

Present

Councillor R Kirk (in the Chair)

Councillor C A Dickinson

Councillor D B Elders

**LAHP.7 Exclusion of the Public and Press**

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 LAHP.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.

**LAHP.8 Application for the Reinstatement of a Premises Licence and Application to Vary a Premises Licence to Specify an Individual as Designated Premises Supervisor - Spice Restaurant and Bar, 41 Market Place, Bedale, DL8 1ED**

Bedale Ward

**The subject of the decision:**

The Director of Law and Governance submitted a report seeking consideration of an application for the reinstatement of a premises licence and an application to vary a premises licence to specify an individual as designated premises supervisor in respect of Spice Restaurant, 41 Market Place, Bedale.

**Alternative options considered:**

The Panel considered granting the applications but could not do so having concluded that such an approach would be likely to undermine the crime prevention objective.

**The reason for the decision:**

The Panel noted that the applicant did not attend the hearing. The Panel was satisfied that the applicant had been notified of the hearing and was aware of the time, date and location. The Panel noted that the applicant did not request an adjournment and therefore decided to proceed with the hearing in his absence in the public interest.

The Panel considered the applications, the written and oral representations of North Yorkshire Police, the Licensing Act 2003 as amended, the Council's Statement of Licensing Policy and the guidance issued under Section 182 of the Licensing Act 2003.

The Panel considered the objection notices submitted by North Yorkshire Police in relation to concerns over the applicant's criminal record and character. The Panel was informed that the applicant had been convicted of four offences related to alcohol and, contrary to requirements under the Licensing Act 2003, he failed to notify the court that he held a personal licence.

The Panel noted that all premises licence holders and designated premises supervisors are expected to take steps to promote the licensing objectives. The Panel also noted that the applicant had not submitted any representations to dispute the view of the police that his appointment as premises licence holder and designated premises supervisor would be likely to undermine the crime prevention objective.

The Panel was concerned by the nature of the applicant's offences, the apparent propensity to re-offend and the failure to comply with licensing requirements in relation to relevant offences.

The Panel was satisfied in light of the evidence provided that the applicant's appointment as premises licence holder and designated premises supervisor would be likely to undermine the crime prevention objective. The Panel therefore concluded on the balance of probability that it was appropriate for the promotion of the crime prevention objective to reject both applications.

**The decision:**

The Panel resolved to reject the application to specify an individual as designated premises supervisor and to reject the application to reinstate the licence.

The meeting closed at 10.25 am

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Chairman of the Panel