



## **Licensing Hearing**

**To:** Councillors Boyce, Gillies and McIlveen  
**Date:** Monday, 12 May 2014  
**Time:** 10.00 am  
**Venue:** The Thornton Room - Ground Floor, West Offices (G039)

### **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 in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

#### **4. Minutes**

To approve and sign the minutes of the Licensing Hearing held on 3<sup>rd</sup> April 2014.

#### **5. The Determination of an Application by Mr. Arumugam Kalamohanam for a Premises Licence Section 18(3)(a) in respect of Local News, 76 Goodramgate, York, YO1 7LF. (CYC-023162)**

Democracy Officer:

Name: Laura Bootland

Contact Details:

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For more information about any of the following, please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats.

Contact details are set out above.

**This information can be provided in your own language.**

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی میا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

**Distribution:**

Members of Licensing Act 2003 Sub-Committee

Licensing Officer

Legal Services

Applicant

Representors

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## **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.



City of York Council

Committee Minutes

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Meeting	Licensing/Gambling Hearing
Date	3 April 2014
Present	Councillors Boyce, Gillies and Richardson
In Attendance	Councillor Looker

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**71. Chair**

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

**72. Introductions****73. Declarations of Interest**

Members were asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which they may have in respect of business on the agenda.

**74. The Determination of an Application by Post Office Employees Social Club for a Premises Licence Section 18(3)(a) in respect of 26 Marygate, York YO30 7BH (CYC-023099)**

Members considered an application by Post Office Employees Social Club for a Premises Licence.

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. The following were taken into account:

1. The application form, in particular the operating schedule and the additional steps agreed to be taken by the applicant to promote the four licensing objectives.
2. The Licensing Officer's report and her comments made at the Hearing, including the fact that the venue currently operated as a registered club under a Club Premises Certificate and as such admissions were limited to club

members and their guests except on those occasions when the club operated under a Temporary Event Notice. The premise was not located within the special policy area. City of York Council's Environmental Protection Unit and North Yorkshire Police had met with the applicants who had agreed to a number of conditions being attached to the licence if granted. A map was tabled indicating the location of the premises.

3. The applicant's representations at the Hearing, including comments that the club was looking to make a fresh start following previous issues that had arisen. Details were given of the work that had taken place in respect of soundproofing and of the type of events that the club was looking to hold.
4. The representations made in writing and at the hearing, including representations made by a ward councillor. Issues raised included:
  - The residential nature of the area in which the premises were sited and the impact that the club had on local residents.
  - Concerns that the club would become primarily a music venue.
  - Concerns that public nuisance that would be caused, not only during events but also when people were entering and leaving the premises or were smoking outside the building.
  - Concerns regarding the operation and management of the premises in the past, including the issuing of a noise abatement notice.
  - Issues in respect of the car park.
  - Concerns that the proposed operating hours would exacerbate the situation for residents.

In respect of the proposed licence, the Sub-Committee had to determine whether to take any of the steps mentioned under Section 35(4) that it considered necessary for the promotion of the licensing objectives. Having regard to the above evidence and representations received, the Sub-Committee considered the steps which were available to them to take under Section 35(4) of the Licensing Act 2003 as it considered necessary for the promotion of the Licensing Objectives:

Option 1: Grant the licence in the terms applied for and including any applicable mandatory conditions of the Licensing Act 2003 as amended. This option was rejected as the Sub-Committee considered that it was necessary to add or modify any conditions to meet the Licensing Objectives.

Option 2: Grant the licence with modified/additional conditions imposed by the licensing committee including any applicable mandatory conditions of the Licensing Act 2003 as amended. This option was approved as the Sub-Committee considered there to be reason to modify or add any conditions to meet the Licensing Objectives.

Option 3: Grant the licence to which the application relates and modify/add conditions accordingly to include any applicable mandatory conditions of the Licensing Act 2003 as amended. This option was **rejected** as the Sub-Committee considered there was no reason to exclude any of the licensable activities, based on the representations, the Licensing Objectives and City of York Council Licensing Policy.

Option 4: Reject the application. This option was **rejected**, as the Sub-Committee saw no reason to reject the application based on the Licensing Objectives and City of York Council Licensing Policy.

In coming to their decision of approving the above Option 2 the Sub-Committee then imposed the following additional conditions as agreed with City of York Council's Environmental Protection Unit and as amended:

1. A documented noise management plan shall be submitted to and approved by the City of York Council within two months of the licence being granted, once approved it shall be implemented. The noise management plan will also include a procedure for investigating noise complaints received by Post Office Employees' Social Club and Institute Limited.
2. A documented customer dispersal policy and policy for the management of the front outside area of the premises to address any potential nuisance, shall be submitted and approved by City of York Council within two months of the licence being granted once approved it shall be implemented.

3. An alarm system shall be installed and be operational during hours of opening to the public which alerts staff when the rear fire door has been opened.
4. Prominent, clear and legible notices shall be displayed on all fire exits stating that fire exits are for emergency use only.
5. Documented patrols shall be carried out by members of staff at no less than hourly intervals during periods that live or recorded music is playing within the premises. These checks shall be undertaken outside the building to the front and rear to check for noise from inside the premises and noise from customers outside the venue to ensure compliance with Condition 6.
6. No music or amplified sound shall be audible at the boundary of the car park to the rear of the premises.
7. Staff training shall be given and documented regarding all matters relating to the license and its conditions. Records of training shall be kept for 3 years.
8. No live or recorded music shall be played in any part of the external area.
9. All doors (except for ingress or egress) and windows shall remain closed whilst live or recorded music are being played.
10. Signs shall be displayed near the exits reminding members and guests to respect the needs of those living nearby and to leave the premises as quietly as possible.
11. Bottle and glass collections shall take place between 08:00 and 20:00 hours Monday to Friday.
12. A direct contact number for the duty manager shall be made available to residents living in the vicinity of the premises on request.

The Sub-Committee also imposed the following additional conditions as agreed with North Yorkshire Police and as amended:

1. The venue shall operate (managerially) as a members club with an Executive Committee in place at all times but shall have the ability to allow non members entry under the terms of the premises licence.
2. A CCTV system will be installed to cover all public entry points to enable formal identification of the head and shoulders of every person entering in any lighting condition.
- 2(a) Within six months of the premises licence being granted 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.

3. The CCTV system will be maintained, working and recording at all times when the premises are open.
4. The recordings shall be of good evidential quality to be produced in court or other such hearing.
5. Copies of the recordings will be kept available for any responsible authority for 28 days.
6. Copies of the recordings shall be made available for any responsible authority within 48 hours of request.
7. Copies of the recordings will display the correct time and date of the recording.
8. 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.
9. Such records (referred to in condition 8) shall be kept for at least one year and they will be made available immediately upon a reasonable request from any responsible authority.
10. A Refusals Register and Incident Report Register will be kept. Such documents will record incidents of staff refusals to under-age or drunk people as well as incidents of any anti-social behavior and ejections from the premises.
11. Both documents (referred to in condition 10) shall be kept for at least one year and they will be made available immediately upon a reasonable request from any responsible authority.
12. The only acceptable proof of age identification shall be a current Passport, photocard Driving Licence or identification carrying the PASS logo.
13. The use of the venue under the terms of the premises licence shall be for pre-booked events/functions only.
14. Ordinarily, at least 21 days notice shall be given to the Police of forthcoming events/functions and that formal notification shall include the fact that the event is being run under the terms of the premises licence (not the club premises certificate).
15. Events that fall within the 21 day notification period can go ahead but only with the formal consent of the police. Such short notice events must still be pre-booked with no general entry to members of the public and would include events such as charity events/funeral gatherings/celebratory events.

16. For pre-booked celebratory events (celebration parties) there shall be no general entry to members of the public.
17. For pre-booked live music events where members of the public can pay on entry there shall be an adequate number of door supervisors (at least one) deployed at the venue from 20:00hours until the venue closes.

The Sub-Committee also amended the timings of the following licensable activities:

Films	Monday – Sunday	12:00 – 24:00
Live music	New Year’s Eve	12:00 - 02:00
Recorded music	New Year’s Eve	12:00 – 02:00
Late night refreshment	Monday – Sunday	23:00 – 24:00
	New Year’s Eve	23:00 – 02:00
Supply of alcohol	Monday – Sunday	12:00 – 24:00
	New Year’s Eve	12:00 – 02:00

The Sub-Committee also amended the opening times for the premises as follows:

Opening times	Monday – Sunday	09:00 – 00:30
	New Year’s Eve	09:00 – 02:30

It was agreed that all conditions offered by the applicant in the application, including the operating schedule, for granting the premises licence under the Licensing Act 2003, should be included in the licence, unless contradictory to the above conditions.

#### Reason for the Decision

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.

The Sub-Committee only took into account evidence relevant to the licensing regime and the promotion of the licensing objectives.

The Sub-Committee considered the representations made by residents that the grant of the premises licence would lead to

more people attending the premises and would increase noise, public nuisance and disorder associated with the premises.

The Sub-Committee noted that there has been a history of noise problems at the premises and that a noise abatement notice has been issued. They also noted that there had been no objection from the Responsible Authorities and that the Police and EPU had agreed a number of proposed conditions with the applicant to address disorder and public nuisance issues. The Sub-Committee considered that it had received sufficient assurances from the applicant in order to be satisfied that the current noise problems with the premises are being addressed by the applicant, that work is taking place to insulate the premises so that music will not disturb local residents and that the premises would be operated responsibly to avoid noise nuisance to local residents, particularly late at night. It also took into account that the premises would not be operated as a pub/night club under the terms of the premises licence.

The Sub-Committee concluded that the application was acceptable with the above mandatory and additional conditions which were appropriate and proportionate and addressed representations of local residents made both in writing and at the hearing, as it met all the licensing objectives and addressed concerns raised by representors.

Consequently, the Sub-Committee considered that all four licensing objectives would be met in granting the application with amended opening hours and timings for the licensable activities and conditions but reminded the applicant of the necessity of upholding the licensing objectives and the possibility of reviewing the licence if it was found that the licensing objectives were not being upheld.

**Resolved:** That Members determined the application in line with Option 2.

**Reason:** To address the representations made.

Councillor Boyce, Chair

[The meeting started at 10.00 am and finished at 1.05 pm].

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**Licensing Act 2003 Sub Committee****12<sup>th</sup> May 2014**

Report from the Assistant Director – Housing &amp; Community Safety

**Section 18(3) (a) Application for a premise licence for Local News, 76 Goodramgate, York YO1****Summary**

1. This report seeks Members determination of an application for the grant of a premise licence, which has been made under the Licensing Act 2003.
2. Application reference number: CYC-023162
3. Name of applicant: Mr Arumugam Kalamohan
4. Type of authorisation applied for: Grant of Premise Licence
5. Summary of application: The application is to allow for the sale of alcohol, off the premises, every day between 07:00hrs and 23:00hrs.

**Background**

6. A copy of the application is attached at Annex 1.

**Promotion of Licensing Objectives**

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

The DPS will take full responsibility to ensure that all staff are fully trained with a comprehensive knowledge of the “Challenge 25” policy and licensing objectives under the Licensing Act 2003. This training will be fully documented and refreshed every 6 months.

9. The prevention of crime and disorder

- a) The premises licence holder will install CCTV that follows DCMS guidelines for camera systems in licensed premises and which covers all licensed areas of the premises.
- b) The system will record for 31 days and all recordings will be made available to the police upon request.
- c) At least one member of staff will have training on the full workings of the system.
- d) Signage is in place to inform members of the public that the CCTV system is in operation.
- e) There will always be a personal licence holder on the premises throughout the time that licensable activities are taking place to authorise any sales of alcohol.

10. Public safety

- a) The DPS will be responsible to carry out fire and health and safety risk assessments and notices in relation to public health and safety will be displayed.
- b) The DPS will ensure that the premises operate in line with existing health and safety legislation.

11. The prevention of public nuisance

- a) The DPS and premises licence holder will monitor the external areas of the premises in relation to public nuisance or antisocial behaviour.
- b) Deliveries and rubbish collection will only take place during normal business hours and are at the rear of the premises.
- c) Any antisocial behaviour CCTV recordings will be made available to the police and environmental health officers.

12. The protection of children from harm:

- a) A Refusals Book will be kept on the premises for inspection by the responsible authorities.

- b) Signage will be displayed with regard to Challenge 25 and the fact that a “No ID - No Sale” policy is in place.

### **Special Policy Consideration**

- 13. The premise is located in the extended special policy area approved by full council on 27<sup>th</sup> March 2014. A copy of this policy is attached at Annex 2.

### **Consultation**

- 14. 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.
- 15. All procedural aspects of this application have been complied with.

### **Summary of Representations made by Responsible Authorities**

- 16. North Yorkshire Police have made a representation to the application on the grounds that the licensing objective, the prevention of crime and disorder would be undermined. A copy of their representation is attached at Annex 3.

### **Summary of Representations made by Parties other than Responsible Authorities**

- 17. There were no other representations.
- 18. A map showing the general area around the venue from which the representations are focused is attached at Annex 4.

### **Planning Issues**

- 19. There are no planning issues or conditions relevant to this application.

### **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 licence in the terms applied for.
22. Option 2: Grant the licence with modified/additional conditions imposed by the licensing committee.
23. Option 3: Grant 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.

### **Analysis**

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

### **Council Plan**

30. 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.
31. The promotion of the licensing objectives will support the Council's priorities to protect vulnerable people, build strong communities, and protect the environment.

## **Implications**

32.

- **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**

33. 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.
34. 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**

35. Members determine the application.

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

**Contact Details**

**Author:**

Lesley Cooke  
Licensing Manager

Tel No. 01904 551515

**Chief Officer Responsible for the report:**

Steve Waddington  
Assistant Director

Housing & Community Safety.

**Report  
Approved**



**Date** 24/04/2014

**Specialist Implications Officer(s)**

Head of Legal & Democratic Services  
Ext: 1004

**Wards Affected: Guildhall East**



**For further information please contact the author of the report**

**Background Papers:**

**Annex 1** - Copy of application form.

**Annex 2** - Special Policy

**Annex 3** - Copy of police representation.

**Annex 4** - Map showing location of venue.

**Annex 5** - Mandatory Conditions.

**Annex 6** - Legislation and Policy Considerations.