

Licensing Hearing

To: Councillors Douglas, Mason and Pavlovic

Date: Monday, 21 August 2017

Time: 10.00 am

Venue: The Thornton Room - Ground Floor, West Offices (G039)

AGENDA

1. Chair

To elect a Member to act as Chair of the meeting.

2. Introductions

3. Declarations of Interest

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

4. Minutes

To approve and sign the minutes of the Licensing Hearing held on 26 June and the Taxi Licensing Hearing held on 17 July.

5. Determination of an Application by Mr Shaun Binns & Mrs Jamie-Leigh Binns for a Premises Licence Section 18(3)(a) in respect of 7 Kings Staith, York, YO1 9SN (CYC-058743)

Democracy Officer:

Name: Laura Clark

Contact Details:

- Telephone – (01904) 554538
- Email - Laura.Clark@york.gov.uk

For more information about any of the following, please contact the Democracy Officer responsible for servicing this meeting:

- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats.

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

Distribution:

Members of Licensing Act 2003 Sub-Committee

Licensing Officer

Legal Services

Applicant

Representors

Press

Library



LICENSING ACT 2003 SUB – COMMITTEES PROCEDURE FOR HEARINGS

Introduction

The procedure outlined below will be followed at all Licensing Hearings.

As Licensing Hearings are quasi-judicial the Sub-Committee will, in effect, act like a Court and the rules of natural justice will apply. The Sub-Committee will be guided by legal principles in determining whether evidence is both relevant and fairly admitted. Committee Members have a duty to view all evidence presented before them impartially. Members of the Licensing Sub-Committee have all received relevant training and are used to making decisions of this type. No matter how strong local opinion may be, Committee Members can only make decisions based on relevant licensing issues as set out before the Sub-Committee in determining applications.

The hearing will be in public session. However, the Sub-Committee may exclude the public from a hearing if it considers it in the public interest to do so. However, the decision will be made in private.

The purpose of the hearing is

- To enable those with a right to appear to advance their point of view and to test the case of their opponents
- To assist the Sub-Committee to gather evidence and understand the relevant issues

In view of the requirement to hold hearings within specified times, the Licensing Authority will generally be unable to enter into discussions to identify dates convenient to all parties concerned. In exceptional circumstances, the Licensing Authority will consider applications to adjourn hearings to a later date.

Representations at Licensing Hearings

The Applicant, Ward Councillors, and Representatives who have made written submissions will be allowed to speak at the Sub-Committee. At

any hearing of an application, the Applicant and any Representors shall attend in person wherever possible. Any party to a hearing may be assisted or represented by any person, legally or otherwise.

All parties will be given a fair hearing and each party will have the same amount of time in which to address the Sub-Committee. A time limit has been set because of the pressures on the Sub-Committees to hear so many applications in a short period of time. **Each party will have 15 minutes to address the Sub-Committee, give any further information, and call any witnesses.** If any party considers this time to be insufficient then a request in writing may be made to the Democracy Officer for an extension of time at least 2 working days before the hearing. However, this will not be automatically granted and will be at the discretion of the Sub-Committee.

The Sub-Committee may take into account any documentary evidence or other information in support of the application, representations or notice, either before the hearing or, with the consent of all other parties, at the hearing.

If any Representors fail to attend the hearing, the Sub-Committee will normally proceed but will consider their written objection and hear and consider any evidence and argument in relation to it put forward by the Applicant. In considering written evidence in the absence of a Representor, appropriate weight will be attached, given that the person cannot be questioned by the Applicant and Members.

The Sub-Committee is required to disregard any information given or evidence produced by a party or witness which is not relevant to the application, representations, or notice, and the promotion of the licensing objectives. Duplication should be avoided. Comments must be confined to those points already made, although the parties may extend or expand on their written submissions. The Sub-Committee will have read and familiarised themselves with all the written submissions and the issues prior to the hearing, and therefore do not require the points to be repeated or made at length. The Applicant and Representors cannot raise substantial new information at a hearing which has not been seen previously by the other parties.

A Representor **may not** introduce any new ground or objection not referred to in the written submission. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing.

Any person behaving in a disruptive manner will be asked to leave the hearing. If this does occur, that person may, before the end of the hearing, submit in writing any information which they would have been entitled to give orally.

Procedure prior to the Hearing

The Members sitting on the Sub-Committee will meet prior to the hearing to note the matters that are to be presented. They will only be accompanied by the Democracy Officer and Legal Advisor (*if present*). Attention will only be drawn to the nature of the application and the premises or person to which it relates. The actual application will not be discussed.

At any hearing of an application, the Licensing Officer, the Applicant and any Representors or representatives will report to reception and be asked to wait in reception until the democracy officer calls them through to the committee room.

Procedure at the Hearing

1. Members of the Sub-Committee will appoint a chair.
2. The Chair introduces the Committee Members and officers [*Democracy Officer, Legal Advisor to the committee (if present) and the Licensing Officer*], welcomes the Applicant and Representors (or their representatives), and establishes the identity of all who will be taking part.
3. The Chair will explain to the parties the procedure that will be followed at the hearing.
4. The Chair will proceed with the order of business on the agenda.
5. When the agenda item relating to the application is reached, the Chair will invite the Licensing Officer to present the application.
6. The Licensing Officer outlines the application, confirms the application details, introduces the report and gives an update on any recent changes.

7. The Chair will invite Committee Members, the Applicant and Representors (or representatives) to ask the Licensing Officer questions to clarify any points raised in the report.
8. The Chair will ask the Applicant (or their representative) to present their case.
9. The Applicant (or their representative) will present their case and may call any witnesses to support their case [*maximum 15 minutes*].
10. The Chair will invite the Representors (or their representative) in the following order to ask questions of the Applicant (or their representative) and/or witnesses [*maximum 5 minutes each party*]
 - (i) Police
 - (ii) Other Responsible Authorities
 - (iii) Ward Councillors
 - (iv) Interested Parties
11. The Chair will invite the Committee Members to ask questions of the Applicant (or their representative) and/or witnesses.
12. The Chair will invite the Representors (or their representative) in the following order to state the nature of their interest in the matter, present their case and call any witnesses to support their case [*maximum 15 minutes each party*]
 - (i) Police
 - (ii) Other Responsible Authorities
 - (iii) Ward Councillors
 - (iv) Interested Parties
13. The Chair will invite the Applicant to ask questions of each Representor (or their representative) and/or their witnesses after each presentation [*maximum 5 minutes per Representor*].
14. The Chair will invite the Committee Members to ask questions of each Representor (or their representative) and/or their witnesses after each presentation.

15. The Chair will invite the Representors (or their representative) in the following order to summarise their case *[maximum 5 minutes each party]*
 - (i) Police
 - (ii) Other Responsible Authorities
 - (iii) Ward Councillors
 - (iv) Interested Parties
16. The Chair will invite the Applicant (or their representative) to summarise their case *[maximum 5 minutes]*.
17. The Chair will provide the Sub-Committee with a final opportunity to seek clarification from any of the parties on any points raised, or seek advice from the Licensing Officer on policy, or from the Legal Advisor *(if present)* on law and jurisdiction.
18. When all the evidence has been heard, the Chair will declare the hearing closed and ask the Licensing Officer, the Applicant and Representors (or their representatives) plus any witnesses present to leave the committee room and wait in reception while the Sub-Committee considers the evidence.

Procedure after the Hearing

19. If the Sub-Committee wish to seek further clarification on the evidence given, the Democracy Officer will invite all parties back into the committee room.
20. If possible, and for all hearings under:-
 - section 35 or 39 which is in respect of an application made at the same time as an application for conversion of an existing licence under paragraph 2 of Schedule 8 (determination of application under section 34 or 37)
 - section 85 which is in respect of an application made at the same time as an application for conversion of an existing club certificate under paragraph 14 of Schedule 8 (determination of application under section 85)
 - section 105(2)(a) (counter notice following police objection to temporary event notice)
 - section 167(5)(a) (review of premises licence following closure order)

- paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence)
- paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)
- paragraph 26(3)(a) of Schedule 8 (determination of application by holder of a justices' licence for grant of personal licence)

the Sub-Committee will make a decision on conclusion of the hearing and only the Democracy Officer and the Legal Advisor to the Sub-Committee (*if present*) will remain in the room with the Committee Members. These officers will not comment on the merits of the application, but will be present to provide advice on legal and procedural points and to record the decision.

21. If the decision has been made, all the parties will be invited back into the committee room by the Democracy Officer. The Chair will announce the decision including reasons together with, if appropriate, details of any conditions to be attached to the grant of the licence. This decision will then be communicated in writing to the Applicant and Representors within 3 working days of the hearing. There can be no further questions or statements.
22. For all other hearings not listed above, if the Sub-Committee is unable to make a decision on the day of the hearing, the decision will be made within 5 working days beginning with the day or the last day on which the hearing was held. The Democracy Officer will inform the parties that they are no longer required and the decision will be communicated in writing to the Applicant and Representors within 3 working days of the decision being made.
23. The notification will include information about the rights of appeal against the determination made.

About City of York Council Meetings

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

যদি যথেষ্ট আগে থেকে জানানো হয় তাহলে অন্য কোন অবাতে তথ্য জানানোর জন্য সব ধরণের চেষ্টা করা হবে, এর জন্য দরকার হলে তথ্য অনুবাদ করে দেয়া হবে অথবা একজন দোভাষী সরবরাহ করা হবে। টেলিফোন নম্বর (01904) 551 550।

Yeteri kadar önceden haber verilmesi koşuluyla, bilgilerin terümesini hazırlatmak ya da bir tercüman bulmak için mümkün olan herşey yapılacaktır. Tel: (01904) 551 550

我們竭力使提供的資訊備有不同語言版本，在有充足時間提前通知的情況下會安排筆譯或口譯服務。電話 (01904) 551 550。

اگر مناسب وقت سے اطلاع دی جاتی ہے تو ہم معلومات کا ترجمہ مہیا کرنے کی پوری کوشش کریں گے۔ ٹیلی فون (01904) 551 550

Informacja może być dostępna w tłumaczeniu, jeśli dostaniemy zapotrzebowanie z wystarczającym wyprzedzeniem. Tel: (01904) 551 550

Who Gets Agendas and Reports for our Meetings?

- Councillors get copies of all agendas and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agendas and reports for the committees which they report to; and
- Public libraries, Council Receptions and the Press get copies of **all** public agendas/reports.
- Applicant
- Representors & the relevant Responsible Authorities

City of York Council

Committee Minutes

Meeting Licensing Hearing

Date 26 June 2017

Present Councillors Douglas, Mercer and Looker

1. Chair

Resolved: That Councillor Douglas be elected to Chair the meeting.

2. Introductions**3. Declarations of Interest**

Members were asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which they may have in respect of business on this agenda. None were declared.

4. Minutes

Resolved: That the minutes of the Licensing Hearings held on the 27 February and 15 May 2017 be approved as a correct record and signed by the Chair.

5. Determination of an Application by Punch Taverns Plc for Variation to Premises Licence Section 35 (3)(a) in respect of Fulford Arms, 121 Fulford Road, York, YO10 4EX (CYC-008985)

Members considered an application by Punch Taverns Plc for Variation to Premises Licence Section 35 (3) (a) in respect of Fulford Arms, 121 Fulford Road, York, YO10 4EX.

In considering the application, and the representations made, the sub-Committee concluded the following licensing objectives were particularly relevant to this hearing:

3. The prevention of public nuisance.

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 above licensing objectives, including:

1. The application form, in particular the existing licence conditions and the additional steps agreed to be taken by the applicant in the operating schedule for the current licence to promote the four licensing objectives.
2. The Licensing Officer's report and her comments made at the Hearing. She outlined the application and advised that consultation had been carried out in accordance with the Licensing Act 2003. She also highlighted that there had been no representations made by responsible authorities and that three of the five written representations received from other persons had been withdrawn. In relation to the second bullet point of paragraph 5 of her report, the Licensing Officer clarified that the application is to remove condition 8 and not condition 7.
3. The applicants representations at the Hearing, and those of their solicitor. The solicitor stated that the applicants had been operating for three and a half years and that the change of use had been 'organic', with music and events becoming a more significant part of the business. There was a community focus to these events, with many being for charitable purposes. There were occasional outdoor events but these were covered by Temporary Event Notices (TENs). It was felt that the outdoor events may be where some of the issues highlighted in the written representations had stemmed from. There had only been one complaint in respect of noise made to the Environment Protection Unit (EPU) which was over 12 months old. This had been due to a door being left ajar and this had been rectified immediately, with no complaints since. The applicants had provided all those living in the block of flats opposite the premises with contact telephone numbers to use should they have any complaints. As none had been received, the applicants were confident that there was no disturbance from recorded music. The solicitor also advised the sub-committee that the applicants were withdrawing their application for live music until 02:00.

4. The two of the five representations received in writing that had not been withdrawn (being those at pages 61 to 62 and 68 of the Agenda papers).

In respect of the proposed variations to the licence, the Sub-Committee had to determine whether to take any of the steps mentioned under Section 35(4) that it considered necessary for the promotion of the licensing objectives. Having regard to the above evidence and representations received, the Sub-Committee considered the steps which were available to them to take under Section 18(3) of the Licensing Act 2003 as it considered necessary for the promotion of the Licensing Objectives:

Option 1: Grant the variation to the licence in the terms applied for (which application excludes any variation to the current timings for live music) and including any applicable mandatory conditions of the Licensing Act 2003. This option was **approved**.

Option 2: Grant the variation to the licence with modified/additional conditions imposed by the licensing committee including any applicable mandatory conditions as set out in ss19, 20 and 21 of the Licensing Act 2003. This option was **rejected**.

Option 3: Grant the variation to the licence to which the application relates and modify/add conditions accordingly to include any applicable mandatory conditions of the Licensing Act 2003 as amended. This option was **rejected**.

Option 4: Reject the application. This option was **rejected** as the Sub-Committee saw no reason to reject the application based on the Licensing Objectives and City of York Council Licensing Policy. The varied licence shall be subject to all the other conditions and the operating schedule for the current licence.

In coming to their decision to approve Option 1, the Sub-Committee was mindful of the fact that no representations had been received from responsible authorities and that three of the written representations received had been withdrawn before the hearing due to their concerns being addressed by the applicants. Outdoor events would be covered by Temporary Event Notices and the applicants had been proactive in writing

to significant numbers of local residents to inform them on the previous occasions where such events had taken place. There were several measures in place to minimise disturbance to local residents including temporary glazing and sole use of a side door when live music was taking place. They also noted that the applicants had withdrawn the application for live music until 02:00, which addressed many of the issues contained in the written representations.

The Sub-Committee concluded that the application was acceptable with the above mandatory conditions attached which addressed representations made both in writing and at the hearing, as it met all the licensing objectives. The Sub-Committee made this decision taking into consideration the representations, the Licensing Objectives, the City of York Council's Statement of Licensing Policy and the Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003.

Councillor Douglas, Chair

[The meeting started at 10.15 am and finished at 11.15 am].

Meeting	Licensing/Gambling Hearing
Date	17 July 2017
Present	Councillors Hayes, Mason and Looker

6. Chair

Resolved: That Councillor Mason be appointed to Chair the meeting.

7. Declarations of Interest

Members were asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which they may have in respect of business on the agenda. None were declared.

8. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting during consideration of agenda item 5 (minute 10 refers) on the grounds that it contained information relating to an individual. This information is classed as exempt under paragraphs 1 and 2 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

9. Minutes

Resolved: That the minutes of the Environment Appeals panels held on 20 February be approved as a correct record and signed by the Chair.

10. Appeal against Revocation of Private Hire Driver's Licence

Members considered an appeal against the decision to revoke a private hire driver's licence.

Consideration was given to the oral and written representations from both parties.

Resolved: That the decision to revoke the private hire driver's licence be upheld.

Reason: Having considered all the information before them the Sub-Committee felt there were no special circumstances to deviate from Council policy in this instance.

Councillor Mason, Chair

[The meeting started at 10.05 am and finished at 11.15 am].



Licensing Act 2003 Sub Committee

21 August 2017

Report from the Assistant Director – Planning & Public Protection

Section 18(3) (a) Application for a Premises Licence for 7 Kings Staith, York, YO1 9SN.

Summary

1. This report seeks Members determination of an application for the grant of a premise licence, which has been made under the Licensing Act 2003.
2. Application reference number: CYC-058743
3. Name of applicant: Mr Shaun Binns & Mrs Jamie-Leigh Binns.
4. Type of authorisation applied for: Grant of Premise Licence
5. Summary of application: The proposal is to allow for the provision of the following activities:

Proposed Activity	Timings
Recorded Music (indoors only)	Mon – Sun 08:00 – 00:00
Sale of alcohol (on & off sales)	Mon – Sun 08:00 – 00:00
Opening times	Mon – Sun 08:00 – 00:30

Background

6. A copy of the application is attached at Annex 1. A copy of the plan of the premises is attached at Annex 2.
7. There is currently a premises licence in force for the premises. A copy of this licence is attached at Annex 3.

Promotion of Licensing Objectives

8. The operating schedule submitted by the applicant shows that the licensing objectives would be met as follows:
9. General
 - a) The premises shall trade predominantly as a restaurant / bistro and substantial food and non-intoxicating drinks shall be available at all times the premises are trading.
 - b) There will be a minimum of 30 table covers available at all times the premises are trading.
 - c) Customers will be served by way of waiter/waitress service.
10. The prevention of crime and disorder
 - a) A colour CCTV system shall be installed to cover the licensable area and be operational and recording at all times when licensable activities take place.
 - b) The CCTV equipment shall have constant time / date generation which must be checked on a daily basis for accuracy.
 - c) The CCTV system must be capable of providing quality images of good evidential value. Recordings must be kept for a minimum of 28 days.
 - d) North Yorkshire Police or a Responsible Authority (as defined in the Licensing Act 2003) may at any time request a recording. This should be complied with within 24 hours of the request being made.
 - e) It is the responsibility of the management to ensure that there are sufficient members of staff available during the hours of operation to be able to download evidence from the CCTV system at the request of the police or responsible authority.
 - f) There shall be a minimum of 1 door supervisor on duty at the premises from 17:00 hours to close of business on:
 - i. the Sunday preceding a Bank Holiday;
 - ii. when public access horse racing is undertaken at York Racecourse (save for the first meeting in May, the family day in September and the last meet in October);

- iii. at other times the need for door supervisors will be assessed by way of risk assessment (with consideration given to any river event / festival).

With such records being kept for a minimum of one year (For the avoidance of doubt the one year period relates to each respective entry in the log book and runs from the date of that particular entry).

- g) Other than to supply the external area shown upon the deposited plan, alcoholic drinks may only be taken off premises in sealed containers.
- h) The premises shall operate the Challenge 21 policy for the sale of alcohol. The only acceptable proof of age identification shall be a current passport, photocard driving licence or identification carrying the PASS logo (until other effective identification technology, eg thumb print or pupil recognition, is adopted by the Premises Licence Holder).

11. Conditions applicable to the Outside Area:

- a) The outside area is to be staffed at all times and by employees aged 18 or over.
- b) Only semi-permanent in-filled barriers to be used to define the perimeter of the outside area.
- c) Customers will only be served by way of table service in the outside area, shall only consume alcohol in this area while seated, and shall not be allowed to purchase drinks from inside 7 Kings Staith or to carry any drinks from inside the premise to their table.
- d) All drinks shall be served in non-glass vessels only. For glass bottled drinks, the drink is to be decanted into non-glass vessels.
- e) No drinks shall be permitted to leave the outside area.
- f) Staff in the outside area will be in radio contact at all times with 7 Kings Staith, York.
- g) Supply of alcohol will be from 10:00 hours to 21:00 hour each and every day.

- h) Tables, chairs and semi-permanent barriers shall only be placed outside the premises, as defined on the plans, between 10:00 hours and 21:30 hours daily.

Special Policy Consideration

12. The premise is located within the special policy area approved by full council on 27th March 2014. A copy of the policy is attached at Annex 4.

Consultation

13. Consultation was carried out by the applicant in accordance with s13, and s17 (5) of the Act and Regulation 42, Parts 2 and 4 of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, which concern the displaying of a notice on the premises and an advertisement in a local paper giving details of the application and serving a copy of the application on all responsible authorities. The applicant complied with all statutory requirements. In addition the relevant ward councillors and/or parish council were notified by way of register.
14. All procedural aspects of this application have been complied with.

Summary of Representations made by Responsible Authorities

15. There were no representations from responsible authorities.

Summary of Representations made by Other Parties

16. One relevant representation has been received from another party and this is attached at Annex 5.
17. A map showing the general area around the venue is attached at Annex 6.

Planning Issues

18. There are no planning issues regarding this application.

Options

19. By virtue of s18(4) of the Act, the Committee have the following options available to them in making their decision: -
20. Option 1: Grant the licence in the terms applied for.

21. Option 2: Grant the licence with modified/additional conditions imposed by the licensing committee.
22. Option 3: Grant the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
23. Option 4: Reject the application.

Analysis

24. The following could be the result of any decision made this Sub Committee:-
25. Option 1: This decision could be appealed at Magistrates Court by any of the representors.
26. Option 2: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
27. Option 3: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
28. Option 4: This decision could be appealed at Magistrates Court by the applicant.

Council Plan

29. The Licensing Act 2003 has 4 objectives the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.
30. The promotion of the licensing objectives will support the Council's Plan for a prosperous city for all and a council that listens to residents.

Implications

31.
 - **Financial** - N/A
 - **Human Resources (HR)** – N/A
 - **Equalities** – N/A

- **Legal** – This decision could be appealed at Magistrates Court by the applicant or any of the representors.
 - **Crime and Disorder** - The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the city.
 - **Information Technology (IT)** – N/A
 - **Property** – N/A
- Other** – none

Risk Management

32. All Members of the Licensing Act 2003 Committee have received full training on the Act and the regulations governing hearings. They are aware that any decision made which is unreasonable or unlawful could be open to challenge resulting in loss of image, reputation and potential financial penalty.
33. The report details the options available to the panel in determining the application and recommends that a decision be reached. There are no risks involved with this recommendation.

Recommendations

34. Members determine the application.

Reason: To address the representations received as required by the Licensing Act 2003.

Contact Details

Author:

Lesley Cooke
Licensing Manager

Tel: (01904) 551515

Chief Officer Responsible for the report:

Mike Slater
Assistant Director for Planning and
Public Protection

**Report
Approved**



Date 01/08/2017

Specialist Implications Officer(s)

Assistant Director – Legal & Governance
Ext: 1004

Wards Affected: Guildhall



For further information please contact the author of the report

Background Papers: N/A

Annexes:

- Annex 1 - Application form
- Annex 2 - Plan of premises
- Annex 3 - Copy of current premises licence
- Annex 4 - Special policy
- Annex 5 - Representation
- Annex 6 - Map of area
- Annex 7 - Mandatory Conditions
- Annex 8 - Legislation and Policy Considerations

This page is intentionally left blank