

Present

Councillor R A Baker (In the Chair)

Councillor S P Dickins
Mrs F M Greenwell

Councillor K G Hardisty

(An apology for absence was received from Councillor D Blades)

LHP.1

MINUTES

THE DECISION:

That the minutes of the meeting of the Panel held on 16 December 2010 (LHP.3 – LHP.4), previously circulated, be signed as a correct record.

LHP.2

THE LOCAL GOVERNMENT ACT 1972

THE DECISION

Under Section 100(A)(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.3 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.3

APPLICATION FOR REVIEW OF PREMISES LICENCE – ASPIRE, 3 MARKET PLACE, THIRSK

Thirsk Ward

The subject of the decision:

The Head of Regulatory Services submitted a report seeking consideration of an application to review a Premises Licence under the Licensing Act 2003.

The licensee raised two preliminary points, the first concerning the participation of the Police in the hearing and the second relating to the admissibility as evidence of the sound recordings by the responsible authority.

Alternative options considered:

The Panel considered whether or not to admit evidence from the Police and whether or not to admit the sound recordings by the responsible authority through the use of headphones.

The reason for the decision:

Having taken into account the relevant representations from the responsible authority and the licensee, the Panel decided that evidence from the Police relating purely to noise nuisance would be admissible and that all other Police evidence would be disregarded. The Panel also decided that evidence played through headphones was admissible, but that there were insufficient headphones to proceed.

THE DECISION:

- (1) that Police evidence related solely to noise nuisance be admissible;
- (2) that noise recordings played through headphones be admissible;
- (3) that the hearing be adjourned until an appropriate date.

The meeting closed at 12.30pm.

Chairman of the Panel