**Appendix 2**

**SOUTH AYRSHIRE COUNCIL**

**PROTOCOL FOR THE HANDLING OF APPLICATIONS UNDER THE CIVIC GOVERNMENT (SCOTLAND) ACT 1982 AT THE REGULATORY PANEL (LICENSING)**

**This Protocol sets out how oral submissions on applications under the Civic Government (Scotland) Act 1982 can be heard at the Regulatory Panel (Licensing) by members of the public.**

1. **How submissions can be heard at Panel.**
   1. In order to be heard at the Panel Hearing, any member of the public must first have submitted a competent written representation to the Council. Parties shall be given not less than 14 days’ notice of the date of the Panel hearing.
   2. The notice will provide a hyperlink to the agenda for the meeting and a copy of the relevant Panel papers for the application.
   3. Only the relevant parties (applicant and persons who have made a relevant objection or representation) will be so notified. At that time, the parties will be advised that they may make a brief **5-minute** oral submission at the Panel hearing.
   4. If you wish to speak at the meeting, either in person or via the internet, you must confirm your attendance, by email or in writing, as follows:-

i) **In relation to Short Term Let applications**, please confirm your attendance with the Housing Service by 7 days before the meeting. Emails must be sent to: shorttermlets@south-ayrshire.gov.uk. Letters must be sent to Short-term lets, Riverside House, 21 River Terrace, Ayr, KA8 0AU. Your confirmation correspondence must make clear your name, address, contact details and the application you wish to speak about.

ii) **In relation to all other types of applications**, please confirm your attendance with the Licensing Service by 7 days before the meeting. Emails must be sent to: licensing@south-ayrshire.gov.uk. Letters must be sent to Licensing, County Buildings, Wellington Square, Ayr, KA7 1DR. Your confirmation correspondence must make clear your name, address, contact details and the application you wish to speak about.

Please note that if you have not confirmed by email/letter your desire to speak at the meeting within the timescales outlined above, you will not be permitted to speak, except at the discretion of the Chair of the Regulatory Panel (Licensing).

1.5 if you wish to represent another person(s) alongside your own representation, you are required to notify the Council of this under the above section 1.4 when intimating your attendance at Panel Hearing. Please note that in those circumstances, the person you would like to represent must also advise the Council in writing that they consent to you representing them at the Panel Hearing.

1. **What happens when an application is considered at a Panel Hearing?**
   1. **Order of Proceedings**

2.1.1 The procedure at the Hearing will be as follows:

(i) Chair introduces Agenda item;

(ii) Officer(s) of the Council, and/or where appropriate, Police Scotland or other statutory consultee, to address the Panel;

(iii); objectors/representees to address the Panel

(iv) Applicant or agent to address Panel

(v) Panel Members may seek further clarification from any of the parties and discuss the application.;

(vi) if they wish to do so, Applicant or agent to sum up

(vii) Panel progresses to determination of item.

**2.2 Duration of Submissions**

2.2.1 All parties will be required to limit their submissions to no more than 5 minutes and for the avoidance of doubt, the applicant or their agent will receive 5 minutes in total for their initial submission and, if they chose to do so, their summing up

2.2.2 This limit may be extended in the following circumstances:

a) with the prior agreement of the Chairperson of the Panel, to up to 10 minutes where a group of two or more representees have appointed a spokesperson or representative to make the submission on behalf of the group.

b) where 10 mins is afforded to a group of representees under a) above, the applicantwill also be afforded up to 10 minutes to speak.

c) with the prior agreement of the Chairperson of the Panel, the applicant may be afforded up to ten minutes to speak where the Chair considers this is appropriate

2.2.3 Where a local ward member (Councillor) addresses the Panel, this submission should not exceed 5 minutes. The Councillor should advise Committee Services of his/ her intention to make a submission in advance of the Panel meeting. Once the local ward member has made their submission they must leave the room.

2.2.4 To ensure fairness and consistency these time limits will be strictly enforced.

**2.3 Protocol for Submissions**

2.3.1 Presenting parties must adhere to the following rules:

(i) oral submissions shall relate to the written submissions already lodged by the person making the oral submission;

(ii) no new information shall be submitted in the form of new lines of argument, nor in the form of any maps, diagrams, photographs, physical objects or any other documentary material;

(iii) no witnesses shall be called;

(iv) the submission of clearly frivolous or vexatious points, and of plainly repetitious material will not be accepted;

(v) abusive behaviour or the making of abusive personal comments about other parties will not be accepted.

(vi) it is not permitted to bring any photographs, plans or documentation for the benefit of the Panel nor make any electronic presentations to the Panel.