

NOTICE OF RELEVANT REPRESENTATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003



North Yorkshire Police hereby give notice of objection to the Premises Licence as listed below:

Postal Address of premises or club premises: Jimmy's 52 Low Petergate	
Post town: York	Post code (if known): YO17HZ

Notice of Objection relates to the following licensing objective: *(Please tick one or more boxes)*

1. The prevention of crime and disorder	<input checked="" type="checkbox"/>
2. Public safety	<input type="checkbox"/>
3. Prevention of Public Nuisance	<input checked="" type="checkbox"/>
4. The protection of children from harm	<input type="checkbox"/>

GROUNDINGS FOR RELEVANT REPRESENTATION

Please provide as much information as possible to support this relevant representation:

(e.g. please list any additional information, e.g. dates of problems which are included in the grounds for review)

This application relates to a new premises licence for restaurant and bar on the site of the former Café Rouge at Low Petergate within York's Cumulative impact area for licensable activities over a ground floor, first floor, basement and outside courtyard as follows:

Live music- Sunday to Thursday 1000-0000hrs, Friday and Saturday 1000-0100hrs indoors only
 Recorded music - Sunday to Thursday 1000-0000hrs, Friday and Saturday 1000-0100hrs indoors only
 Sale of alcohol - Sunday to Thursday 1000-0000hrs, Friday and Saturday 1000-0100hrs
 Late night refreshment - Sunday to Thursday 2300-0000hrs, Friday and Saturday 2300-0100hrs.

Jimmy's are a small chain and have premises in Liverpool and Manchester with a focus on live music. On speaking with the applicant's agent I am advised that this premises in York is to be more of a food focused venue.

The premises on low Petergate sits within York's CIA (Cumulative impact assessment area) an area which The City of York Council has identified as being under the most stress from crime and disorder and public nuisance in their statement of licensing policy. The current policy came in to effect on 21st March 2019 and runs until 2024; it states:

'9.13 North Yorkshire Police and Public Protection have provided information that the nature of this area is such that the problems and cumulative impact directly relates to the style of businesses operating in the area and their clientele, due to the concentration of:

- drink led premises – pubs, bars, nightclubs and restaurants/cafes;
- entertainment

premises – pubs, bars and nightclubs providing entertainment, especially late at night into the early hours of the morning;

- late night refreshment premises – takeaways; and
- off licence premises – supermarkets and convenience stores.

Furthermore the CIA policy states:

7. An applicant wishing to obtain a new licence or vary a licence for premises, within the cumulative impact area, must demonstrate through the operating schedule, the steps that they intend to take so that the Council and responsible authorities can be satisfied that granting a new or varied licence will not add to the cumulative impact already being experienced.

The applicants have offered an suggested operating schedule with this application which it is felt fails to take into account the specific needs of the location and it's special policy.

North Yorkshire Police have attempted to mediated with the applicant via the agent and have proposed the below amendments/conditions in order to promote the licensing objectives and mitigate risk associated with the opening of a further late night venue. The existing premises licence for the venue allows licensable activities from 1000-2300hrs weekdays and 1200-2230hrs on a Sunday

Operating Hours Suggested:

All licensable activities until 2300hrs weekdays and 0000hrs Fri+Sat

Closure of the outside area at 2100hrs daily.

Suggested conditions and amendments:

CCTV condition to add - Copies of the recordings shall be made available to any Responsible Authority within 48 hrs upon request.

Staff training condition offered to be replaced with-

1.Documented staff training will be given regarding staff's obligation under the Licensing Act in respect of the:-

Retail sale of alcohol

Age verification policy

Conditions attached to the Premises Licence

Permitted Licensable activities

The Licensing objectives and

The Opening Times of the venue.

Such records shall be kept for a minimum of one year and will be made available immediately upon request from any Responsible Authority.

Refusals/incident register condition replaced with –

2.A Refusals Register and Incident Report Register will be kept. Such documents will record incidents of staff refusals of alcohol sales to under-age or drunk people as well as incidents of any anti-social behaviour and ejections from the premises.

Such records shall be kept for at least one year. [For the avoidance of doubt, the one year period relates to each respective entry in the log book and runs from the date of that particular entry]: They will be made available immediately upon a reasonable request from any responsible authority.

3.The premises shall operate predominately as a food led establishment and not as a vertical drinking establishment providing food and non-alcoholic drinks. Alcohol shall be ancillary to the sale of food.

4.Customers shall only be served by way of waiter / waitress service in all areas of the premises.

5.Only customers dining in the restaurant may use the bar area. There shall be no vertical drinking at the bar.

6.There shall be a minimum of 48 table covers available at all times on the ground floor and a minimum number of 60 table covers on the first floor.

7.The sale of alcohol shall cease 30 minutes before close of business on any given day to allow for 'drinking up' time.

8.A minimum of 1 SIA Licensed door staff shall be deployed at the premises every Friday and Saturday evening from 1900 until close of business.

A minimum of 2 SIA Licensed door staff shall be deployed at the premises on days where race meetings are held at York Racecourse from 1800hrs until close of business (Save for the family meeting held in September and the first meeting in May)

At all other times the need for SIA Licensed door supervisors shall be determined in accordance with risk assessment to be carried out by the DPS and/or the Premises licence holder. When Employed door staff shall wear high visibility arm bands.

9. Alcoholic drinks purchased on the premises may only be taken off the premises in sealed containers.

10. All off sales shall be in sealed containers

11. Clear and legible notices shall be displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and area quietly

12. No drinks or drinking glasses shall be taken out of the licensed premises or (licensed area) onto the pavement or highway.

If the applicant is willing to agree to the above conditions to be included as part of a premises licence then North Yorkshire Police would formally withdraw their representation.

Signature: K. Hollis

Date: 18/01/2021

Contact name:

Address for correspondence: **Alcohol Licensing Department Fulford Road Police Station**

Post town: **York**

Post code: **YO10 4BY**

Tel. number (if any): **01609 643273**

Email address if preferred option of contact: **NYPLicensing@northyorkshire.pnn.police.uk**