



Public Speaking at Licensing Committee

You have the right to speak at the Council's
Licensing Committees

This leaflet tells you how the scheme operates

The District Council is committed to extending public involvement in the Licensing process. There are already a number of consultation and procedures for some Licensing applications. However, you can speak directly to Councillors at Licensing Committee Meetings.

This leaflet explains the Council's public participation policy for supporters, objectors, councillors and local councils at meetings. It tries to answer some of the questions you may have about the procedures and what to expect at the meeting. It is based on simple rules which the Council has formulated to make the system as fair and easy to operate as possible, so please read all of the leaflet.

How does the Licensing Committee work?

Not all applications are determined by the Licensing Committee. The majority of straightforward applications are determined by officers under the Council's delegation scheme. You may wish to check with the Licensing Officer to see whether the application in which you are interested is to be considered by the Licensing Committee or via Officer's delegation.

This scheme does not apply to the Licensing Sub-committee Hearings. A separate Hearings Procedure is applicable to Licensing Sub-Committees and only people who have submitted relevant representations regarding the matter under determination by the Licensing Sub-Committee are entitled to speak at these Hearings. Any queries on Licensing Sub-Committee Hearings should be addressed to the Council's Licensing Officer assigned to that case on 01353 665555.

Do I need to attend the meeting to make my comments known to the Committee?

No – you can submit written comments to the Licensing Officer or to the Democratic Services Officer. Your comments will either be referred to by the Licensing Officer or tabled at the meeting for the Licensing Committee to consider. If you do not wish to address the Committee, Licensing Committee meetings are open to the public and you are welcome to attend the meeting just to observe proceedings. However, if Members resolve to move the meeting into exempt session, the press and public will be expected to leave the meeting.

How can I find out when an application will be considered?

Licensing Committee meetings are scheduled in the calendar of meetings once a month. However, whether the meeting is required will be dependent on the volume of business on the agenda. The agenda for the meeting is published not less than 5 clear working days before the meeting. If you wish to speak it is your responsibility to check whether an item is on the agenda. You can do this by calling Democratic Services. Agendas are available to view on the Council's website and a paper copy of the agenda is also available from the Council's main reception and public libraries.

The future business of the Licensing Committee can be viewed via its Forward Agenda Plan on the Council's website.

How do I arrange to speak at the meeting?

If you want to speak, you will need to telephone Democratic Services on (01353) 665555. Please note that phoning this number is the only way to register a request to speak.

You must call by no later than 5pm on the day before the meeting. Registration will be on a first come first serve basis. This will mean that, for each application, the name of the first person to call as an objector or as a supporter will be noted and any subsequent callers will be given their details to organise between themselves how the five-minute slot will be used.

As we also have a public speaking scheme for the Planning Committee, please ensure that you explain that you wish to speak at the Licensing Committee.

What is the order of speaking on each application?

The officer will introduce the item. The meeting will then move out of formal session and members of the public can speak in the following order:

- Applicant/agent or supporters (5 minutes total)
- Statutory Consultees/ representatives of responsible authorities (5 minutes total)
- Objectors (5 minutes total)

You will be asked by the Chairman of the Licensing Committee to move to a designated seat before you speak. The Chairman will strictly apply the five-minute limit and you will be asked to go back to your seat in the public gallery after that time.

The meeting will then resume in formal session. The officer may add extra comments and then there will be an opportunity for debate by the Committee. The decision is then made.

A District Councillor is entitled to attend the Committee and speak once on any item and may speak again at the discretion of the Chairman. This is governed by Council Procedure Rules and not the Public Speaking Scheme. This does not apply where the Councillor has a Disclosable Pecuniary Interest or Personal/ Prejudicial Interest.

Please note: that District Councillors with a Disclosable Pecuniary Interest in a matter under consideration by the Committee should not attend the meeting. District Councillors with a personal or prejudicial interest in an item should only attend or remain at for that item if they are exercising a Speaking Right at the meeting. If the Councillor has a personal interest they will need to declare this before they speak on the issue. If a Councillor has a personal and prejudicial interest, they must declare this before the item is discussed, and can then make representations, answer questions or

give evidence – *for the same length of time as a member of the public (i.e. 5 minutes)*. Once this has finished the Councillor must leave the room. The Chairman of the Licensing Committee will decide when the Member exercises this right; however, it will be before any debate on the item.

Can I ask questions of other speakers?

No - you should seek answers to your questions before the meeting and to state your case on the basis of information given to you. You must not interrupt other speakers or the Committee debate.

Can I use slides or overhead transparencies or circulate supporting documents?

No - slides or overhead transparencies are not allowed. If you wish to circulate supporting documents, you should do this before the date of the Committee. A list of Councillors' names and addresses is available on the Council's website and from Customer Services on (01353) 665555. Please do not send documents to the Council for this purpose.

What can I say at the meeting?

You are advised to make a statement of fact or opinion, but you are likely to have the greatest impact if you are: brief and to the point, limit your views to the application, confine yourself to relevant issues.

What issues are usually irrelevant in considering proposals?

They will vary from case to case but the following may be considered irrelevant:-

- Matters covered by other laws
- Boundary or area disputes
- The applicants' morals or motives
- Effect on value of property
- Personal matters

You should particularly note that you should not make derogatory or defamatory remarks about other people. Any such comments leave you open to legal action.

When and where are the Committee meetings held?

Licensing Committee meetings are held as necessary, at the Council Offices at The Grange in Ely. Dates of meetings are available on the Council's website.

The Role of District Councillors:-

Councillors are elected to represent you on the District Council. You may like to contact your Councillor to discuss the application. However, he or she will not be able to commit him or herself to a decision before hearing all the evidence and debate at the relevant meeting. They will need to take into account the law as well as public opinion.

Councillors also have the right to attend a meeting, where they have a personal and prejudicial interest, and make representations, answer questions or give evidence – as detailed above. However, a Councillor with a Disclosable Pecuniary Interest should not attend a meeting.

Who do I ask if I have any other queries?

If you have any questions not answered by this leaflet, you are welcome to contact:-

Democratic Services
East Cambridgeshire District Council
The Grange
Nutholt Lane
Ely
Cambs
CB7 4EE
Tel: (01353) 665555
Democratic.services@eastcambs.gov.uk