
MEETING	LICENSING HEARING
DATE	30 MAY 2006
PRESENT	COUNCILLORS KING, MOORE AND NIMMO

1. Chair

RESOLVED: That Councillor Nimmo be elected to act as Chair of the meeting.

2. Declarations of Interest

Members were invited to declare any personal or prejudicial interests in any of the business on the agenda. None were declared.

3. Exclusion of Press and Public

RESOLVED: That the press and public be excluded from the meeting prior to consideration of the personal data contained in Annexes 4a and 6 to Agenda Item 5 as provided by the Data Protection Act 1998.

4. The Determination of an Application by Mr Ali Gurgar to vary a Premises Licence Section 35(3)(a) in respect of Ali G, 11A, Tower Street, York, YO1 9SA ((CYC-010581)

Members considered an application by Mr Ali Gurgar to vary a premises licence at Ali G, 11A Tower Street, York, YO1 9SA.

In coming to their decision the Sub Committee took into consideration all the evidence and submissions that were presented and determined their relevance to the issues raised and the licensing objective; the prevention of public nuisance including:

1. The application form, in particular the existing licence conditions and the additional steps agreed to be taken by the applicant to promote the four licensing objectives.
2. The Licensing Officer's report and their comments made at the Hearing, including that the premises were in the special policy area. In determining the application for a variation of the hours, the Sub-Committee could have regard to the opening hours of other nearby premises and to ensure that the operation would not attract people into an otherwise quiet residential area. The applicant had adhered to all conditions attached to the current licence.

The Hearing was briefly adjourned, as the Sub Committee requested further information about opening hours and relevant

conditions on nearby premises. The Licensing Officer reported that the two adjacent restaurants; Jade Garden and The Olive Tree both opened until midnight everyday. A small amount of takeaway was served from the Jade Garden. The nearby Castle Snooker Club was open Monday to Saturday until 3am and Sunday until 1am. Admission to the Snooker Club was restricted to members only after 11pm.

3. The Applicant's representations at the Hearing, including that other food establishments in the area were open late. The premises opening later would not bring additional people into the area, as there were customers for the nearby Gallery nightclub already in the area.

A planning application would be sought for any additional hours granted under the Licensing Act 2003. The Applicant indicated that they would be willing to accept the closing hours as follows, which differed from the hours applied for; Sunday to Thursday 01:00 hrs, Friday to Saturday 03:00 hrs.

4. Written representations during the consultation period.

The Sub-Committee agreed to grant the variation of the premises licence with the following conditions.

1. The hours of opening shall be as follows, on each and every day:

Sunday	1600hrs – 0000hrs
Monday to Thursday	1600 hrs – 0100hrs
Friday to Saturday	1600 hrs – 0200 hrs

2. Conditions shall be as per the previous licence dated 22.09.2005, save as varied below.
3. The Applicant shall be required to become a member of Pub Watch, as agreed by the Applicant.
4. Any planning restrictions relating to opening hours shall be adhered to.

Cllr G Nimmo
Chair

The meeting started at 10.00 am and finished at 10.50 am.