



## Agenda

### Notice of a public meeting of **Statutory Licensing Sub-Committee**

**To:** Councillors Tim Grogan, Steve Mason and Malcolm Taylor.

**Date:** Friday, 12th May, 2023

**Time:** 12.30 pm

**Venue:** Main Hall, Falsgrave Community Resource Centre, Seamer Road, Scarborough, YO12 4DH

Members of the public are entitled to attend this meeting as observers for all those items taken in open session. Please contact the named democratic services officer supporting this committee if you have any queries.

Recording is allowed at Council, committee and sub-committee meetings which are open to the public. Please give due regard to the Council's protocol on audio/visual recording and photography at public meetings. Anyone wishing to record is asked to contact, prior to the start of the meeting, the named democratic services officer supporting this committee. We ask that any recording is clearly visible to anyone at the meeting and that it is non-disruptive.

### Business

1. **Election of Chair**  
To elect a Member to act as Chair of the meeting.
2. **Apologies for Absence**
3. **Disclosures of Interest**  
All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.
4. **Procedure for Meeting** (Pages 3 - 4)  
To confirm the procedure to be followed at the meeting.
5. **Application for Grant of a Premises Licence - Par N Bar, North Bay Promenade, Scarborough, YO12 7TQ**  
Report of the Corporate Director of Environment – (To follow).

**Agenda Contact Officer:**

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Wednesday, 3 May 2023



## Statutory Licensing Sub-Committee

### Procedure

#### Introduction

1. The Sub-Committee will conduct its hearings fairly, observing the basic rules of natural justice.
2. Each hearing will take the form of a discussion led by the Chairman and cross examination will not be permitted unless the Sub-Committee considers that cross examination is necessary.
3. Hearings will be held in public but the Sub-Committee may decide to exclude the public from all or part of a hearing where it considers the public interest in doing so outweighs the public interest in the hearing taking place in public. In this context "public" includes any party to the hearing or any representative of a party.

#### Procedure

4. At the beginning of the meeting the Chairman shall:-
  - (a) ask those present to introduce themselves;
  - (b) explain the procedure;
  - (c) ask the parties whether they wish permission for another person to appear at the hearing.
5. The Sub-Committee will consider requests from the parties for permission for other persons to appear at the meeting. Such permission will not be unreasonably withheld.
6. The Chairman will conduct the hearing taking representations from the parties in the following order:
  - (a) the Licensing Officer who will outline the background to the case. The Licensing Officer's role is to provide factual information to the Sub-Committee.
  - (b) the applicant/licence holder (including any person appointed to represent the party or any other persons who have been given permission to assist the party).
  - (c) any party making representations (including any person appointed to represent the party or any persons who have been given permission to assist the party).
7. Before determination the applicant/licence holder will be given the final opportunity to address the Sub-Committee.

8. Each party will be given an equal maximum period of time in which to put forward any additional information requested by the Council, to question other persons (if given permission by the Sub-Committee) and address the Sub-Committee.
9. The Sub-Committee may exclude disruptive persons in certain circumstances.
10. The Sub-Committee may adjourn the hearing in certain circumstances.
11. The Sub-Committee will ask the parties to withdraw so that it can consider its determination. In considering its determination, the Sub Committee may ask its Legal Advisor to provide it with legal and procedural advice. The nature of this advice will be notified to the parties.
12. The Sub-Committee will make its determination at the end of the meeting and this will be confirmed in writing.

### **Failure of Parties to Attend a Hearing**

13. If a party has informed the Council that they do not intend to attend or be represented at a hearing, the hearing may proceed in their absence.
14. Where a party has not so indicated fails to attend or be represented at a hearing the Sub-Committee may:
  - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date; or
  - (b) hold the hearing in the party's absence.
15. Where the hearing is held in the absence of a party, the authority shall consider at the hearing of the application, representation or notice made by that party.
16. Where a hearing is adjourned to a specified date the Council will notify the parties of the date, time and place to which the hearing has been adjourned.

April 2023