

# Licensing (Licensing and Gambling) Sub-Committee

Wednesday, 4th October, 2023  
at 4.00 pm

## ADDITIONAL INFORMATION AND PRESENTATIONS

### REMOTE HEARING PROTOCOL – LICENSING (LICENSING AND GAMBLING) SUB COMMITTEE

Tuesday, 26 September 2023

Service Director, Legal & Governance

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## Remote hearing protocol (Licensing and Gambling)

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### What is a remote hearing?

Any hearing where at least one of the below participate in the hearing by whatever means, other than written evidence, when not in the same room as the sub-committee. This includes meetings where all participants attend online or hybrid meetings where there is a mix of in-person and on-line attendance.

- Any member of the sub-committee involved in the hearing
- The applicant
- The licence holder
- Any legal representative for any party
- Any witness giving evidence orally at the hearing

The hearings can fall into one of three categories

- In person
- Hybrid
- Remote

In person hearing is when all parties are in the same room.

Hybrid meetings are when some of the participants are in the same room but at least one of the other parties to the hearing participate online.

A remote hearing is when all parties to the hearing participate online.

### Deciding if hearing is to be remote or not.

- The default position of the council is to hold remote hearings.
- Any request from either party to hold a particular type of hearing should be submitted at least 2 weeks in advance of the meeting where possible will be considered by Democratic Services in consultation with legal services and the Chair of the licensing committee.
- Requests for the style of hearings will be determined on a case-by-case basis. All requests will need to provide documented reasons for their request.
- The overriding factor in deciding on the style of the hearing is to ensure a fair hearing. Witnesses giving corroborative evidence provided by another are unlikely to have requests to give their evidence remotely accepted. Similarly, reasons of convenience will not be accepted as a reason to change a style of hearing.
- Any decision to refuse a particular style of hearing will be recorded in writing with reasons for the decision. This will be read out by the chair of the sitting sub-committee at the start of the agenda item it relates to.

### Access to the hearing remotely

Hybrid or Remote hearings will be held using the Microsoft Teams Platform.

If you are taking part in the hearing in any of the roles noted above you will be sent an invitation to join the MS Teams meeting.

The MS Teams meeting will be started 15 minutes before the hearing begins to be able to test the connection, audio and video feeds.

This invitation will specifically be for those taking part in the meeting and should not be shared.

Where required the hybrid/remote meeting will also be live streamed so that it can be watched remotely.

The link to view the hearing will be published on the council website and contained in any correspondence concerning the hearing.

### Connection Problems

If a participant is unable to connect to the meeting before the meeting starts they are to contact democratic services to try and resolve the issue. Legal advice will be required on how to proceed if the connection cannot be secured.

If a participant loses connection part way through, then the meeting should be adjourned until connection is resolved or decided to be heard at a different time.