

Licensing Hearing

To: Councillors Boyce, Gillies and McIlveen
Date: Thursday, 23 January 2014
Time: 10.00 am
Venue: The Craven Room - Ground Floor, West Offices (G048)

A G E N D A

1. Chair

To elect a Member to act as Chair of the meeting.

2. Introductions

3. Declarations of Interest

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

4. Minutes

To approve and sign the minutes of Licensing Hearings held on 2nd October 2013 and 24th October 2013.

5. The Determination of an Application by Mr. Hayati Kucukkoylu for a Licence Variation Section 35(3)(a) in respect of Macumba, 3 Coffee Yard, York, YO1 8AR. (CYC-009165)

If you require any further information, please contact Laura Bootland on Tel 01904 552062 or Fax 01904 551035 or email laura.bootland@york.gov.uk

Distribution:

Members of Licensing Act 2003 Sub-Committee

Licensing Officer

Legal Services

Applicant

Representors

Press, Libraries.



LICENSING ACT 2003 SUB – COMMITTEES PROCEDURE FOR HEARINGS

Introduction

The procedure outlined below will be followed at all Licensing Hearings.

As Licensing Hearings are quasi-judicial the Sub-Committee will, in effect, act like a Court and the rules of natural justice will apply. The Sub-Committee will be guided by legal principles in determining whether evidence is both relevant and fairly admitted. Committee Members have a duty to view all evidence presented before them impartially. Members of the Licensing Sub-Committee have all received relevant training and are used to making decisions of this type. No matter how strong local opinion may be, Committee Members can only make decisions based on relevant licensing issues as set out before the Sub-Committee in determining applications.

The hearing will be in public session. However, the Sub-Committee may exclude the public from a hearing if it considers it in the public interest to do so. However, the decision will be made in private.

The purpose of the hearing is

- To enable those with a right to appear to advance their point of view and to test the case of their opponents
- To assist the Sub-Committee to gather evidence and understand the relevant issues

In view of the requirement to hold hearings within specified times, the Licensing Authority will generally be unable to enter into discussions to identify dates convenient to all parties concerned. In exceptional circumstances, the Licensing Authority will consider applications to adjourn hearings to a later date.

Representations at Licensing Hearings

The Applicant, Ward Councillors, and Representors who have made written submissions will be allowed to speak at the Sub-Committee. At

any hearing of an application, the Applicant and any Representors shall attend in person wherever possible. Any party to a hearing may be assisted or represented by any person, legally or otherwise.

All parties will be given a fair hearing and each party will have the same amount of time in which to address the Sub-Committee. A time limit has been set because of the pressures on the Sub-Committees to hear so many applications in a short period of time. **Each party will have 15 minutes to address the Sub-Committee, give any further information, and call any witnesses.** If any party considers this time to be insufficient then a request in writing may be made to the Democracy Officer for an extension of time at least 2 working days before the hearing. However, this will not be automatically granted and will be at the discretion of the Sub-Committee.

The Sub-Committee may take into account any documentary evidence or other information in support of the application, representations or notice, either before the hearing or, with the consent of all other parties, at the hearing.

If any Representors fail to attend the hearing, the Sub-Committee will normally proceed but will consider their written objection and hear and consider any evidence and argument in relation to it put forward by the Applicant. In considering written evidence in the absence of a Representor, appropriate weight will be attached, given that the person cannot be questioned by the Applicant and Members.

The Sub-Committee is required to disregard any information given or evidence produced by a party or witness which is not relevant to the application, representations, or notice, and the promotion of the licensing objectives. Duplication should be avoided. Comments must be confined to those points already made, although the parties may extend or expand on their written submissions. The Sub-Committee will have read and familiarised themselves with all the written submissions and the issues prior to the hearing, and therefore do not require the points to be repeated or made at length. The Applicant and Representors cannot raise substantial new information at a hearing which has not been seen previously by the other parties.

A Representor **may not** introduce any new ground or objection not referred to in the written submission. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing.

Any person behaving in a disruptive manner will be asked to leave the hearing. If this does occur, that person may, before the end of the hearing, submit in writing any information which they would have been entitled to give orally.

Procedure prior to the Hearing

The Members sitting on the Sub-Committee will meet prior to the hearing to note the matters that are to be presented. They will only be accompanied by the Democracy Officer and Legal Advisor (*if present*). Attention will only be drawn to the nature of the application and the premises or person to which it relates. The actual application will not be discussed.

At any hearing of an application, the Licensing Officer, the Applicant and any Representors or representatives will report to reception and be asked to wait in reception until the democracy officer calls them through to the committee room.

Procedure at the Hearing

1. Members of the Sub-Committee will appoint a chair.
2. The Chair introduces the Committee Members and officers [*Democracy Officer, Legal Advisor to the committee (if present) and the Licensing Officer*], welcomes the Applicant and Representors (or their representatives), and establishes the identity of all who will be taking part.
3. The Chair will explain to the parties the procedure that will be followed at the hearing.
4. The Chair will proceed with the order of business on the agenda.
5. When the agenda item relating to the application is reached, the Chair will invite the Licensing Officer to present the application.
6. The Licensing Officer outlines the application, confirms the application details, introduces the report and gives an update on any recent changes.

7. The Chair will invite Committee Members, the Applicant and Representors (or representatives) to ask the Licensing Officer questions to clarify any points raised in the report.
8. The Chair will ask the Applicant (or their representative) to present their case.
9. The Applicant (or their representative) will present their case and may call any witnesses to support their case [*maximum 15 minutes*].
10. The Chair will invite the Representors (or their representative) in the following order to ask questions of the Applicant (or their representative) and/or witnesses [*maximum 5 minutes each party*]
 - (i) Police
 - (ii) Other Responsible Authorities
 - (iii) Ward Councillors
 - (iv) Interested Parties
11. The Chair will invite the Committee Members to ask questions of the Applicant (or their representative) and/or witnesses.
12. The Chair will invite the Representors (or their representative) in the following order to state the nature of their interest in the matter, present their case and call any witnesses to support their case [*maximum 15 minutes each party*]
 - (i) Police
 - (ii) Other Responsible Authorities
 - (iii) Ward Councillors
 - (iv) Interested Parties
13. The Chair will invite the Applicant to ask questions of each Representor (or their representative) and/or their witnesses after each presentation [*maximum 5 minutes per Representor*].
14. The Chair will invite the Committee Members to ask questions of each Representor (or their representative) and/or their witnesses after each presentation.

15. The Chair will invite the Representors (or their representative) in the following order to summarise their case *[maximum 5 minutes each party]*
 - (i) Police
 - (ii) Other Responsible Authorities
 - (iii) Ward Councillors
 - (iv) Interested Parties
16. The Chair will invite the Applicant (or their representative) to summarise their case *[maximum 5 minutes]*.
17. The Chair will provide the Sub-Committee with a final opportunity to seek clarification from any of the parties on any points raised, or seek advice from the Licensing Officer on policy, or from the Legal Advisor *(if present)* on law and jurisdiction.
18. When all the evidence has been heard, the Chair will declare the hearing closed and ask the Licensing Officer, the Applicant and Representors (or their representatives) plus any witnesses present to leave the committee room and wait in reception while the Sub-Committee considers the evidence.

Procedure after the Hearing

19. If the Sub-Committee wish to seek further clarification on the evidence given, the Democracy Officer will invite all parties back into the committee room.
20. If possible, and for all hearings under:-
 - section 35 or 39 which is in respect of an application made at the same time as an application for conversion of an existing licence under paragraph 2 of Schedule 8 (determination of application under section 34 or 37)
 - section 85 which is in respect of an application made at the same time as an application for conversion of an existing club certificate under paragraph 14 of Schedule 8 (determination of application under section 85)
 - section 105(2)(a) (counter notice following police objection to temporary event notice)
 - section 167(5)(a) (review of premises licence following closure order)

- paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence)
- paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)
- paragraph 26(3)(a) of Schedule 8 (determination of application by holder of a justices' licence for grant of personal licence)

the Sub-Committee will make a decision on conclusion of the hearing and only the Democracy Officer and the Legal Advisor to the Sub-Committee (*if present*) will remain in the room with the Committee Members. These officers will not comment on the merits of the application, but will be present to provide advice on legal and procedural points and to record the decision.

21. If the decision has been made, all the parties will be invited back into the committee room by the Democracy Officer. The Chair will announce the decision including reasons together with, if appropriate, details of any conditions to be attached to the grant of the licence. This decision will then be communicated in writing to the Applicant and Representors within 3 working days of the hearing. There can be no further questions or statements.
22. For all other hearings not listed above, if the Sub-Committee is unable to make a decision on the day of the hearing, the decision will be made within 5 working days beginning with the day or the last day on which the hearing was held. The Democracy Officer will inform the parties that they are no longer required and the decision will be communicated in writing to the Applicant and Representors within 3 working days of the decision being made.
23. The notification will include information about the rights of appeal against the determination made.

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- Representors & the relevant Responsible Authorities

City of York Council

Committee Minutes

Meeting

Licensing Hearing

Date

2 October 2013

Present

Councillors Gillies, Horton and Looker

36. Chair

Resolved: That Councillor Gillies be elected as Chair of the meeting.

37. Introductions**38. Declarations of Interest**

At this point in the meeting, Members were asked to declare any personal, prejudicial or pecuniary interests they may have in the business on the agenda. None were declared.

39. MINUTES

Resolved: That the minutes of the Licensing hearing held on 15th August 2013 be approved and signed by the Chair as a correct record.

40. The Determination of an Application by Commercial Services, University of York for a Premises Licence Section 18(3)(a) in respect of Alcuin College Bistro. (CYC-022439)

Members considered an application by Commercial Services, University of York for a Premises Licence for Alcuin College Bistro, University of York, Heslington, York.

In coming to their decision, Members took into consideration all of the evidence and submissions that were presented to them and determined their relevance to the issues raised and the licensing objectives.

1. The Application Form.
2. The Licensing Managers report and her comments made at the hearing. She advised that the premises had previously been licensed and used as a bar but the licence had been surrendered in August 2012. North Yorkshire Police had met with the applicant and agreed a number of conditions. Consultation had been carried out correctly.
3. The representations made by the applicant at the hearing. It was advised that the previous licence had been surrendered as the premises was under used by students as a bar. Since then, following investment at the University, the decision had been taken to open the premises as a Bistro. In relation to the application, the 3am closing time was not required and the application was amended to 12 midnight. The target customers would be students and staff and the venue would be food led rather than being used for music events. The premises would close around 3.30pm on most days, but occasionally pre-booked functions may go on until later in the evening.
4. The representations made by local residents in writing. They raised concern in their letters about the potential for noise nuisance in the area late at night and the potential for an increase in anti social behaviour.

In coming to their decision, Members were presented with the following options:

- Option 1 Grant the Licence in the terms applied for.
- Option 2 Grant the Licence with modified/additional conditions imposed by the Licensing Committee.
- Option 3 Grant the Licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
- Option 4 Reject the application.

Members chose Option 2 and agreed to grant the licence with the following conditions:

1. A CCTV system will be installed to cover the premises and recorded coverage will include all areas to where public have access to consume alcohol.
2. The CCTV system will be maintained, working and recording at all times when the premises are open.
3. The recordings shall be of good evidential quality to be produced in court or other such hearing.
4. Copies of the recordings will be kept available for any responsible authority for 28 days.
5. Copies of the recordings shall be made available to any responsible authority within 48 hours of request.
6. Copies of the recordings will display the correct time and date of the recording.
7. Random speculative searches will be undertaken as condition of entry.
8. Notices should be displayed informing patrons of the above random search policy.
9. Documented records shall be made of the searches undertaken.
10. Such records (referred to in Condition 9) shall be kept for at least one year and they will be made available upon a reasonable request from any responsible authority.
11. All events having a terminal hour of after 2330hrs where admission is by ticket only, or where entertainment is provided, shall employ an adequate number of Door Supervisors. For the purpose of clarity they shall be employed at a ratio of 1 to 100 attendees BUT with a minimum of two.
12. All "lock off events" (i.e. ticketed events) shall have all glassware removed and plastic glasses will be used. For

the purpose of clarity all drinks will be decanted into plastic glasses.

13. A Refusals Register and Incident Report Register will be kept. Such documents will record incidents of staff refusals to underage or drunk people as well as incidents of any anti-social behaviour and ejection from the premises.
14. Both documents (referred to in Condition 13) shall be kept for at least one year and they will be made available upon a reasonable request from any responsible authority.
15. Responsible and sensible drinking shall be promoted within the venue.
16. One pint capacity, half pint capacity and "highball" tumbler drinking glasses will be strengthened glass (tempered glassware) in a design whereby, in the event of breakage, the glass will fragment and no sharp edges are left.
17. Documented staff training will be given regarding the retail sale of alcohol; the conditions attached to the premises licence; and the opening times of the venue.
18. Such records (referred to in Condition 17) shall be kept for at least one year and they will be made available upon a reasonable request from any responsible authority.
19. Drinking glasses of any type shall not be allowed to enter or leave the licensed area whilst under the customers care.
20. All events having a terminal hour of after 2330hrs will be approved by Campus Services.
21. The emptying of bottle bins shall be confined to daylight hours.
22. All OFF SALES shall be made in sealed containers.
23. There shall be a period of drinking up time leading up to the close of business hours during which no ON SALES

shall be made in the 20 minute period prior to the close of business.

24. Prominent clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

25. Should a part of the premises operate an "underage" night aimed at persons under the age of 18 years, alcohol will not be served to anyone or consumed by anyone whether persons over the age of 18 years are allowed or not.

26. The only acceptable proof of age identification shall be a current passport, photocard driving licence or identification carrying the PASS logo.

Point to note - The application was amended at the hearing and all licensable activities will end at midnight.

All relevant mandatory conditions shall apply.

Reason for the decision:

The Sub-Committee concluded that the application was acceptable with the above additional/modified conditions as it addressed representations made both in writing and at the hearing, and it met all the licensing objectives. The Sub-Committee made this decision taking into consideration the representations, the Licensing Objectives, the City of York Council's Statement of Licensing Policy and the Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003.

Resolved: That the licence be granted in line with option
2

Reason: To address the issues raised.

Councillor Gillies, Chair

[The meeting started at 10.00 am and finished at 10.25 am].

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City of York Council

Committee Minutes

Meeting	Licensing Hearing
Date	24 October 2013
Present	Councillors Boyce, Gillies and Orrell

41. Chair

Resolved: That Councillor Gillies be elected as Chair of the Committee.

42. Introductions**43. Declarations of Interest**

At this point in the meeting, Members were asked to declare any personal, prejudicial or pecuniary interests in the business on the agenda. None were declared.

44. Minutes

Resolved: That the minutes of the Licensing Hearing held on 19th August 2013 be approved and signed by the Chair as a correct record.

45. THE DETERMINATION OF AN APPLICATION BY CITY OF YORK COUNCIL, COMMUNITIES, CULTURE AND THE PUBLIC REALM TO VARY A PREMISES LICENCE SECTION 35(3)(A) IN RESPECT OF RAWCLIFFE COUNTRY PARK, SHIPTON ROAD, YORK. (CYC-019663)

Members considered an application by City of York Council, Communities, Culture and the Public Realm to vary a Premises Licence in respect of Rawcliffe Country Park, Shipton Road, York, YO30 5XZ.

Members took into consideration all of the evidence and submissions that were presented to them and determined their relevance to the issues raised and the licensing objectives.

The following were taken into account:

1. The Application Form.
2. The Licensing Managers report and her comments made at the hearing. She advised that the application was to extend the licensed area to include the adjacent Park and Ride car park and over flow car park. The premises are not located within the special policy area. A condition had been agreed with North Yorkshire Police prior to the hearing. Consultation had been carried out correctly.
3. The representations made by the Assistant Director (Communities, Culture and Public Realm), the Events Officer who made the application on behalf of City of York Council and an Event Organiser involved in a forthcoming event. It was advised that the application to licence the car parks had been made to ensure that events could take place on tarmac strictly on a contingency basis in case of wet weather conditions. The event held last year had churned the park's ground due to a combination of heavy vehicles and wet weather and the application would ensure this could be avoided in future. It was confirmed that the necessary risk assessments had been carried out and signed off in preparation for the forthcoming firework event.
4. The representations made at the hearing by local residents who raised concerns about anti social behaviour in the area and safety at the site, in particular fire safety and the suitability of the site entrance and exit points.
5. The representations made by local residents during the consultation period.

In coming to their decision, the Sub-Committee were presented with the following 4 options:

- Option 1 Grant the Licence Variation in the terms applied for.
- Option 2 Grant the Licence Variation with modified/additional conditions imposed by the Licensing Committee.
- Option 3 Grant the Licence Variation to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
- Option 4 Reject the application.

Members chose Option 2 and agreed to grant the licence variation with a modified/additional condition as follows:

The extended tarmac car park area shall only be used when the grassed area is not in use.

The Sub-Committee also asked that the following informative be noted by the applicant:

The Sub-Committee noted that the Assistant Director (Communities, Culture and Public Realm)confirmed that the works to improve the access/egress at the site are ongoing and asked that these works are completed prior to any event taking place and the Licensing Authority are informed when the works are completed.

All relevant mandatory conditions shall apply.

Reason for the decision:

The Sub-Committee considered the fact that the Police did not object to the application and that none of the other Responsible Authorities had made representations. The Sub-Committee considered that there was insufficient evidence to support the view that the grant of the variation sought would undermine the promotion of the licensing objectives. The Sub-Committee concluded that the application was acceptable with the above additional/modified condition as it addressed representations made both in writing and at the hearing, and it met all the licensing objectives. The Sub-Committee made this decision taking into consideration the representations, the Licensing Objectives, the City of York Council's Statement of Licensing

Policy and the Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003.

Resolved: That the application be granted in line with Option 2.

Reason: To address the issues raised.

Councillor Gillies, Chair

[The meeting started at 10.00 am and finished at 11.30 am].



Licensing Act 2003 Sub Committee

23rd January 2014

Report of the Director of Communities and Neighbourhoods

Section 35(3)(a) Application for the variation of a premise licence for Macumba, 3 Coffee Yard, York YO1 8AR.

1. This report seeks Members determination of an application for the variation of a premise licence, which has been made under the Licensing Act 2003.
2. Application reference number: CYC-009165
3. Name of applicants: Mr Hayati Kucukkoylu.
4. Type of authorisation applied for: Variation of premises licence.
 - a) Summary of application: The nature of the application is as follows:
 - i) to extend the hours of operation for the following licensable activities:-

<u>Licensable Activities</u>	<u>Proposed Timings</u>	<u>Current Timings</u>
Live music	Mon – Sun 10:00 – 02:30	Mon – Sun 07:30 – 01:30
Recorded music	As above	As above
Performance of dance	As above	As above
Anything similar to the above activities	As above	As above
Late night refreshment	Mon – Sun 23:00 – 02:30	Mon – Sun 23:00 – 01:30
Sale of Alcohol	Mon – Sun 10:00 – 02:30	Mon - Sun 07:30 – 01:30
Opening times	Mon - Sun 10:00 – 03:00	Mon – Sun 07:30 – 02:00

Non Standard timings to be added to all of these activities.	An additional one hour for UK bank holidays and the Sunday preceding a bank holiday, and for Christmas Eve and New Year's Eve and when the clocks go forward for BST	From the opening time on New Year's Eve to the closing time on New Year's Day and an additional hour when the clocks go forward to BST
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ii) to alter certain conditions listed in Annex 2 of the current licence:-

condition 8: proposed is, "Seating and tables shall be laid out for 24 covers" - currently it reads "...12 covers on ground floor and 12 covers on first floor

condition 11: proposed is, "The outside area shall not be used after 02: 30hrs for any licensable activity or the consumption of alcohol" - currently it reads "outside area not to be used for licensable activities or consumption of alcohol after 24:00hrs"

N.B. the proposals to alter occupancy figures on the licence with regards to public safety are no longer relevant as this is dealt with under separate legislation.

Background

5. A copy of the existing premise licence is attached at Annex 1.
6. A copy of the application to vary the licence is attached at Annex 2.

Promotion of Licensing Objectives

7. The applicant has included a number of measures to promote the licensing objectives. Some of these are already incorporated in the current licence whilst the additional measures are as follows:

8. The prevention of crime and disorder

- a) Internal training of door staff will be carried out to ensure they are fully aware of their responsibilities and Macumba's licensing objectives.
- b) Any queuing from customers will be monitored and controlled by the door staff.
- c) Dispersal of customers from the premises will be carried out by door staff and waiting staff, who will start gradually informing customers from the final hour of operation.
- d) Signage indicating operating hours and drinking up times will be visible so people are clearly informed.
- e) Macumba operates a zero tolerance to drugs. Regular checks will be made in the toilet area by staff. Anyone found to be in possession or distributing drugs will be reported to the police.

9. The prevention of public nuisance

- a) Door staff will inform customers to leave quietly and direct them away from the premises.
- b) Customers who regularly leave in a noisy fashion will be banned from the premises.
- c) Recorded music will be played at a level so that it does not disturb any residents.

Special Policy Consideration

10. This premise is not located within the special policy area.

Consultation

11. 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.
12. All procedural aspects of this application have been complied with.

Summary of Representations made by Responsible Authorities

13. North Yorkshire Police made representation to the application on the grounds that it is believed that the licensing objective, the prevention of crime and disorder, would be undermined on the granting of this application. A copy of the representation is attached at Annex 3.
14. The Council's Environmental Protection Unit has made representation to the proposed variation to condition 11 of the current licence regarding the use of the outside area. After discussions with the applicants with regard to the other proposals both parties have agreed to a number of conditions being included in the licence if granted. A copy of the representation and agreed conditions is attached at Annex 4
15. The Council's Licensing Authority has made representation to the application on the grounds that it is believed that the licensing objectives, the prevention of crime and disorder and the prevention of public nuisance would be undermined on the granting of the application. A copy of the representation is attached at Annex 5

Summary of Representations made by other persons

16. One relevant representation has been received and this is attached at Annex 6.
17. A map showing the general area around the venue from which the representations are focused is attached at Annex 7.
18. Members are reminded that representations are only "relevant" if they relate to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.

Planning Issues

19. The Council's Planning and Development Unit are currently in discussions with the applicant's agents regarding the current and proposed activities at the venue. These include planning permissions for a change of use to regularise the existing use and a new application for the pavement cafe to incorporate layout, operating times and furniture.

Options

20. By virtue of s18 (4) of the Act, the Committee have the following options available to them in making their decision:-
21. Option 1: Grant the variation of the licence in the terms applied for.
22. Option 2: Grant the variation of the licence with modified/additional conditions imposed by the licensing committee.
23. Option 3: Grant the variation of the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
24. Option 4: Reject the application.
25. Members are reminded that they may only use their discretion to add, remove or amend conditions or activities in relation to matters that are raised by representors and are relevant to the promotion of the licensing objectives.

Analysis

26. The following could be the result of any decision made this Sub Committee:-
27. Option 1: This decision could be appealed at Magistrates Court by any of the representors.
28. Option 2: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
29. Option 3: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
30. Option 4: This decision could be appealed at Magistrates Court by the applicant.

Council Plan

31. The Licensing Act 2003 has 4 objectives the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.

32. The promotion of the licensing objectives will support the Council's priorities to protect vulnerable people, build strong communities, and protect the environment.

Implications

33.

- **Financial** - N/A
- **Human Resources (HR)** – N/A
- **Equalities** – N/A
- **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

34. 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.
35. 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

36. Members determine the application.

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

Contact Details

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Chief Officer Responsible for the report:

Steve Waddington
Assistant Director– Housing & Public Protection.

Tel No 01904 554016

**Report
Approved**



Date 08/01/2014

Specialist Implications Officer(s):

Head of Legal & Democratic Legal Services Ext: 1004

Wards Affected: Guildhall West

For further information please contact the author of the report

Background Papers:

Annex 1 - Copy of existing premises licence

Annex 2 - Copy of application form

Annex 3 - Police Representation

Annex 4 - Environmental Protection Unit representation

Annex 5 - Licensing Authority representation

Annex 6 - Other representation

Annex 7 - Map of area

Annex 8 - Mandatory Conditions

Annex 9 - Legislation and Policy Considerations

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