

City of York Council
Licencing Services
Hazel Court EcoDepot
James Street
York, YO10 3DS

Our ref JW/ZW/KOAY/17678/1

Your ref

Date 9 March 2021

(Delivered by Hand)

Dear Sirs

**Application for Premises Licence – 16 Barbican Road, York, YO10 5AA – Applicant
– Mr Kheng Chooi Koay**

We enclose an application for a premises licence together with the relevant supporting documents and a cheque for £315 in payment of the applicable fee.

Please let us know if you would prefer payment to be made by BACS transfer instead and, if this is the case, please let us have the relevant bank details.

It will be much appreciated if you could check the documentation and let us know if there are any issues with it as soon as you possibly can.

Yours faithfully



GUEST WALKER
john.walker@guestwalker.co.uk

Enclosed:
Cheque



WWW.GUESTWALKER.CO.UK

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Solicitors: Sean Gallagher LL.M (Associate), Rowena Rogers M.A (Cantab) TEP, Hudda Morgan LLB (Hons), Rachel Butterfield B.A
Life Planning Executive: Emma Hartley GCILEx **Conveyancing Executives:** Vicky Middleton, Amanda Alden

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**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 MR KHENG CHOOI KOAY

(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 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			
16 BARBICAN ROAD			
Post town	York	Postcode	YO10 5AA
Telephone number at premises (if any)	01904 466785		
Non-domestic rateable value of premises	£39,250		

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company | | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname KOAY			First names KHENG CHOOI		
Date of birth		I am 18 years old or over		<input checked="" type="checkbox"/> Please tick yes	
Nationality MALAYSIAN					
Current residential address if different from premises address		28 ST PHILIPS GROVE			
Post town	YORK			Postcode	YO30 6JP
Daytime contact telephone number			07920 031111		
E-mail address (optional)		-			

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 over		I am 18 years old or <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)			

(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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional) -

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

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)

**THREE STOREY PROPERTY AT 16 BARBICAN ROAD, YORK, YO10 5AA
(OPERATING AS A RESTAURANT, TAKEAWAY AND KARAOKE BAR)**

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

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"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue			State any seasonal variations for performing plays (please read guidance note 5)			
Wed						
Thur			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)			
Fri						
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"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)			
Wed						
Thur			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)			
Fri						
Sat						
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (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

Boxing or wrestling entertainments 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"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
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)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) No more information available at present – unamplified.		
Mon	10.00	03.30			
Tue	10.00	03.30			
Wed	10.00	03.30	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	10.00	03.30			
Fri	10.00	03.30	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) FROM THE END OF PERMITTED HOURS ON NEW YEAR'S EVE TO THE START OF PERMITTED HOURS ON NEW YEAR'S DAY. AN ADDITIONAL HOUR ON THE DAY THAT BRITISH SUMMERTIME STARTS.		
Sat	10.00	03.30			
Sun	10.00	03.30			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Standard background music – it may be amplified.	
Mon	10.00	03.30		
Tue	10.00	03.30		
Wed	10.00	03.30	State any seasonal variations for the playing of recorded music (please read guidance note 5)	
Thur	10.00	03.30		
Fri	10.00	03.30		
Sat	10.00	03.30	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 (please read guidance note 6)	
Sun	10.00	03.30	<p>FROM THE END OF PERMITTED HOURS ON NEW YEAR'S EVE TO THE START OF PERMITTED HOURS ON NEW YEAR'S DAY. AN ADDITIONAL HOUR ON THE DAY THAT BRITISH SUMMERTIME STARTS.</p>	

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	10.00	03.30			
Tue	10.00	03.30			
Wed	10.00	03.30	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	10.00	03.30			
Fri	10.00	03.30	<u>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</u> (please read guidance note 6)		
Sat	10.00	03.30			
Sun	10.00	03.30			

FROM THE END OF PERMITTED HOURS ON NEW YEAR'S
EVE TO THE START OF PERMITTED HOURS ON NEW
YEAR'S DAY. AN ADDITIONAL HOUR ON THE DAY THAT
BRITISH SUMMERTIME STARTS.

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing KARAOKE		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	10.00	03.30		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	10.00	03.30	<u>Please give further details here</u> (please read guidance note 4)		
Wed	10.00	03.30			
Thur	10.00	03.30	<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)		
Fri	10.00	03.30			
Sat	10.00	03.30	<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)		
Sun	10.00	03.30			
			FROM THE END OF PERMITTED HOURS ON NEW YEAR'S EVE TO THE START OF PERMITTED HOURS ON NEW YEAR'S DAY. AN ADDITIONAL HOUR ON THE DAY THAT BRITISH SUMMERTIME STARTS.		

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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) -		
Mon	23.00	03.30			
Tue	23.00	03.30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) -		
Wed	23.00	03.30			
Thur	23.00	03.30	<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) FROM THE END OF PERMITTED HOURS ON NEW YEAR'S EVE TO THE START OF PERMITTED HOURS ON NEW YEAR'S DAY. AN ADDITIONAL HOUR ON THE DAY THAT BRITISH SUMMERTIME STARTS.		
Fri	23.00	03.30			
Sat	23.00	03.30			
Sun	23.00	03.30			

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 checked="" type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) -		
Mon	10.00	03.30			
Tue	10.00	03.30			
Wed	10.00	03.30			
Thur	10.00	03.30			
Fri	10.00	03.30			
Sat	10.00	03.30			
Sun	10.00	03.30			
			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)		
			FROM THE END OF PERMITTED HOURS ON NEW YEAR'S EVE TO THE START OF PERMITTED HOURS ON NEW YEAR'S DAY. AN ADDITIONAL HOUR ON THE DAY THAT BRITISH SUMMERTIME STARTS.		

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	MR KHENG CHOOI KOAY
Date of birth	18/06/1976
28 ST. PHILIPS GROVE YORK	
Postcode	YO30 6JP
Personal licence number (if known)	HDC 1084
Issuing licensing authority (if known)	HAMBLETON DISTRICT 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).

-

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	
Mon	10:00	04.00	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 (please read guidance note 6) FROM THE END OF PERMITTED HOURS ON NEW YEAR'S EVE TO THE START OF PERMITTED HOURS ON NEW YEAR'S DAY. AN ADDITIONAL HOUR ON THE DAY THAT BRITISH SUMMERTIME STARTS.
Tue	10:00	04.00	
Wed	10:00	04.00	
Thur	10:00	04.00	
Fri	10:00	04.00	
Sat	10:00	04.00	
Sun	10:00	04.00	

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)

The applicant accepts that there have been problems with regard to the management/running of these premises in the past but he was not involved with those practices and wishes to start afresh now. This will be a family friendly restaurant that offers takeaway facilities and entertainment in the form of karaoke and the applicant wants to make sure that all four licencing objectives are considered at all times so that there is no repetition of some of the past problems. The applicant is putting in place proper structures to make the business work successfully going forward – including proper training and management – and with a wholly new management team in place.

He has got Peninsula involved to ensure that all HR matters are dealt with properly and that risks are identified, the law is complied with and appropriate training programmes are put in place.

The applicant will also ensure that the property is Covid compliant at all times and in all respects and training will be given to ensure this.

b) The prevention of crime and disorder

The applicant is happy to have full modern CCTV coverage and to accept reasonable conditions for the storage, copying and easy viewing of it. It will include all areas to which the public have access for licenced activities and where the public can consume alcohol and will display the correct time and date of the recording. The applicant has always operated a zero tolerance approach in relation to any kind of crime and disorder in premises that he has been responsible for but realises that this goes much further and that he would have a responsibility to help to keep the whole of central York free of trouble. He would refuse to serve someone who is intoxicated and would be prepared to involve the police and other legal avenues, if required.

Documented staff training will be given regarding the retail sale of alcohol, the conditions attached to the Premises Licence and the opening/operating hours of the venue and such training will be refreshed and documented every six months. Training records will be kept for at least three years and will be accessible for inspection upon request by any responsible authority.

Rigorous steps will also be taken to check employees and ensure that everyone involved in any aspect of running the business has proper immigration clearance and the right to work in the UK and no criminal activity of any kind will be tolerated. Full written employment records will be kept and will be available for inspection.

Neither Miss Tina Feng nor Mr Zhongle Chen will have anything to do with the running of the business and will not be the DPS at any time.

c) Public safety

The applicant is happy for a capacity limit to be put in place for the property and for door supervisors to be in place at applicable times, particularly after midnight.

Where the karaoke rooms are being used there shall be at least one member of staff permanently situated on each floor of the venue on which the room is being used and the member of staff will monitor the rooms that are in use and will enter each room that is occupied no less than every 30 minutes. The members of staff situated on the first and second floor shall be in direct radio link with the door staff and will ensure that all alcohol consumed in the karaoke rooms is served by way of waiter/waitress service. All users of the karaoke rooms will have evidence of their room hire on their food bill as suitable evidence of food purchase and use of the karaoke rooms will be limited to customers who have consumed a meal in the restaurant, excluding snacks. No dancing is to take place on the ground floor of the building at any time.

There have been previous issues with hygiene and food safety standards/breaches but these have been addressed and the applicant will maintain standards going forward. Advice is being taken to ensure that these standards continue going forward (including putting in place a staff management plan and a waste management plan). Means of escape will not be locked. Fire systems are being updated and no staff will live/sleep in cramped conditions.

d) The prevention of public nuisance

The applicant is happy to agree that after midnight the only door used by members of the public to enter the premises will be the main door onto Barbican Road and that the last entry to the premises shall be at midnight. He is also happy to agree that, after midnight, customers who have left the venue to smoke shall be monitored by a door supervisor in a clearly demarked area at the front of the venue, which will not block the footpath. Drinking glasses of any type will not be allowed to enter or leave the premises whilst under the customers' care. A refusals register and an incident report register will be kept and prominent, clear and legible notices will be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly. A direct contact number for the duty manager shall be available to residents living in the vicinity of the premises, on request, and all doors and window shall be closed during regulated entertainment or, when entertainment is not provided, after 11pm each night – except for ingress and egress.

e) The protection of children from harm

There will be a challenge 21 policy in operation at the premises requiring any individual who appears to be under the age of 21 to produce identification to prove that they are over the age of 18, the sale of alcohol being refused where they are unable to do so. The following forms of identification will be acceptable – photocard driving licence, valid passport, PASS accredited proof of age card and any other form of identification previously agreed with representatives of North Yorkshire Police. The applicant very much wishes this to be a family friendly property and will do everything that he can to make sure that this happens and that children are not exposed to any risk of crime, disorder, lack of safety or public nuisance. Steps will be taken to ensure that knives are not sold to children.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
 - I have enclosed the plan of the premises. X
 - I have sent copies of this application and the plan to responsible authorities and others where applicable. X
 - I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
 - I understand that I must now advertise my application. X
 - I understand that if I do not comply with the above requirements my application will be rejected. X
- [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). X


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.**

Declaration	<ul style="list-style-type: none">• [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).
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	<ul style="list-style-type: none"> 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 proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	MARCH 9 th 2021
Capacity	Solicitor

For joint applications, signature of 2nd applicant or 2nd 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) JOHN WALKER GUEST WALKER 12A SHAMBLES			
Post town	YORK	Postcode	YO1 7LZ
Telephone number (if any)	01904 624903		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) john.walker@guestwalker.co.uk			