

---

MEETING	LICENSING HEARING
DATE	20 NOVEMBER 2006
PRESENT	COUNCILLORS BARTLETT (IN THE CHAIR), HORTON AND MOORE

**25. Chair**

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

**26. Declarations of Interest**

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

**27. 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 3 and 5 to Agenda Item 5 as provided by the Data Protection Act 1998.

**28. The Determination of an Application by Mr Wayne Dixon and Mr Kirk Jemison for Determination of an Application to Vary Premises Licence Section 35(3)(a) in respect of Subway, 2 Clifford Street, York, YO1 9RD. (CYC-010949)**

Members considered an application by Mr Wayne Dixon and Mr Kirk Jemison to vary a premises licence at Subway, 2 Clifford Street, York, YO1 9RD.

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 objectives, the prevention of crime and disorder and 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, in particular that the need for a licence only applies to licensable activities between 23:00 hours and 05:00 hours. It was noted that door staff were already employed at the premises and that following consultation with the Police, it had been agreed that they were only required for Friday, Saturday and Sunday nights.

3. The Applicant's representations at the Hearing, in particular the fact that it was the policy of the Applicants not to sell hot drinks between 23:00 and 05:00. Also that the speedy preparation of food resulted in the quick dispersal of customers from the area.
4. The representations made by a local resident in writing and at the Hearing. In particular, his concern that an extension to the opening hours would further add to the pressure in the Cumulative Impact Zone. The Sub-Committee considered the written representations to be relevant to the issues raised and the licensing objectives as he lived in the vicinity of the premises.
5. Written representations made during the consultation period.

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

1. The variation to the licence will only come into effect when the Licensing Authority have received documentary evidence that the Applicants had joined the Pub Watch scheme.
2. The Licence will operate from 23:00 to 05:00 each and every day.
3. Door staff will be employed every Friday, Saturday and Sunday between the hours of 23:00 and the subsequent 03:00.
4. Litter shall be picked within the vicinity of the premises whilst it is open.

Cllr M Bartlett  
Chair

The meeting started at 10.10 am and finished at 11.05 am.