

HEARING OF THE LICENSING ACT 2003 SUB-COMMITTEE

**Section 35(3)(a) an Application by Co-operative Group Food Ltd
for Variation of a Premises Licence in respect of Co-op, 102 - 104
Hull Road, York, YO10 3LQ (CYC-11715)**

A – Hearing on 18 October 2021

Present: Councillors Melly (Chair), Hook and Looker

The Panel became inquorate after Cllr Hook declared a prejudicial interest in the Application listed at Item 5 on the Agenda and withdrew from the hearing. It was therefore

Resolved: (i) That the 20 working day time limit for hearing the section 35(3)(a) Application by Co-operative Group Food Ltd for Variation of a Premises Licence in respect of Co-op, 102-104 Hull Road, York, YO10 3LQ (currently Friday, 22 October) be extended to Friday 29 October, in accordance with Regulation 11 of the Licensing Act 2003 (Hearings) Regulations 2005.

Reason: Because it is considered necessary and in the public interest to extend the deadline to convene a quorate panel and hold an effective hearing. Whilst not necessary under the Regulations, the Council will communicate further with all parties regarding their availability.

Resolved (ii) That the determination of the section 35(3)(a) Application by Co-operative Group Food Ltd for Variation of a Premises Licence in respect of Co-op, 102-104 Hull Road, York, YO10 3LQ be adjourned to 10 am on Tuesday, 26 October 2021.

Reason: In order to adjourn the hearing to a specified date.

B – Hearing reconvened on 26 October 2021

Following a full hearing on 26 October 2021, the meeting reconvened remotely in private session at 11:08 am.

Present: Councillors Melly (Chair), Galvin (substitute for Councillor Hook) and Looker

Resolved: That Option 1 be accepted and the conditions of the licence be modified in accordance with the application, namely by:

- a) An extension of the hours for the supply of alcohol from 07:00 to 00:00
- b) The addition of Late Night Refreshment from 23:00 to 00:00; and
- c) The removal of the conditions at Annex 2 of the current licence and their replacement with those stated below:
 1. The premises shall maintain a CCTV system which gives coverage of all entry and exit points.
 2. The system shall continually record whilst the premises are open and conducting licensable activities.
 3. All recordings shall be stored for a minimum period of 28 days and shall be capable of being easily downloaded.
 4. Recordings shall be made available upon the receipt of a request by an authorised Officer of the Police or the Local Authority.
 5. There shall be "CCTV in Operation" signs prominently displayed at the premises.
 6. An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised Officer of the Police or the Local Authority.
 7. The Premises Licence Holder shall operate a proof of age scheme, such as a Challenge 25, whereby the only forms of acceptable identification shall be either a

photographic driving licence, a valid passport, military identification or any other recognised form of photographic identification incorporating the PASS logo, or any other form of identification from time to time approved by the secretary of the state.

8. The premises shall be fitted with a burglar alarm system.

9. The premises shall be fitted with a panic button system for staff to utilise in the case of an emergency.

10. The Premises Licence Holder shall ensure that the appropriate fire safety, and health and safety regulations are applied at the premises.

11. A complaints procedure shall be maintained by the Premises Licence Holder, details of which shall be made available in store and upon request.

12. All staff will receive comprehensive training in relation to age restricted products and in particular the sale of alcohol.

13. No member of staff will be permitted to sell age restricted products until such time as they have successfully completed the aforementioned training.

14. An age till prompt system shall be utilised at the premises in respect of alcohol.

15. A refusals register (whether kept in written or electronic form) shall be maintained at the premises and shall be made available for inspection upon request by an authorised Officer of the Police or the Local Authority.

All conditions offered in the operating schedule shall be included in the licence, unless contradictory to the above conditions. The licence is also subject to the mandatory conditions applicable to licensed premises.

The full reasons for the Sub-Committee's decision will be included in the detailed Decision Letter which will be provided to the Applicant and Representors in due course.

There is a right of appeal for the Representors to the Magistrates' Court against this decision. Any appeal to the Magistrates Court must be made within 21 days of receipt of the Decision Letter and sent to the following address:

Chief Executive
York and Selby Magistrates Court
The Law Courts
Clifford Street
York
YO1 9RE