

Consultation Responses

Ref :	Name & Address	Comments	Officer Comments
1	Micklegate premises licence holder and resident	<p>One of the major issues that is affecting Micklegate at the moment is the off licenses. <i>Micklegate off licence named</i> is a magnet for the street drinkers, my wife seeing them regularly at 7am waiting for their beer when she is taking the dog out, and often getting things said (although not usually aggressive thankfully, but usually unwelcome comments) she was recently approached by one, just asking for the opening times, didn't specify for alcohol, she answered that <i>off licence named</i> was already open, but he replied that they would not serve him beer!</p> <p>We regularly have to move them on from drinking in our alleyway as it is licensed and most days see them sitting on doorsteps up and down the street drinking high strength cheap beer / cider and there are not many places that sell that locally.</p> <p>I have looked at the licenses for both <i>Micklegate off licence named</i> and <i>off licence named</i> and there is a massive difference. There are very few conditions on <i>Micklegate off licence named</i> as its an old license, in terms of container size, security, alcohol pricing etc. Although <i>off licence named</i> don't help in terms of selling cheap drink to the students, they are not serving the problem drinkers.</p> <p>I understand you would struggle to add conditions to a specific licence without a full official review, but can the policy be more general, maybe prevent the sale of single cans from off licences, I'm not sure if there is any way of putting a minimum price per unit, or potentially not allowing them to sell before 10am as it is making a massive problem on our street.</p> <p>Otherwise a review of their license would not be out of order as they</p>	<p>Para 5.14 amended to include the selling of single cans</p>

		are certainly not upholding the objective of preventing public nuisance and regularly serve people who are obviously very drunk.	
2	Copmanthorpe WI	<p>Very interesting reading, many people we know don't like to go into town on a weekend night or day as there are so many drunken slobes about and it's very embarrassing showing visitors around.</p> <p>I support your new policy and endeavours and many of us would like to see no more pubs, bars, clubs, etc. York is getting known just for drunken loutish behaviour, too many drinking places and not enough shops and far too much student accommodation.</p> <p>'Walking a seagull on a lead down a main thoroughfare' is a new one on me though!</p>	Comments noted and shared with NYP colleagues.
3	PS Jackie Booth North Yorkshire Police	<p>Thank you for affording me the opportunity to comment on York's Draft Statement of Licensing Policy 2019-2024.</p> <p>The author of the document has produced a clear easy to read document which should be beneficial for any individual who wishes to seek advice or clarity regarding Licensing protocol within the City of York.</p> <p>My only observations that you may wish to consider are as follows:-</p> <p>1. Para 5.4 refers to the decrease in the last 10 years of violent crime. This is contradictory to what is set out in the Cumulative Impact Assessment Consultation which states at Para 22 "<i>an increase evident compared with the previous year (+24%)</i>". The inference is certainly that since 2016 there has been an increase in violent crime and the reference to crime patterns and trends should be consistent across both documents as they are likely to be read in conjunction with each other.</p>	Para 5.4 amended to include increase in crime stats

		<p>2. Para 13.7 and Para 13.8 refer to Closure notices. However there is no reference within the draft document to closure under The Anti-Social Behaviour, Crime and Policing Act 2014. The Act consolidated and amended powers which had been available to close licenced premises (under s161 and 165(2)(b)-(d) of the Licensing Act 2003), noisy premises (s.40 of the Anti-Social Behaviour Act 2003 'ASBA 2003'), premises associated with persistent disorder or nuisance (s.11B of the ASBA 2003) and drugs closures (s.2 ASBA 2003). The changes to the law now provides the police/local authority further recourse to closure powers by initially serving a Notice of Closure for a longer period of time which is now quick, easy and reliable, further supported with a formal Closure Order which can be obtained and endorsed by the Courts. Courts have to consider applications for closure orders/extensions (within 48 hours) making the process more efficient and streamlined in comparison to the process under the Licensing Act 2003. The legislation is a tool that can be used for Enforcement on Licensed Premises.</p> <p>Regarding the Cumulative Impact Assessment Consultation I am grateful to the Licensing Manager from the City of York Council in liaising with North Yorkshire Police collating the relevant information on Crime statistics and ASB for the document. I would support the recommendations for a continued Cumulative Impact Area, including a specific Red Zone.</p>	<p>Para 13.8 amended to include the update in legislation</p> <p>Comments noted</p>
4	Mike Southcombe Public Protection Manager	<p>In addition to the licensing objectives, we would like to see reference to the Regulators' Code 2014 with its' priority for regulators to carry out their activities in a way that supports those they regulate to comply and grow. This is consistent with City of York Council's priorities to support the economy, create growth and help businesses to thrive and to create good quality jobs (section 4.2).</p> <p>The hospitality, tourism and leisure activities are vital to York's</p>	New para 2.7 added to include the Regulators' Code

		<p>economy and are major employers including of less skilled workers. The figures quoted in 3.3 may have further increased. It is important to recognise that York's licensed premises are not just for tourists but the residents and businesses of York.</p> <p>There will soon be 4 cinemas in York when the new cinema at Monks Cross, Huntington opens in Summer 2019 (section 3.6).</p> <p>Section 7.12 Final bullet point - change phone number for Public Protection team to 01904 551525</p> <p>Section 8.9 Noise from patrons of licensed premises leaving the premises may not only cause disturbance when ambient noise levels are low, but also when they are higher, if the types of noise from the licensed premises and customers are distinctive.</p> <p>Section 14, p.29 Environmental Protection Act 1990 not 1991. The CNEA powers on night time noise were not adopted.</p>	<p>Updated figures received prior to the consultation</p> <p>Para 3.6 amended to include Community Stadium complex</p> <p>Amended</p> <p>Para 8.9 amended</p> <p>Act year amended, the other point is not relevant to this policy</p>
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