

## AGENDA SUPPLEMENT

### Licensing/Gambling Hearing

**To:** Councillors Cuthbertson, Galvin and Mason

**Date:** Monday, 17 October 2022

**Time:** 2.30 pm

**Venue:** Remote Hearing

The Agenda for the above meeting was published on **7 October 2022**.  
The attached additional documents are now available for the following agenda item:

6. **The Determination of a Section 18(3) (a)** (Pages 1 - 8)  
**Application by T'Bridge Cafe Ltd. for a**  
**premises licence in respect of Fawkes &**  
**The Tiger, 32 Stonegate, York, YO1 8AS**

Additional documents submitted by the police.

This agenda supplement was published on **11 October 2022**.

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**Licensing Hearing 17 October 2022**  
**Fawkes & The Tiger, 32 Stonegate**  
**Additional documents submitted by Police**

- Email exchange with the Applicant's solicitor

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**Hollis, Kimberley**

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**From:** Hollis, Kimberley  
**Sent:** 23 September 2022 16:32  
**To:** 'Piers Warne'  
**Subject:** RE: Fawkes and The Tiger, York

Good Afternoon Piers,

Thank you for the email. These conditions proposed below are the conditions already proposed on the application so I'm afraid that doesn't change my position.

I appreciate your points but without the small amendments I have suggested to the food condition the premises does not have to be food led it simply has to have a menu and only until 9. A drink led premises in that location within the CIZ is likely to add further to the strain already felt on resources within the city and in my opinion undermine the licensing objectives this is why I recommended a 'food led' condition and an extension of the menu for just one hour to ensure the premises is food led. I have tried to be as reasonable as possible when considering this and note I have not mentioned alcohol being ancillary to food or waiter service, nor for a set table covers number, all of which are laid out in the CIZ policy.

The challenge 25 is considered best practice now across the board and perhaps this is a small change the client could make across the venues to bring this more up to date if they don't want train staff differently for just one venue? It is a very minor detail to change for operators and yet this only offers more protection at the age verification point.

Happy to discuss further if you require but I can confirm that at this point my representation stands.

Kind Regards,  
Kim

**PC 1671 Kim HOLLIS**  
**Alcohol Licensing Officer (York)**  
**Partnership Hub**  
**North Yorkshire Police**  
**Mobile 07802 385220**  
**Tel: 101**

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**From:** Piers Warne <Piers.Warne@TLTsolicitors.com>  
**Sent:** 23 September 2022 11:58  
**To:** Hollis, Kimberley <Kimberley.Hollis@northyorkshire.police.uk>  
**Subject:** RE: Fawkes and The Tiger, York  
**Importance:** High

Good morning Kim,

I'm sorry that I haven't been able to respond until now. My hearing yesterday (starting at 10am) went on until 4.30 and I had to race up to London straight after. I have picked this up with my client and we are happy to propose the following:

**Substantial food and non-intoxicating beverages including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises up to 3 hours before the end of permitted hours for the sale of alcohol. For the avoidance of doubt, a full menu shall be available up to 3 hours before the end of permitted hours for the sale of alcohol on any given day.**

The reality is that some flexibility needs to be given to closing kitchens when they are quiet. This does not remove the substantive element of the condition (there is substantial food for the majority of trading) but agreeing to keep a kitchen open, staffed and all cooking appliances on when there is no-one ordering food is clearly not viable in these economic times.

In relation to challenge 25 we appreciate that this is the preferred policy for York, but the operators train all staff to a challenge 21 standard and as far as we are aware in their significant trading history in York and other places have never had issues with underage drinking.

I look forward to hearing your thoughts.

Kind regards

Piers

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*Your premises licence may have a condition offering an additional hour of permitted trade on the Sunday preceding a bank holiday (Monday). With Her Majesty The Queen's funeral being designated a bank holiday, (some of) your premises may very well be able to operate an additional hour this weekend. Each licence is different so please check carefully.*

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**From:** Hollis, Kimberley <[Kimberley.Hollis@northyorkshire.police.uk](mailto:Kimberley.Hollis@northyorkshire.police.uk)>

**Sent:** 21 September 2022 12:05

**To:** Piers Warne <[Piers.Warne@TLTsolicitors.com](mailto:Piers.Warne@TLTsolicitors.com)>

**Subject:** RE: Fawkes and The Tiger, York

Hi Piers,

If they could not operate to the premise licence conditions then of course they would be unable to sell alcohol, whether they close is their decision. The licence conditions just relate to licensable activities as you know.

Challenge 25 is the policy set out in the York statement of licensing policy and this is the agreed scheme for the City.

As this premises sits within the CIA and I have suggested some very minor amendments to conditions to ensure the premises remains food led and in keeping with the special policy then I'm afraid if the client is unwilling to consider this or comment on the proposal I have sent I will have to submit a representation before close of play today.

Thank you for the update.

Kind Regards,  
Kim

PC 1671 Kim HOLLIS  
Alcohol Licensing Officer (York)  
Partnership Hub  
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**From:** Piers Warne <[Piers.Warne@TLTsolicitors.com](mailto:Piers.Warne@TLTsolicitors.com)>  
**Sent:** 21 September 2022 11:23  
**To:** Hollis, Kimberley <[Kimberley.Hollis@northyorkshire.police.uk](mailto:Kimberley.Hollis@northyorkshire.police.uk)>  
**Subject:** RE: Fawkes and The Tiger, York

Hi Kimberley,

I have asked the question of my client, but not heard back to be honest. I think they are looking at whether this would be feasible.

In particular, staffing, food and utility costs etc simply mean that we cannot guarantee that the kitchen could operate to these standards every day- which then poses the issue about what would happen if the kitchen could not open to the longer hours. Would the premises need to close?

Re Challenge policy, I have asked whether they train to 21 across their other premises as we would not want to impose different training regimes if that can be avoided.

Kind regards

Piers

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**From:** Hollis, Kimberley <[Kimberley.Hollis@northyorkshire.police.uk](mailto:Kimberley.Hollis@northyorkshire.police.uk)>  
**Sent:** 21 September 2022 09:18  
**To:** Piers Warne <[Piers.Warne@TLTsolicitors.com](mailto:Piers.Warne@TLTsolicitors.com)>  
**Subject:** Fawkes and The Tiger, York  
**Importance:** High

Good Morning Piers,

I just wanted to check you had sight of this and enquire if there is any response from the client? I believe the end of reps date was brought forward to today so I was keen to resolve this.

Kind Regards  
Kim

**PC 1671 Kim HOLLIS**  
**Alcohol Licensing Officer (York)**  
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**From:** Hollis, Kimberley  
**Sent:** 16 September 2022 15:46  
**To:** 'Piers.warne@tltsolicitors.com' <[Piers.warne@tltsolicitors.com](mailto:Piers.warne@tltsolicitors.com)>  
**Subject:** Fawkes and The Tiger

Good Afternoon Piers,

I have been reviewing the application for Fawkes and the Tiger, Stonegate, York and I have also seen the agreement with Public protection regarding the removal of recorded music from the application.

As you know this premises does sit within the CIZ and as such I would like to suggest the following small changes to conditions offered in the operating schedule which are more in line with other venues in the CIZ and the statement of licensing policy for York.

I can confirm that if your client is in agreement North Yorkshire Police have no objection to the application and will not submit any representation in respect of this.

**Offered condition 2, Replace with :**

**The premises shall operate as a predominately food led establishment. Substantial food and non-intoxicating beverages including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises up to 2 hour before the end of permitted hours for the sale of alcohol. For the avoidance of doubt, a full menu shall be available up to 2 hours before the end of permitted hours for the sale of alcohol on any given day.**

Offered condition 27, Replace with :

The licence holder will operate a Challenge 25 Age Verification Policy at the premises.

I look forward to hearing from you,

Kind Regards,  
Kim

PC 1671 Kim HOLLIS  
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