

## **Public Protection Representation**

Public Protection are making representation against the premises licence grant for The Regency at 16 Barbican Road, York, YO10 5AA on the grounds of public nuisance.

I have been in mediation with the applicants and have agreed the following conditions which should be attached to any granted license:

### **Protection of Children from Harm**

- There shall be a "Challenge 25" 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 are acceptable: photocard driving licence, valid passport, PASS accredited 'Proof of Age Card', any other form of identification previously agreed with representatives of North Yorkshire Police licensing Unit.

### **Prevention of Public Nuisance**

- After 24:00hrs the only door used by members of the public to enter the premises shall be the main door on to Barbican Road.
- Last public entry to the premises shall be 24:00hrs. For the purpose of clarity no members of the public will be allowed entry to the premises after 24:00hrs until the close of business (this does not prevent re-entry to customers who have left the venue to smoke).
- After 24:00hrs 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.
- 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.
- A direct contact number for the duty manager shall be made available to residents living in the vicinity of the premises on request.
- The use of external areas shall be restricted to 10:00hrs – 23:00hrs each day. After this time, customers shall only be permitted at the front of the property, fronting onto Barbican Road, for the purpose of smoking.
- A detailed noise management plan shall be devised prior to the premises operating. The plan should be submitted and agreed by the local licensing authority to their reasonable satisfaction prior to its implementation. It shall show how nearby

residential properties will be protected from noise generated at the premises. The agreed noise management plan shall be implemented at all times during regulated entertainment.

### **Concern**

I had a concern about the sale of knives from the premises as in box "E" Protection of children from harm the applicant had written "Steps will be made to ensure that knives are not sold to children". I am happy to confirm that the applicant has agreed that no knives shall be sold from the premises.

### **Outstanding Concern**

The following condition has been proposed to be attached to the license: "All doors and windows shall be closed during regulated entertainment or, when entertainment is not provided, after 23:00hrs each night (except for ingress and egress)." The applicant has agreed to this with a caveat that we understand that the windows on the top floor will be open as staff have access to that area. This makes the condition ambiguous and may affect the ability for the local authority to enforce it.

Public Protection have recently received noise complaints about loud music from the premises that affected 2 nearby residents and there is a risk that if the top floor windows are opened then noise from the premises will rise and escape from these windows affecting the nearby neighbours. Public Protection are therefore making representation on the grounds of public nuisance unless this condition can be fully agreed.

Regards

Michael Golightly  
**Technical Officer**