
Licensing Act 2003 Sub Committee

14 July 2026

Report from the Director – Environment & Regulatory Services

Section 18(3) (a) Application for a premises licence for 185 Burton Stone Lane, York, YO30 6DG**Summary**

1. This report seeks Members determination of an application for the grant of a premises licence, which has been made under the Licensing Act 2003.
2. Application reference number: CYC - 084365
3. Name of applicant: Mr Taylan Ozer
4. Type of authorisation applied for: Grant of Premises Licence
5. Summary of application:

The proposal is to allow for the provision of the following activities at a late-night hot food takeaway over the ground floor only.

Proposed Activity	Timings
Supply of Alcohol – off the premises	11:00 until 01:00 everyday
Late night refreshment – on and off the premises	23:00 until 01:00 everyday
Opening hours	11:00 until 01:00 everyday

Background

6. A copy of the application can be found at Annex 1, including a plan(s) of the premises.
7. The premises is described in the application as a ground floor hot food takeaway premises with counter, cooking facilities and shop floor service space for customers.

8. An overview of the circumstances in which entertainment activities are not licensable can be found at Annex 2.

Promotion of Licensing Objectives

9. The operating schedule submitted by the applicant shows that the licensing objectives would be met as follows:

10. General

- 10.1 In order to give proper priority to the four licensing objectives the applicant is happy for:
 - a. all sales of alcohol (from the venue and by way of delivery) to be ancillary to food.
 - b. alcohol not to be sold at the premises between 23:00 and 01:00.
 - c. the only sale of alcohol between 23:00 and 01:00 is to be by way of delivery service.
 - d. all sales of alcohol to be in sealed containers.

11. The Prevention of Crime and Disorder

- 11.1 The applicant will have a zero-tolerance policy towards any crime, disorder, violence and anti-social behaviour.
- 11.2 All members of staff will be fully trained (regarding the sale of alcohol, the conditions attached to the licence and the opening times) and alcohol will not be sold at all if there is any doubt about whether a customer appears to have drunk excessively, may be violent/ anti-social or underage.
- 11.3 Records will be kept for at least a year and made available upon a reasonable request. This training (for all members of staff) will be assisted by clear policies on standards of acceptable behaviour and training records, which are to be kept updated and refreshed for both existing and incoming members of staff.
- 11.4 The applicant is also happy to meet all the current standard requirements in relation to properly maintained and working CCTV, including ensuring the recordings display the correct time/date and are available for inspection

12. Public Safety

- 12.1 Public safety will be maintained by strict entry (and willingness to serve) policy at the property and on deliveries and the keeping of a Refusals Register and an Incident Reports Register. Again, these will be kept for at least a year and made available for inspection on reasonable request.
- 12.2 All deliveries of alcohol will be by someone aged over the age of 18.
- 12.3 All deliveries will be to a specific address (not a street) and there will be strict ID checks for all delivery sales. Effective ID evidence will mean a current passport, a photocard driving licence or a document with the PASS logo (or the current equivalent).
- 12.4 There will also be a First Aid Box and an Accident Register.
- 12.5 The only public entrance/exit will always be kept clear and accessible by all.

13. The Prevention of Public Nuisance

- 13.1 Prominent and clear notices will be displayed at the premises requesting the public to request the needs of residents and to leave the premises and area quietly.
- 13.2 There is only one door, and this will be closely monitored.
- 13.3 Any complaints that are received will receive the applicant's immediate personal attention and any issues that do arise will be dealt with promptly and effectively. The police will be called (if necessary).
- 13.4 Similar care will be taken with deliveries to other addresses.
- 13.5 As already stated, all members of staff will be made fully aware of the conditions attached to the Premises Licence (which will be prominently displayed at the Premises) and the business's opening hours.

14. The Protection of Children from Harm

- 14.1 As explained above, a very strict age ID policy will be applied at all times, both at the premises and on deliveries – although it is fair to say that the vast majority of the applicant's customers are adults.
- 14.2 The staff training referred to above will focus very carefully on ensuring that alcohol is not served to children. None of the alcohol that will be sold (either on premises or via deliveries) will be available for the customer to pick up or touch until all checks have been completed. Checks will be undertaken to ensure that no member of staff is unsuitable for dealing with children. There will be no grey areas where children are concerned – no proper ID, no service

Special Policy Consideration

15. This premises is not located within the cumulative impact area.

Consultation

16. Consultation was carried out by the applicant in accordance with s13, and s17 (5) of the Act and Regulation 42, Parts 2 and 4 of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, which concern the displaying of a notice on the premises and an advertisement in a local paper giving details of the application and serving a copy of the application on all responsible authorities. The applicant complied with all statutory requirements. In addition the relevant ward councillors and/or parish council were notified by way of register.
17. All procedural aspects of this application have been complied with.

Summary of Representations made by Responsible Authorities

18. North Yorkshire Police made representation on the prevention of crime and disorder; however, they have mediated with the applicant who has agreed to amend their operating schedule with an amendment and addition to the proposed conditions to be added to the licence if granted. The agreed conditions can be found at Annex 3. Therefore, North Yorkshire Police have withdrawn their representation.

19. The Director for Public Health at City of York Council has made representation based on the objectives of the Prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm. Their representation can be found at Annex 4.

Summary of Representations made by Other Parties

20. There have been no relevant representations received from other persons.
21. A map showing the general area around the venue is attached at Annex 5.
22. The mandatory conditions that will be attached to this licence if granted (if they apply) can be found at Annex 6. The Legislation and Policy considerations can be found at Annex 7.

Options

23. By virtue of s18(4) of the Act, the Committee have the following options available to them in making their decision: -
24. Option 1: Grant the licence in the terms applied for.
25. Option 2: Grant the licence with modified/additional conditions imposed by the licensing committee.
26. Option 3: Grant the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
27. Option 4: Refuse to specify a person on the licence as premises supervisor.
28. Option 5: Reject the application.

Analysis

29. The following could be the result of any decision made this Sub Committee:-
30. Option 1: This decision could be appealed at Magistrates Court by any of the representors.
31. Option 2: This decision could be appealed at Magistrates Court by the applicant or any of the representors.

32. Option 3: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
33. Option 4: This decision could be appealed at Magistrates Court by the applicant.
34. Option 5: This decision could be appealed at Magistrates Court by the applicant.

Council Plan

35. The Licensing Act 2003 has four objectives the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.
36. By taking the statutory requirements of the Licensing Act into consideration, as well as the four licensing objectives when determining licensing applications the Council are supporting the new and existing licence trade, as well as local residents and businesses. The functions support the Council's Plan commitments to make York a healthier, fairer, more accessible place, where everyone feels valued, creating more regional opportunities to help today's residents and benefit future generations. It supports the particular priority for a fair, thriving, green economy for all.

Implications

37.

- **Financial** - N/A
- **Human Resources (HR)** – N/A
- **Equalities** – The Council recognises, and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions) when setting its Statement of Licensing Policy.

- **Legal** – This decision could be appealed at Magistrates Court by the applicant or any of the representors.
- **Crime and Disorder** - The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the city.
- **Information Technology (IT)** – N/A
- **Property** – N/A
- **Other** – none

Risk Management

38. All Members of the Licensing Act 2003 Committee have received full training on the Act and the regulations governing hearings. They are aware that any decision made which is unreasonable or unlawful could be open to challenge resulting in loss of image, reputation and potential financial penalty.
39. The report details the options available to the panel in determining the application and recommends that a decision be reached. There are no risks involved with this recommendation.

Recommendations

40. Members determine the application.

Reason: To address the representations received as required by the Licensing Act 2003.

Contact Details

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**Report
Approved**

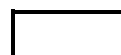


Date
22 June
2026

Specialist Implications Officer(s)

Head of Legal & Democratic Services
Ext: 1004

Wards Affected: Clifton



For further information please contact the author of the report

Background Papers:

Annex 1 - Application form

Annex 2 - Overview of Circumstances in which Entertainment Activities
are not Licensable

Annex 3 - Conditions agreed with North Yorkshire Police

Annex 4 - Representation from Public Health

Annex 5 - Map of the area

Annex 6 - Mandatory Conditions

Annex 7 - Legislation and Policy