

Licensing Act 2003 Sub Committee

8 September 2025

Report from the Director – Environment and Regulatory Services

Section 18(3) (a) Application for a premises licence for The Fox Inn, Stockton on the Forest, York, YO32 9UW

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 081829
3. Name of applicant: Philippa Myers and Kate Starkey
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 village pub in Stockton on the Forest.

Proposed Activity	Timings
Live Music – Indoors	10:00 – 00:00 Sun to Weds 10:00 – 01:00 Thurs, Fri & Sat
Recorded Music - Indoors	10:00 – 00:00 Sun to Weds 10:00 – 01:00 Thurs, Fri & Sat
Late Night Refreshment – Indoors & Outdoors	23:00 – 00:00 Sun to Weds 23:00 – 01:00 Thurs, Fri & Sat New Year's Eve until 02:00
Supply of Alcohol – On the premises	10:00 – 00:00 Sun to Weds 10:00 – 01:00 Thurs, Fri & Sat New Year's Eve until 02:00
Opening Hours	10:00 – 00:00 Sun to Weds 10:00 – 01:00 Thurs, Fri & Sat New Years Eve until 02:00

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 Village pub in a rural setting approximately 4 miles east of York. The pub serves the local village and surrounding areas and seats approximately 50 people indoors.
8. This public house has held a licence issued by the City of York Council since the inception of the Licensing Act in 2005, it did hold a licence for many years prior to that date. However, that licence was surrendered by the licence holder in April 2025.
9. An overview of the circumstances in which entertainment activities are not licensable can be found at Annex 2.

Promotion of Licensing Objectives

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

11. **General**

We intend to create a calm and comfortable environment for patrons to come and enjoy food and drink within the premises, allowing the village to once again have a local pub which serves both food and beverages within a refurbished pub and a newly appointed beer garden/outdoor decked area. The premises will promote the four licensing objectives in a positive and appropriate manner, allowing a safe space for locals to enjoy the premises.

12. The Prevention of Crime and Disorder

Crime and disorder will not be tolerated within the premises, and we will always prompt a safe and honest environment. Any issues will be dealt with promptly and appropriately, with early intervention being of paramount importance. Other ways that we will promote this objective are as follows:

- Regulate behaviour
- Links to Community Safety Partnerships
- Positive and personal relationships with customers
- Encouraging responsible drinking
- Crime and disorder incident book
- Offering smaller measures of alcohol
- Free, potable drinking water readily available
- Zero tolerance policy of drugs and criminal activity
- Always remaining vigilant

13. Public Safety

Public safety is of great importance and will be highlighted throughout the premises with factors such as fire safety, emergency lighting, safety rails etc. Ways in which we will do this are:

- Compliance with Fire Prevention and Health and Safety Legislation
- Fire Safety Risk Assessment alongside a Fire Management Plan
- All exits clearly marked, and accessible at all times
- Noise Management Risk Assessment
- Appropriate and applicable staff training
- Correctly working Air management System
- Available First Aid
- Adequate staffing levels
- Plastic glasses available for customers who would like to drink outside

14. The Prevention of Public Nuisance

Ensuring that we encourage all customers to leave the premises in a respectful manner both quietly and sensibly, particularly late at night, this will also include signage to remind our guests to exit the property with utmost consideration for residents. Other factors include:

- Odour Management
- Correct litter and waste disposal
- Controlled light pollution
- Vigilant regarding Antisocial Behaviour
- Risk Assessment of any new entertainment

15. The Protection of Children from Harm

We intend to allow children to access the premises but have no intention of using the premises to give rise to concern in respect of children. Children will be able to safely enter the premises with an adult and there will be areas of the premises suitable for them. We will also implement the following:

- Physical and psychological harm prevention.
- Prevent underage drinking and any alcohol sales to under 18's.
- Age Verification Policy displayed and implemented.
- Challenge 25 will be in place.

Special Policy Consideration

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

Consultation

17. 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.
18. All procedural aspects of this application have been complied with.

Summary of Representations made by Responsible Authorities

19. North Yorkshire Police made representation on the objective of the prevention of crime and disorder; however, they have mediated with the applicant who has agreed to amend their operating schedule with the addition of proposed conditions to be added to the licence if granted. **They have also agreed a reduction in hours.** The agreed conditions can be found at Annex 3. Therefore, North Yorkshire Police have withdrawn their representation.

Summary of Representations made by Other Parties

20. There have been 8 relevant representations received from other persons. The list of representors is attached at Annex 4.
21. The representations are predominantly based on the grounds of the Prevention of Public Nuisance objective. They state that this objective will be undermined if the application is granted.
22. A copy of all the representations are attached at Annex 5.
23. A map showing the general area around the venue is attached at Annex 6.
24. The mandatory conditions that will be attached to this licence if granted (if they apply) can be found at Annex 7. The Legislation and Policy considerations can be found at Annex 8.

Options

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

Analysis

31. The following could be the result of any decision made this Sub Committee: -
32. Option 1: This decision could be appealed at Magistrates Court by any of the representors.
33. Option 2: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
34. Option 3: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
35. Option 4: This decision could be appealed at Magistrates Court by the applicant.
36. Option 5: This decision could be appealed at Magistrates Court by the applicant.

Council Plan

37. 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.
38. 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

39.

- **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

40. 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.
41. 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

42. Members determine the application.

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

Contact Details

Author:

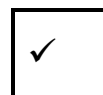
Lesley Cooke
Licensing Manager

Chief Officer Responsible for the report:

David Atkinson
Director Environment and Regulatory Services

Tel No. 01904 551515

**Report
Approved**

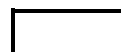


Date 21 August 2025

Specialist Implications Officer(s)

Head of Legal and Democratic Services
Ext: 1004

Wards Affected: Strensall.



For further information please contact the author of the report

Background Papers: None.

Annexes:

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 - List of representors - Confidential

Annex 5 - Representations

Annex 6 - Map

Annex 7 - Mandatory Conditions

Annex 8 - Legislation and Policy