
MEETING	LICENSING HEARING
DATE	22 MARCH 2007
PRESENT	COUNCILLORS SUE GALLOWAY, HORTON AND MOORE

55. Chair

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

56. Declarations of Interest

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

57. The Determination of an Application by Alan Stephen Robinson for The Determination of an Application to Vary a Premises Licence Section 35(3)(a) in respect of the Lighthorseman, 124 Fulford Road, York, YO10 4BE. (CYC-008986)

Members considered an application by Alan Stephen Robinson to vary a premises licence at The Lighthorseman, 124 Fulford Road, York, YO10 4BE.

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 his comments made at the Hearing including that this was a traditional community Public House in a predominantly residential area that also had eight letting rooms.
3. The Applicant's representations at the Hearing, including that they ran a successful Public House and in the three years that they had been there they had not had any complaints from any of the responsible authorities. The reason they were applying for the variation was connected with the smoking ban that would be coming into force later in the year. They felt that it would be easier to monitor noise levels from their customers if they were in the beer garden rather than if they stood in the street to smoke.

4. The representations made by Councillor D'Agorne on behalf of local residents, including that this was predominantly a residential area that housed many families with young children. He said that the restriction placed on the beer garden at a previous Hearing had, by and large, worked and any later opening time for this area could have a detrimental effect on the local residents.
5. Written representations made during the consultation period.

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

- Sunday to Thursday The beer garden must be vacated, cleaned and cleared by 23:00 hours
- Friday and Saturday the beer garden must be vacated, cleaned and cleared by midnight.
- A sign must be placed on the door to the beer garden asking customers to leave quietly.

All conditions offered by the Applicant in the application, including the operating schedule, for variation of the premises licence under the Licensing Act 2003, shall be included in the licence, unless contradictory to the above conditions.

Councillor D Horton
Chair

The meeting started at 10.15 am and finished at 11.30 am.