
MEETING	LICENSING HEARING
DATE	23 JUNE 2006
PRESENT	COUNCILLORS BARTLETT, SUE GALLOWAY AND B WATSON

5. Chair

RESOLVED: That Councillor Bartlett be elected to act as chair of the meeting.

6. Declarations of Interest

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

7. 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 3a and 5 to Agenda Item 5 as provided by the Data Protection Act 1998.

8. The Determination of an Application by Debretton Hospitality Ltd to Vary a Premises Licence for Section 35(3)(a) in respect of Marmadukes, 4 & 5 St Peter's Grove, York. (CYC-010461)

Members considered an application by Debretton Hospitality Ltd to vary a Premises Licence at Marmadukes, 4 & 5 St Peter's Grove, York.

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 clarification that the outside decking area was licensed under the existing licence. The areas applied for under the application for the variation of the licence included the Roman garden to the rear and mini bars for each of the hotel rooms at 4 & 5 St Peter's Grove. Even if the rear garden was not licensed it could still be used for the consumption of alcohol.

3. The Applicant's representations at the Hearing, including that the Applicant had no intention of providing regulated entertainment in the outside areas of the premises including outside speakers.

The Applicant stated that she would withdraw the application for licensable activities in the Roman garden to the rear of the premises. The application then applied only to the provision of mini bars in the hotel rooms.

All parties agreed to allow the Applicant a leaflet brochure about the luxury hotel.

4. The representations made by Councillor Scott on behalf of a local resident. The Sub-committee considered the written representation to be relevant to the issues raised and the licensing objective, the prevention of public nuisance, as concerns were raised about noise nuisance and anti-social behaviour.
5. The representations made by a local resident and at the Hearing. The Sub-Committee considered the written representation to be relevant to the issues raised and the licensing objective' the prevention of public nuisance, as concerns were raised about noise nuisance from the outside areas.
6. Written representations made during the consultation period.

The Sub-Committee noted that, at the Hearing, the Applicant had withdrawn the application for licensable activities in the external areas covered by the variation application.

After coming to the decision in the terms applied for the Sub-Committee made the following recommendation:

1. The Sub-Committee note that the applicant stated that they had no intention of providing outside entertainment, including use of external speakers, in all outside areas.

Cllr M Bartlett
Chair

The meeting started at 10.10 am and finished at 11.35 am.