

Present

Councillor R A Baker (In the Chair)

Councillor Mrs F M Greenwell
K G Hardisty

Councillor Mrs I Sanderson

LHP.6

MINUTES

THE DECISION:

That the minutes of the meeting of the Panel held on 4 July 2012 (LHP.4 - LHP.5), previously circulated, be signed as correct records.

LHP.7

LOCAL GOVERNMENT ACT

THE DECISION:

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the item of business at minute no LHP.8 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act as the Panel was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

LHP.8

APPLICATION FOR PERSONAL LICENCE

All Wards

The subject of the decision:

This report sought consideration of an application for a personal licence under the Licensing Act 2003.

Alternative options considered:

Whether or not to grant the application.

The reason for the decision:

The Panel considered the submissions of the applicant and North Yorkshire Police, both written and oral, the Licensing Act 2003, the Secretary of State's Guidance pursuant to section 182 of the Act and the Council's Licensing Policy.

The Panel noted that the applicant had declared an unspent relevant conviction pursuant to paragraph 19 of schedule 4 of the Licensing Act. Although the Panel noted the applicant's contrition and the circumstances surrounding the commission of the offence, the Panel agreed with the grounds of objection made by North Yorkshire Police.

The Panel found that the commission of the offence showed a disregard for the law. In the circumstances the Panel had concerns that the applicant would not positively promote the licensing objectives at this time, and noted that the offence was not so long ago that there could reasonably be said to be no propensity to reoffend.

The Panel did not believe there were any exceptional or compelling reasons to justify granting the application. On the contrary the Panel considered that were it to grant the application this would undermine the crime and disorder objective.

THE DECISION:

That the application for a personal licence be rejected.

The meeting closed at 11.50am

Chairman of the Panel