

## **AGENDA SUPPLEMENT 3**

### **Licensing/Gambling Hearing**

**To:** Councillors Galvin, Hook and Norman  
**Date:** Thursday, 17 June 2021  
**Time:** 10.00 am  
**Venue:** Remote Meeting

The Agenda for the above meeting was published on **9 June 2021**. The attached additional document is now available for the following agenda item:

- 6. The Determination of an Application by Hardy Ltd. for a Section 18(3) (a) Premises Licence in respect of 7 Castlegate, York, YO1 9RN (CYC-068419)** (Pages 1 - 20)

This agenda supplement was published on **15 June 2021**.

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**CITY OF YORK COUNCIL**  
Licensing Services, Hazel Court EcoDepot, James Street,  
York, YO10 3DS

**Application for a premises licence to be granted under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We HARDEY LTD  
*(Insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 - Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
7 CASTLEGATE YORK			
Post town		Postcode	YO1 9RN
Telephone number at premises (if any)	N/A		
Non-domestic rateable value of premises	£ 13,500.00		

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as

**Please tick as appropriate**

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i as a limited company/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  please complete section (B)
  - iii as an unincorporated association or  please complete section (B)

- iv other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)
Surname			First names	
Date of birth		I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality				
Current residential address if different from premises address				
Post town			Postcode	
Daytime contact telephone number				
E-mail address (optional)				
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see				

note 15 for information)

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service; (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	HARDEY LTD
Address	71-75 SHELTON STREET LONDON GREATER LONDON WC2H 9JQ
Registered number (where applicable)	1333 4735

Description of applicant (for example, partnership, company, unincorporated association etc.)  
 LIMITED COMPANY

Telephone number (if any)

E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
01	07	2021

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

THE GROUND FLOOR UNIT WILL BE A CAFE/BAR SPECIALISING IN THE SALE OF NATURAL AND ORGANIC WINES/BEERS AND SPIRITS ALONGSIDE A FOOD MENU OF LOCALLY SOURCED INGREDIENTS EG. CHARCUTERIE BOARDS. THE LICENSING ACTIVITIES SUCH AS THE SALE AND CONSUMPTION OF ALCOHOL WILL BE WITHIN THE BOUNDARIES OF THE SITE PLAN SEATING WILL BE PROVIDED INTERNALLY AND EXTERNALLY MARKED IN THE AREAS OF THE SITE PLAN. THE OFFSALE OF ALCOHOL AND FOOD WOULD BE SEALED FOR THE INTENTION TO CONSUME AT HOME.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

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What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)

- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**A**

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					



**B**

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 4)	Both
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

**E**

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			Please give further details here (please read guidance note 4)	
Thur				
Fri			State any seasonal variations for the performance of live music (please read guidance note 5)	
Sat				
Sun			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)	

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both</u> – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10:00	01:00	<u>Please give further details here</u> (please read guidance note 4) MUSIC WILL BE RECORDED BACKGROUND MUSIC. DOORS AND WINDOWS WILL BE CLOSED BY 23:00 HOURS TO REDUCE NOISE POLLUTION.	Both	<input type="checkbox"/>
Tue	10:00	01:00			
Wed	10:00	01:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5) NEW YEARS EVE → 10:00 - 02:00 BST - AN EXTRA HOUR FOR WHEN THE CLOCKS GO FORWARD		
Thur	10:00	01:00			
Fri	10:00	01:00	<u>Non standard timings. Where you intend to use the premises for                      the playing of recorded music at different times to those listed in                      the column on the left, please list</u> (please read guidance note 6)		
Sat	10:00	01:00			
Sun	10:00	01:00			

**G**

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

**H**

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>	Both	<input type="checkbox"/>
Wed					
Thur					
Fri			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	01:00	<u>Please give further details here</u> (please read guidance note 4) TO CONTINUE SERVING ALCOHOL IN THESE HOURS.	Both	<input type="checkbox"/>
Tue	23:00	01:00			
Wed	23:00	01:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) NEW YEARS EVE 23:00 - 02:00 BST - AN EXTRA HOUR FOR WHEN THE CLOCKS GO FORWARD		
Thur	23:00	01:00			
Fri	23:00	01:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	23:00	01:00			
Sun	23:00	01:00			



J


Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption - please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	11:00	01:00	State any seasonal variations for the supply of alcohol (please read guidance note 5) NEW YEARS EVE 23:00 - 02:00 BST - AN EXTRA HOUR FOR WHEN THE CLOCKS GO FORWARD	Both	<input checked="" type="checkbox"/>
Tue	11:00	01:00			
Wed	11:00	01:00			
Thur	11:00	01:00			
Fri	11:00	01:00			
Sat	11:00	01:00			
Sun	11:00	01:00			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)</b> RACE DAYS AND FOR OTHER LOCALLY OR NATIONALLY SIGNIFICANT EVENTS, START TIMES MAY COMMENCE AT 10:00 HOURS.		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name HANNAH LOUISE MCLARTAN	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known) YORK COUNCIL	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A 

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	<p>NEW YEARS EVE 23:00 - 02:00</p> <p>BST - AN EXTRA HOUR FOR WHEN THE CLOCKS GO FORWARD</p>
Mon	11:00	01:00	
Tue	11:00	01:00	
Wed	11:00	01:00	
Thur	11:00	01:00	
Fri	11:00	01:00	
Sat	11:00	01:00	
Sun	11:00	01:00	
			<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p> <p>RACE DAYS AND FOR LOCALLY OR NATIONALLY SIGNIFICANT EVENTS, START TIMES MAY COMMENCE AT 10:00</p>

**M**

Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

ANNUAL STAFF TRAINING WILL BE CONDUCTED. ENFORCING THE PREMISE LICENSE REGULATIONS. YEARLY RECORDS OF THIS TRAINING WILL BE KEPT ON SITE FOR EACH EMPLOYEE.

**b) The prevention of crime and disorder**

OPERATIONAL CCTV WILL BE INSTALLED  
DPS WILL ASSESS THE NEED FOR DOOR STAFF.  
DPS WILL BUILD LINKS WITH THE LOCAL COMMUNITY / WATCH DOG.  
ALL OFFSALES WILL BE IN SEALED CONTAINERS.  
ALL STAFF WILL DISCOURAGE IRRESPONSIBLE DRINKING AND BEHAVIOUR.

**c) Public safety**

INCIDENT BOOK WILL BE KEPT ON SITE AND UP TO DATE.  
OPERATIONAL CCTV  
ALL EXIT SIGNS WILL BE ILLUMINATED  
FIRE SAFETY REGULATIONS WILL BE IN PLACE.  
STAFF WILL BE FIRST AID TRAINED.

**d) The prevention of public nuisance**

DPS WILL CLOSE ALL DOORS AND WINDOWS AT 23:00 TO REDUCE NOISE.  
PROMINATE SIGNS WILL BE PLACED AT EXITS REQUESTING GUEST TO RESPECT LOCAL RESIDENTS AND LEAVE THE PREMISE QUIETLY.

**e) The protection of children from harm**

PREMISES WILL OPERATE THE 'CHALLENGE 25' POLICY. ONLY ACCEPTABLE PROOF OF AGE, AS STATED IN THE LICENSE REGULATIONS WILL BE ACCEPTED.

**Checklist:**

Please tick to indicate agreement

- I have made or enclosed payment of the fee. \*
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

**Part 4 – Signatures** (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her</li> </ul>
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	proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	19 <sup>th</sup> /04/2021
Capacity	DIRECTOR OF HARDEY LTD.

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

