
Licensing Act 2003 Sub Committee**5 September 2025**

Report from the Director – Environment & Regulatory Services

**Section 18(3) (a) Application for a premises licence for 18
Castlegate, York, YO1 9RP****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 082173
3. Name of applicant: Pairings Limited
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 restaurant. The licensable area covers the ground floor and part of the first floor. The plans show an outside area to the side/rear which falls outside of the licensable area, on the plan it states this area is for the consumption of alcohol.

Proposed Activity	Timings
Supply of Alcohol - On & off the premises	10:00 to 00:00 Sun to Thurs 10:00 to 01:00 Fri & Sat From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day
Late Night Refreshment - Indoors	23:00 to 00:00 Sun to Thurs 23:00 to 01:00 Fri & Sat

	From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day
Opening Hours	09:00 to 00:30 Sun to Thurs 09:00 to 01:30 Fri & Sat From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

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 an award-winning independent restaurant offering relaxed table service dining, offering small plates and sharing boards, featuring the best in locally sourced charcuterie, cheese, fish and desserts all expertly paired with fine wines. This application is effectively to relocate an existing, long-established business to this location from 28 Castlegate. The application does not include regulated entertainment
8. An overview of the circumstances in which entertainment activities are not licensable can be found at Annex 2.

Promotion of Licensing Objectives

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

10. General

- a. A documented staff training programme shall be provided to all members of staff at the premises in respect of the retail sale of alcohol, the age verification policy, the conditions attached to the premises licence, the permitted licensable activities, the licensing objectives, and the opening times for the premises These training records will be retained for 12 months and training refreshed yearly.
- b. The premises shall operate with a cafe style operation where the majority of customers will be seated. For the purpose of clarity cafe style shall be defined as a small restaurant serving light refreshments and meals.

- c. Save for those attending a pre-booked function or event customers shall only be served by way of waiter/waitress service.
- d. The sale of alcohol shall be ancillary to the sale of food.
- e. There shall be a minimum seating for 40 customers on the ground floor and apart from bona fide pre-booked functions a minimum seating for 8 customers on the first floor.

11. The Prevention of Crime and Disorder

- a. The Designated Premises Supervisor (DPS) is responsible for risk assessing the need for door staff at this venue. Special consideration shall be given to the need of door staff on race days, Fridays and Saturdays, bank holidays or for any locally or nationally significant event.
- b. Save for consumption in the external area all off sales will be in sealed containers.
- c. An incident/refusals book will be kept at the premises and made available on request by any responsible authority which will record all alcohol related crimes reported at the venue, any complaints received regarding alcohol related crime and disorder, any incidents of disorder and any refusals of the sale of alcohol.
- d. A digital colour CCTV system will be installed to cover the premises, and recorded coverage will include all areas (including outside areas) to where public have access to consume alcohol.
 - It will be maintained, working and recording at all times when the premises are open.
 - The recordings should be of good evidential quality to be produced in Court or other such hearing.
 - Copies of the recordings will be kept available for any Responsible Authority for 31 days. Subject to Data Protection requirements.
 - Copies of the recordings shall be made available to any Responsible Authority within 48 hrs upon request. Subject to Data Protection requirements.
 - Copies of the recordings will display the correct time and date of the recording.

- e. It is the responsibility of the management to ensure that there are sufficient members of staff available during the hours of operation to be able to download evidence from the CCTV system at the request of the police or responsible authority. Subject to Data Protection requirements.

12. Public Safety

See paragraphs 10 & 11 above.

13. The Prevention of Public Nuisance

- a. 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 the area quietly.
- b. After 23:00 all windows and doors will be closed to prevent disturbance to any nearby residents.
- c. The use of the external area will cease at 21:00 each day

14. The Protection of Children from Harm

- a. The premises will operate a "Challenge 25" policy. Any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licences with a photograph, photographic military ID, proof of age cards bearing the 'PASS' mark hologram and any other form of ID whether physical or digital as prescribed by the Secretary of State.

Special Policy Consideration

- 15. This premises is located within the cumulative impact assessment area which was approved by full council on 27 March 2025. The assessment can be found at Annex 3. Section 9 of the Statement of Licensing Policy which deals with Cumulative Impact can be found at Annex 4.

Consultation

- 16. 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.

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

Summary of Representations made by Responsible Authorities

18. There have been no representations from the Responsible Authorities.

Summary of Representations made by Other Parties

19. There have been two relevant representations received from other persons. The list of representors is attached at Annex 5.
20. The representations are predominantly based on the grounds of the prevention of public nuisance and the prevention of crime and disorder objectives. They state that these objectives will be undermined if the application is granted.
21. A copy of all the representations are attached at Annex 6.
22. A map showing the general area around the venue is attached at Annex 7.
23. The mandatory conditions that will be attached to this licence if granted (if they apply) can be found at Annex 8. The Legislation and Policy considerations can be found at Annex 9.

Options

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

29. Option 5: Reject the application.

Analysis

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

Council Plan

36. 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.
37. 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

- 38.
- **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

39. 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.
40. 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

41. Members determine the application.
Reason: To address the representations received as required by the Licensing Act 2003.

Contact Details

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**Report
Approved**



Date

13.08.2025

Specialist Implications Officer(s)

Head of Legal & Democratic Services
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Wards Affected: Guildhall



For further information please contact the author of the report

Background Papers:

- Annex 1** - Application form and Plan
- Annex 2** - Overview of Circumstances in which Entertainment Activities are not Licensable
- Annex 3** - Cumulative impact
- Annex 4** - Policy Extract
- Annex 5** - List of representors **(CONFIDENTIAL)**
- Annex 6** - Representations
- Annex 7** - Map
- Annex 8** - Mandatory Conditions
- Annex 9** - Legislation & Policy