

MEETING	LICENSING HEARING
DATE	29 APRIL 2010
PRESENT	COUNCILLORS MERRETT, LOOKER AND WISEMAN

52. CHAIR

RESOLVED: That Councillor Merrett was elected as Chair of the meeting.

53. DECLARATIONS OF INTEREST

At this point in the meeting Members were asked to declare any personal or prejudicial interests they may have in the business on the agenda. None were declared.

54. MINUTES

RESOLVED: That the minutes of the licensing hearings held on 4th January 2010 and 25 January 2010 be approved and signed by the Chair as a correct record.

55. THE DETERMINATION OF AN APPLICATION BY MR. A CAGLAR FOR A PREMISES LICENCE SECTION 18(3)A IN RESPECT OF PIZZA TIME, 193 BURTON STONE LANE, YORK, YO30 6DG. (CYC- 016859)

Members considered an application by Mr. A Caglar for the variation of a premises licence, in respect of Pizza Time, 193 Burton Stone Lane, York.

In coming to their decision the Sub Committee 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. It was clarified with the applicant exactly what hours were being applied for, which were confirmed as follows: Monday to Friday 23:00 to 00:30
2. The Licensing Officers report and his comments made at the hearing. He advised that should the licence be approved, it would be subject to planning consent being granted. Consultation had been carried out correctly with a notice displayed in the premises window. North Yorkshire Police had mediated with the applicant

following the applicant agreeing to the addition of a number of conditions being added to the licence.

3. The applicants representation, including the fact that he wished to open slightly later in order to benefit from late night passing trade and to bring Pizza Time's opening hours in line with a take away situated close by.
4. The representations made by City of York Council's Environmental Protection Unit and Planning Department. Both raised concerns regarding the noise nuisance and impact on the amenity of local residents should Pizza Time's hours be extended. They felt a precedence should not be set in the area, which has relatively few late night establishments.
5. Written representations made during the consultation period.

Members were presented with the following options:

- Option 1 Grant the licence in the terms applied for.
- Option 2 Grant the licence with modified/additional conditions.
- Option 3 Grant the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
- Option 4 Reject the application.

Members chose Option 2 and amended the hours applied for and added conditions as follows:

1. The hours sought shall be limited to 23:00 to midnight on Friday and Saturday nights only.
2. CCTV will be installed to cover the premises and will include all areas to where the public have access. It will be maintained, working and recording at all times when the premises are open. The recordings shall be of sufficient quality to be produced in Court or other such Hearing. Copies of the recordings will be kept available for any Responsible Authority for 14 days.
3. 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 area quietly.
4. Upon closing the premises at the conclusion of business, staff will undertake a general litter pick up and tidy of the general area of the premises.
5. Unaccompanied children (i.e. persons under the age of 18 years) shall not be allowed on the premises unless accompanied by a person over the age of 18 years after 23:00.

Note to applicant – Planning consent is separately required before the premises can utilise the agreed hours and the licence can be called in for review at any time.

RESOLVED: That in line with Option 2, the licence be granted.

REASON: To address the representations made.

Councillor Merrett, Chair

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