR GIVE A STATEMENT?

Begin by giving your name and address and whether you are speaking as an individual member of the public or as a representative of a group.

It is useful to prepare notes in advance to ensure that all the important points are covered. Try and be brief and to the point.

Do not make derogatory or defamatory statements.

Bring an extra copy of any prepared statement for the Chair's information.

SOME QUESTIONS ARE NOT ALLOWED

You may not ask a question in furtherance of your own particular circumstances. These should be taken up with officers or Councillors outside of the meeting. Nor may people ask about a matter where there is a right of appeal to the courts, tribunal or to a Government minister. You may not ask a question about the service of any person employed by the Council.

The Chair may disallow any question that, in his or her opinion, is improper, vexatious irrelevant or otherwise objectionable. The Chair can also limit the number of questions that a person may ask. The answer may be given verbally or in writing.

Any question not dealt with at the meeting will normally be answered within 10 working days.