

Moray Local Review Body

Hearing Session Procedure

The following procedures will apply where the Moray Local Review Body (MLRB) decide to hold a Hearing Session to consider specified matters relating to a Notice of Review:-

The Clerk to the MLRB, in consultation with Members of the MLRB, will identify a suitable date, time and venue for the Hearing Session.

The Clerk will give notice of the Hearing Session to the Applicant, any Interested Party who made representations in relation to the specified matter(s) and any other person or body that the MLRB wishes to inform.

Any party given notice that wishes to appear at the Hearing Session must give written notice to the Clerk within 14 days from when notice was issued.

Any party wishing to appear at the Hearing Session must, by a date specified by the MLRB, submit a Hearing Statement comprising of:-

- (i) a written statement which fully sets out the case relating to the specified matter(s) which a person proposes to put forward at a Hearing Session;
- (ii) a list of documents (if any) which the person putting forward such case intends to refer to or rely on;
- (iii) a copy of every document (or relevant part of a document) on that list (at (ii) above) which is not already available [i.e. not submitted as part of any previous procedure(s) of the Review]; and
- (iv) a list of any other persons (witnesses) who are to speak at the Hearing Session in respect of such case, any matters which such persons are particularly to address and any relevant qualifications of such persons to do so.

The MLRB may refuse to permit the giving of evidence or the presentation of any matter that is considered to have no material relevance or is repetitious.

Each person or body who is heard will be given a maximum of 5 minutes per specified matter to present their case. Members of the MLRB may ask questions of the person(s) making the submissions but cross-examination between parties shall only be permitted at the discretion of the Chair.

Meeting Procedure:-

- (i) The Applicant will speak first, addressing the specified matter(s) identified by the MLRB (5 minutes per specified matter).
- (ii) Members of the MLRB will then have the opportunity to question the Applicant in order to clarify points raised.
- (iii) Those Interested Parties who have made representations in relation to the specified matter(s) will then be given the opportunity to address the specified matter(s) (5 minutes per specified matter).

- (iv) Members of the MLRB will have the opportunity to question each speaker, in turn, in order to clarify points raised.
- (v) Any other body or person invited by the MLRB will then be given the opportunity to address the specified matter(s) (5 minutes per specified matter).
- (vi) Members of the MLRB will have the opportunity to question each speaker, in turn, in order to clarify points raised.
- (vii) All parties, concluding with the Applicant, will then be given the opportunity to summarise their respective cases in light of the submissions to the Local Review Body (maximum of 3 minutes each).
- (viii) The Clerk, Legal and Planning Advisers will then be afforded the opportunity to make any additional comments and/or points of clarification in light of the submissions.
- (ix) The MLRB will consider and, if so disposed, determine the Review.