

Licensing/Gambling Hearing

To: Councillors Looker, Melly and Orrell

Date: Monday, 20 December 2021

Time: 10.00 am

Venue: Remote Meeting

A G E N D A

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. Exclusion of Press and Public

To consider excluding the Press and Public during the sub-committee's deliberations and decision-making at the end of the hearing, on the grounds that the public interest in excluding the public outweighs the public interest in that part of the meeting taking place in public, under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005.

5. Minutes

To approve and sign the minutes of the Licensing Hearings held on 12 October 2021 and 26 October 2021.

6. The Determination of a Section 18(3) (a) Application by Clifton Bridge Hotel Ltd. for a Premises Licence at Clifton Bridge Hotel, 23 Water End, Clifton, York, YO30 6LL (CYC-069581)

Democratic Services Officer:

Name: Fiona Young

Contact Details:

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- Email - fiona.young@york.gov.uk

For more information about any of the following, please contact the Democratic Services 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 میا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

LICENSING ACT 2003 SUB – COMMITTEES PROCEDURE FOR REMOTE LICENSING HEARINGS

Introduction

1. During the coronavirus pandemic emergency period it will be necessary for licensing hearings to be dealt with remotely. This procedure sets out how City of York Council will deal with such hearings. This procedure must be considered in conjunction with the Council's Delivery of Remote Meetings document which sets out how all meetings, including licensing hearings will be held in York.
2. The procedure adopted at a licensing hearing is at the discretion of the Sub-Committee but will normally follow the pattern outlined below:-
3. The Council's hearings procedure is based on regulations made by the Secretary of State under the Licensing Act 2003. The procedure is intended as a general framework to ensure natural justice and a fair hearing. The Sub-Committee has a duty to view all evidence presented before them impartially. The Sub-Committee is not bound by the formal rules of evidence. Nevertheless, Members must carry out their duty placing what weight they feel is appropriate given the nature of the evidence and the manner in which it was obtained, and communicated.
4. The Council will provide a record of the hearing in a permanent and intelligible form and keep it for 6 years from the date of determination or disposal of any Appeal. The Hearing will be recorded and the recording placed on the Council's website.

Preparation for the Remote Licensing Hearing

5. The Sub-Committee will use the video-conferencing platform when the hearing is in public session. Clear instructions will be provided to participants on how to join the remote hearing. The Sub-Committee may exclude the public from all or part of a hearing if it considers it is in the public interest to do so. Should any part of the hearing need to be held in private session, a separate private online meeting will be convened by the Sub-Committee. This video-conferencing platform will also be used for decision making in private. All paperwork relevant to the hearing will be published online on the Council's

website, 5 working days before the remote hearing. The documents will be produced in PDF format and will be paginated to permit ease of reference during the remote hearing. Name and address details of those making representations will be made public. Telephone numbers, email addresses and signatures will be omitted.

6. 5 working days before the remote hearing is due to take place, the Council will contact the parties with a list of issues they would like any party to specifically address them on or clarify at the hearing.
7. If in light of the Council's list of issues any party wishes to produce any further documentary evidence they should submit this to the Council by email three working days before the hearing.
8. Any documentary evidence that is not submitted to the Council by email three working days before the hearing will not be admitted without the agreement of all parties. If it is essential to a party's case that the material be admitted, then the Sub-Committee will consider adjourning the remote hearing to allow all parties a fair opportunity to consider it.
9. Should any party wish to rely on any points of law, specific references in the s.182 Guidance, specific references in the Council's Policy or any other external resources, these should be set down in an electronic document and submitted to the Council by email three working days before the hearing.

The Remote Licensing Hearing

10. The Applicant is permitted to speak at the remote hearing (see below). Ward Councillors, responsible Authorities and Representors are only permitted to speak if they have made written submissions during the consultation period. Any party to a hearing may be assisted or represented by any person, legally or otherwise.
11. 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 and question each other. Each party will have 15 minutes to address the Sub-Committee and call any witnesses and 5 minutes for questions.

12. However, where there are groups of individuals with a common interest, for example local residents making similar representations either for or against an application, consideration should be given to nominating a spokesperson. Otherwise the Sub-Committee may impose a time limit for such representations where there is pressure on the Sub-Committee to hear numerous applications in a short period of time or for any other valid reason.
13. If any Representors fail to attend the hearing, the Sub-Committee will normally proceed but will consider their written representation. In considering written evidence in the absence of a Representor, appropriate weight will be attached, given that the person cannot be questioned by Members.
14. **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 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 made at length.
15. A Representor **may not** introduce any new ground or objection not referred to in their written submission. Additional representations which do not amount to an amplification of the original representation will not be considered by the Sub-Committee.
16. Any person behaving in a disruptive manner will be asked to leave the hearing. However, if this occurs, that person will be entitled to submit in writing any information they would have been entitled to give orally.

ORDER OF PROCEEDINGS AT THE REMOTE HEARING

Chair's introduction and opening comments

17. The Chair will introduce the Sub-Committee Members and Officers and welcome the Applicant and Representors (or their representatives), and establish the identity of all who will be taking part.

18. The Chair will outline the procedure to be followed.

19. The Chair will proceed with the order of business on the agenda.

Licensing Manager

20. When the agenda item relating to the application is reached, the Chair will invite the Licensing Officer to present the application. The Chair will invite all present, one by one, to ask the Licensing Officer questions if they wish, to clarify any points raised in the report.

The Application

21. The Applicant (and/or their representative) will address the Sub-Committee and present information in support of the application and may call any witnesses to support the application, one witness at a time *[maximum 15 minutes]*.

22. The Chair will invite the Representors to ask questions of the Applicant in the following order [maximum 5 minutes each party]:

- Police;
- Other Responsible Authorities;
- Ward Councillors;
- Public representation
- Members of the Sub-Committee;
- The Sub-Committee's legal adviser.

The Representations

23. The Chair will invite the Representors and/or their representative in the following order to address the Members of the Sub-Committee and call any witnesses in support of their representation *[maximum 15 minutes each party]*:

- Police
- Other Responsible Authorities
- Ward Councillors
- Public representation
- Members of the Sub-Committee

24. The Chair will invite the Applicant and each other party to ask questions of each Representor and/or their witnesses after each presentation [maximum 5 minutes per Representor]. The Chair will invite the Committee Members to ask questions of each Representor (or their representative) and/or their witnesses after each presentation.
25. Where there are groups of individuals with a common interest, for example local residents, presentation through an appointed spokesperson is preferred but not mandated.

Summaries

26. The Chair will invite the Representors (or their representative) in the following order to summarise their case *[maximum 5 minutes each party]*
 - Police
 - Other Responsible Authorities
 - Ward Councillors
 - Public representation
27. The Chair will invite the Applicant (or their representative) to summarise their case *[maximum 5 minutes]*.
28. 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 on law and jurisdiction.

Determination

29. The Sub-Committee will withdraw to consider their decision with the Legal Adviser and the Democratic Services Officer in a separate private on line meeting. 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.
30. If the decision is made following the conclusion of the hearing, the Sub-Committee will return to the public online meeting to announce an outline of the decision to those present. This decision will then be communicated in full in writing, including reasons for the decision, to the Applicant and all Representors (whether in attendance or not)

usually within 5 working days of the hearing. There can be no further questions or statements.

31. If the Sub-Committee does not 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 Democratic Services 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 5 working days of the decision being made.

The notification will include information about the rights of appeal against the determination made.

City of York Council

Committee Minutes

Meeting	Licensing/Gambling Hearing
Date	12 October 2021
Present	Councillors Galvin, Hook and Hunter

19. Chair

Resolved: That Cllr Galvin be elected to act as Chair of the hearing.

20. Introductions

The Chair introduced those present at the hearing; the members of the Sub-Committee, the Applicant (Matt Jones and Chris Sleaford of Roxy Leisure Ltd.), the Applicant's Solicitor, the Representor, the Licensing Manager presenting the report, the Legal Adviser, the Senior Legal Officer shadowing the Legal Adviser, and the Democratic Services officer.

21. Declarations of Interest

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, and any prejudicial or disclosable pecuniary interests, that they might have in the business on the agenda. None were declared.

22. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting during the Sub-Committee's deliberations and decision-making at the end of the hearing, on the grounds that the public interest in excluding the public outweighs the public interest in that part of the meeting taking place in public, under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005.

23. The Determination of a Section 18(3) (a) an Application by Roxy Leisure Ltd for a Premises Licence at Roxy Lanes, 3 St Mary's Square, Coppergate, York, YO1 9NY (CYC-069217)

Members considered an application by Roxy Leisure Ltd. for a premises licence in respect of 3 St Mary's Square, Coppergate, York YO1 9NY.

In considering the application and the representations made, the Sub-Committee concluded that the following licensing objectives were relevant to this Hearing:

1. The Prevention of Crime and Disorder
2. Public Safety
3. The Prevention of Public Nuisance
4. The Protection of Children from Harm

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.
2. The papers before it.
3. The Licensing Manager's report, and her comments at the Hearing.

The Licensing Manager outlined the report and the annexes, noting that the premises were in the Cumulative Impact Assessment (CIA) area and confirming that the Applicant had carried out the consultation process correctly. She highlighted the amendments to the operating hours agreed by the Applicant with North Yorkshire Police (NYP), as set out in paragraphs 5 and 18 of the report, and noted that NYP had withdrawn their objections as a result of these amendments. She drew attention to the representations received from and on behalf of local residents, as set out in Annex 6. Finally, she advised the Sub Committee of the options open to them in determining the application.

In response to a question from a member of the Sub-Committee, the Licensing Manager clarified that the opening hours were from 9:00 am each day and not from 10:00 am.

4. The representations made by the Applicant's solicitor, Mr Rees-Gay, on behalf of the Applicant.

Mr Rees-Gay confirmed the revised hours of the application and referred to the brochure circulated to all parties before the hearing, stating that the Applicant had been established since 2015 and operated premises on 10 sites, including premises in Liverpool and Leeds which were located within CIA areas and against which no enforcement action had ever been taken. The premises were to be used mainly for competitive socialising activities, including a bowling alley. There would be no dance floor or live music and half of all revenue would come from gaming. 75% of customers would be pre-booked, and of these 50% would be from corporate trade.

He went on to state that there had been a misconception arising from reports in the York Press that activities on the premises would be 'family oriented'. In fact, the evening activities would be adult oriented. He added that the Applicant had liaised with the responsible authorities long before submitting the application and had first contacted NYP three years ago. The hours applied for had been reduced after lengthy discussions with PC Hollis. Discussions had also taken place with Michael Golightly in Environmental Protection regarding noise. Mr Golightly was satisfied that the application would not result in public nuisance, since the ground floor would not be in use, there would be an acoustic partition (as indicated on the plan) and the main entrance would be on St Mary's Square, not on Piccadilly.

Mr Rees-Gay submitted that the operation would add to the culture, economy and vitality of the city, in accordance with Paragraph 6.1 of York's Statement of Licensing Policy. He said that none of the Applicant's other premises had such restricted hours as proposed here, and the fact that there were no representations from responsible authorities illustrated the authorities' confidence in the operation. With regard to the representations, his clients would be happy to walk round the venue with the Representors and to provide them with contact details. There was no evidence from the operation of the other Roxy venues to support the representations relating to drunken behaviour or the site attracting teenagers. Relevant conditions were offered regarding under-age sales and noise / vibration. The nature of the operation meant that noise and queueing would not be an issue; neither would litter, as late night

refreshment would be offered outside the premises. The premises would welcome families during the day but would be for adults only at night. The concept of 'need' for a new licensed premises was a matter for Planning, Licensing under the Section 182 guidance.

He stated, in summary, that Roxy Leisure was a premium operator, there was no evidence to link the operation to the representations made, and he believed that, due to the focus on competitive gaming and pre-booking, no problems would arise. There were powers to review the licence if any breaches occurred and the Sub-Committee must make a decision based on the actual evidence before them.

In response to questions from the Representor and the Panel, Mr Rees-Gay, along with Matt Jones and Chris Sleaford (Chief Executive and COO respectively of Roxy Leisure) confirmed that:

- The premises would operate under the Roxy Lanes brand, which in contrast to the Roxy Ballroom brand was focused on games and included a family element during the day; the application included a condition to retain a 4-lane bowling alley in situ. Roxy Leisure had no control over the gate to the Coppergate Centre, but could request the Coppergate Management company to close the gate after 6pm to prevent guests exiting that way; Roxy Lanes might also be able to keep an eye on this area, where there were currently no controls, to help deter drinking and anti-social behaviour there.
- The cut-off time for allowing children on the premises was normally 7pm; this would be subject to risk assessment and so could be earlier - for example, on a very busy day; it had not been an issue for Roxy's other operations.

In response to a question from the Legal Adviser, Mr Rees-Gay confirmed that the condition to retain a bowling alley was mentioned at paragraph 10 of the Licensing Manager's report.

5. The representations made by Andras Sztrokay, a local resident.

Mr Sztrokay stated that the main motivation behind the representations made by himself and other residents was their aim for a quieter Piccadilly area. He noted that Piccadilly was

part of the Castle Gateway project, which was intended to rehabilitate the area and make it a gateway to the historic city centre. Coppergate was an unfortunate development in an area dominated by the Merchant Adventurer's Hall. Piccadilly was a busy transport hub during the day, and at night became a hub for people leaving the city centre after drinking. Despite efforts by the council and York Bid to establish better security, there was still a lot of anti-social behaviour in the area.

Mr Sztrokay submitted that today's decision would be key as to whether development of the area's historic aspects would continue, or whether it would be transformed into a playground for drinking and anti-social behaviour. He appreciated that the application was not aimed at drinking, but doubted whether the figures from Roxy's other venues could show that there would be no impact on alcohol sales. If alcohol was to be served in a place that was open for longer than other businesses in the area, it would lead to more drinking and anti-social behaviour. The area by the River Foss was already subject to constant anti-social behaviour and loitering, which was not being addressed, and the fear was that opening this venue would contribute to the problem. Although the venue was not intended as a 'party place', he queried what the policy would be on stag and hen parties.

Finally, he stated that he would like to see conditions attached to the licence to ensure sufficient soundproofing of the venue, require entry to be from St Mary's Square only, and restrict the closing hours to 10 pm, as at other premises in the area.

Both parties were then given the opportunity to sum up.

Mr Sztrokay summed up, clarifying that he was not against family-friendly venues, nor was he against the use of an empty premises by a business for new activities. However, he said the council should think hard about the types of activities to be allowed and the limits to be placed on activities that involved drinking.

Mr Rees-Gay summed up, noting that two venues in Piccadilly – Spark York and the Red Lion pub – closed later than 10 pm and were only 100 yards from the Merchant Adventurers' Hall, and a third where sale of alcohol was permitted until 1 am. He said stag parties were normally planned events, which fitted with Roxy Lanes' prior booking model, but pointed out that it was

difficult to take part in competitive socialising while drunk and that this aspect would be strictly controlled. He re-iterated that the ‘family friendly’ label had been pushed by the York Press; that children would only be allowed on the premises until 7pm; that Roxy was a premium operator and that there was no evidence to link it with the issues raised in the representations. He confirmed that all those who had submitted representations would be invited to walk around the premises and exchange contact details with the Applicant. He again stated that the premises would operate as Roxy Lanes, not Roxy Ballroom, with pre-booking and no live music. Finally, he drew attention to the powers available to review the licence if any problems arose, and to the lack of representations from responsible authorities, and asked Members to make their decision by assessing the evidence submitted.

In respect of the proposed licence, the Sub-Committee had to determine whether the licence application demonstrated that the premises would not undermine 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) (a) of the Licensing Act 2003 as it considered necessary for the promotion of the Licensing Objectives:

Option 1: Grant the licence in the terms applied for. This option was **rejected**.

Option 2: Grant the licence with modified/additional conditions imposed by the licensing committee. This option was **approved**.

Option 3: Grant the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly. This option was **rejected**.

Option 4: Refuse to specify a person on the licence as premises supervisor. This option was **rejected**.

Option 5: Reject the application. This option was **rejected**.

Resolved: That Option 2 be approved and the application be granted with modified/additional conditions imposed by the Sub-Committee, as follows:

Activity	Timings
Films – indoors	1000 to 2300 Monday to Thursday

	1000 to 0000 Friday & Saturday 10000 to 2230 Sunday
Recorded music- indoors	1000 to 2300 Monday to Thursday 1000 to 0000 Friday & Saturday 10000 to 2230 Sunday
Late night refreshment	2300 to 0000 Friday & Saturday
Supply of alcohol on the premises	1000 to 2300 Monday to Thursday 1000 to 0000 Friday & Saturday 10000 to 2230 Sunday
Opening hours	0900 to 2330 Monday to Thursday 0900 to 0030 Friday & Saturday 0900 to 2300 Sunday
Non standard timings	Finish time extended by 1 extra hour on a Sunday preceding a bank holiday

1. The premises shall not operate as a bar or vertical drinking establishment or nightclub and all licensable activities authorised by this licence shall be ancillary to the main function as a bowling alley/competitive socialising venue with a minimum of 4 bowling lanes.
2. A direct telephone number for the manager of the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents in the vicinity.

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.

Reasons: (i) The Sub-Committee must promote the licensing objectives and must have regard to the Guidance issued under section 182 of the Licensing

Act 2003 and the Council's own Statement of Licensing Policy.

(ii) The premises are located within an area where a Cumulative Impact Policy applies. The Statement of Licensing Policy sets out that this special policy will create a rebuttable presumption that applications for new premises licences that are likely to add to the existing cumulative impact will normally be refused following receipt of representations, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact of premises.

(iii) The Sub-Committee noted that the premises being in the cumulative impact area (CIA) did not act as an absolute prohibition on granting new licences within that area. Each application must be considered on its own merit and it is possible for an applicant to rebut the above presumption if they can demonstrate that their application for a premises licence would not add to the cumulative impact already being experienced in the CIA. Representations had been received from seven members of the public.

(iv) The Sub-Committee considered that the onus lay upon the Applicant to evidence to the Sub-Committee (to the civil standard) that the operation of the premises, if licensed, would not add to the cumulative effect of having more licensed premises in the CIA, with regard to the licensing objectives.

(v) The Sub-Committee noted that the Applicant had amended the application following mediation with the Police to reduce the timings for licensable activities. It also noted that there were no representations from the Police or any of the other Responsible Authorities.

(vi) The Sub-Committee noted the concerns raised by a local resident who attended the hearing and the representations received in writing from interested parties. The Sub-Committee noted in particular the

concerns raised as to the potential impact of the licensed premises with regard to nuisance, crime and disorder and anti-social behaviour from users of the premises and noise escape from the premises.

(vii) The Sub-committee noted the evidence put forward at the hearing by the Applicant as to the character of the style of venue and its operating schedule and was satisfied that the applicant was a responsible organisation that would make every effort to promote the four licensing objectives.

(viii) Having taken into account all the evidence (with consideration being given to the representations received from local residents) the Sub-Committee considered that the proposed operating schedule, together with the additional amended conditions imposed by the Sb-Committee would be sufficiently robust to allay the fears of local residents and to prevent crime and disorder and public safety and public nuisance. It was satisfied that granting the licence would not increase the pressures the CIA currently faces and that it would promote the four licensing objectives.

(ix) Therefore it concluded that that the presumption against granting a licence for a new premises situated in the CIA was rebutted in this particular case and was satisfied that all four licensing objectives would be met in granting the application with the mandatory and the above conditions.

(x) The Sub-Committee therefore agreed to grant the licence with the additional/modified conditions referred to above which were appropriate and proportionate in the circumstances to promote the licensing objectives.

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Meeting	Licensing/Gambling Hearing
Date	18 October 2021, adjourned to 26 October 2021
Present	On 18 October 2021 : Councillors Melly, Hook and Looker
	On 26 October 2021 : Councillors Melly, Galvin and Looker

24. Chair

Resolved: That Cllr Melly be elected to act as Chair of the hearing.

25. Introductions

The Chair introduced the Panel Members, the two Legal Advisers present and the Democratic Services officer, and invited the other parties - the Licensing Manager, the Applicant's Solicitor, the Representor and their respective witnesses - to introduce themselves.

26. Declarations of Interest

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, and any prejudicial or disclosable pecuniary interests, that they might have in the business on the agenda.

At the hearing on 18 October, Cllr Hook declared a prejudicial interest in Agenda Item 5 (The Determination of a 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), on the grounds that she knew the Representor, who had been her election manager. Cllr Hook then withdrew from the meeting.

At the hearing on 26 October (the adjourned hearing), no interests were declared.

27. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting during the sub-committee's deliberations and decision-making at the end of the hearing, on the grounds that the public interest in excluding the public outweighs the public interest in that part of the meeting taking place in public, under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005.

28. The Determination of a Section 35(3)(a) n 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)

At the hearing on 18 October, Cllr Hook having withdrawn due to the interest that she had declared, it was

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.

The hearing resumed on 26 October 2021, with Cllr Galvin taking the place of Cllr Hook.

Members considered 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.

In considering the application and the representations made, the Sub-Committee concluded that the following licensing objectives were relevant to the hearing:

1. The Prevention of Crime and Disorder
2. Public Safety
3. The Prevention of Public Nuisance
4. The Protection of Children from Harm

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.
2. The papers before it.
3. The Licensing Manager's report, and her comments at the Hearing.

The Licensing Manager outlined the report and the annexes, confirming that the premises were not in the Cumulative Impact Assessment (CIA) area and that the Applicant had carried out the consultation process correctly. She referred to the representations at Annex 4, noting that there had been no representations from responsible authorities, and drew attention to the additional papers provided by the Applicant and published in the agenda supplement. Finally, she advised the Sub Committee of the options open to them in determining the application.

In response to a question from the Chair, the Licensing Manager confirmed that the licensed area was the shop itself and did not extend to the external area.

4. The representations made by the Applicant's solicitor, Mr Arnot, on behalf of the Applicant (the Co-op).

Mr Arnot stated that the Co-op had operated at the premises for 15 years; prior to that the premises had been

operated by Somerfield. Alcohol sales represented less than 20% of overall sales at the store. As an operator with more than 170 years' retail experience, the Co-op understood its responsibilities. Each region had a risk manager (in this case Sean King), who liaised with the local community and ensured that all policies and procedures were applied in-store. The Co-op was very risk-averse and getting things right was very important to them. The staff induction process set out the additional papers gave a flavour of this. The process included allocating a 'Buddy' to each new member of staff to provide support and answer questions, and a 'lockdown' procedure whereby staff were not allowed to sell alcohol until released from lockdown by the store manager. Lockdown could be re-applied at any time the staff member failed to meet the required standards.

Regarding the points raised in the written representations, Mr Arnot stated that there were 40 internal and external CCTV cameras on the premises and 29 members of staff, of whom 5 were personal licence holders. The Co-op was the first national retailer to adopt Challenge 25, and operated age-prompt tills in all its stores; these reminded the cashier of the process whenever an alcohol sale was made. He went on to outline the Co-op's involvement in and support for local communities via the Community Pioneer role, whereby the local membership decided which organisations to support.

Mr Arnot then set out the reasons for the application, stating that the extension of hours for the supply of alcohol was to allow the shop to open later, to accommodate internet shopping and because it was what customers wanted. The addition of late night refreshment was required because there was a Costa coffee machine on the premises. The change to the conditions was to modernise them, in line with the conditions that would be sought for a new licence. He pointed out that no objections had been received from responsible authorities or local residents. He noted that by law it was for the objectors to convince the Panel that there was evidence that the Licensing Objectives would not be upheld, and that the TCG Manchester Bars case (in the additional papers) had ruled that a variation hearing was not a

review of the licence as a whole and should only look at the parts to be changed.

Mr Arnot noted that the store manager had had a constructive meeting with the Representor but this had not resulted in withdrawal of the representations. He said that the Home Office guidance quoted in the Representor's letter was incomplete, as the guidance went on to clarify that the connection between late night refreshments and alcohol-fuelled crime and disorder related to premises such as fast food takeaways. Addressing further points in the letter, he re-iterated that there were 40 CCTV cameras in the store, adding that these did not cover the car park but that people didn't currently congregate there and the extended hours would not alter this. He repeated that the store operated a proof of age scheme and added that the Co-op had a comprehensive complaints procedure called Care Line and took complaints very seriously. The Applicant would be happy to display signage as suggested in the letter. There were bins at the store and tidying up was part of the daily process, but under the Section 182 guidance the Applicant could only be held responsible for what they could control. There had been no complaints about litter to date, and there was no reason for this to change.

In response to questions from Panel Members:

- Mr Verschoor, the store manager, said he had been in post for 7 months and had not had any issues with anti-social behaviour.
- Mr Verschoor confirmed that the Costa machine was the only hot drinks dispenser on the premises and that it was operated by the customer, who then paid at the till or the self-service till.
- Mr Arnot explained that:
 - section 15 on the application form (opening hours) had been left blank as standard Co-op policy, because opening hours were a matter for the Planning process and not prescribed by Licensing;
 - all tills were time-locked, to prevent sales of alcohol or hot drinks outside the licensed hours;
 - no request had been made to vary the hours of Late Night Refreshment (section 12), the

application requests the inclusion of Late Night Refreshment as this was not currently included in the licence.

5. The representations made by Andrew Mortimer and Pippa Hepworth, on behalf of Hull Road Lib Dem Focus Team (the Representor).

Mr Mortimer stated that several local residents had told members of the Focus Team that they were against the application. The key issue was the location of the premises in the middle of a residential area with houses on all sides, as shown on the map at page 41 of the agenda papers. He said that the areas the Representor was most concerned about were the prevention of crime and disorder and public nuisance, and that the Home Office guidance linked the sale of late night refreshments to crime and disorder. What the Applicant proposed to do and what the licence allowed them to do were two separate things, and there was a risk of disorder from customers buying alcohol between the hours of 11pm and 12 midnight. He suggested that most people buying alcohol at that time of night would already have had a drink and there was also potential for noise and disturbance at a time when local residents were trying to sleep. He submitted that the conditions did not go far enough and that there should be CCTV coverage of all external areas where people could congregate, in accordance with paragraph 7.12 of York's licensing policy. There was a large sheltered area which could encourage people to hang around. The application had removed a condition in the current licence (regarding the position of the CCTV cameras) that could have dealt with this.

Ms Hepworth confirmed that a positive meeting had taken place with the store manager. Mr Verschoor had demonstrated the Challenge 25 process, and the Representor agreed that this covered the requirements in respect of proof of age.

On the matter of public nuisance, Mr Mortimer said that under the licensing policy the Applicant should focus on the effects of activities on people living and working in the area, but the Co-op had spoken only about their complaints procedure, not about any proactive action they

were taking. Ms Hepworth said that they had asked Sean King about the procedure and were told that customers could complain by using receipts or approaching the store manager. She was unsure how a resident would be able to complain about noise occurring outside the premises. Mr Mortimer said he had looked on the Co-op's website and found that the online process required information from a receipt and could not be used by a non-customer. He said they had not understood the procedure, and that a clear and accessible complaints procedure was needed.

Mr Mortimer went on to state that signage at the premises should comply with paragraph 7.12 of the licensing policy, with prominent notices asking customers to leave quietly, and there should also be a requirement for the Applicant to clean up outside the premises. He submitted that these requirements were not unreasonable and would address some of the concerns raised.

[At this point, Mr Arnot read out the Co-op's Care Line procedure and indicated the various ways in which it could be used to make a complaint; he also referred to the training received by staff on dealing with complaints.]

In response to questions from Panel Members, Mr Mortimer stated that:

- He had no evidence about the behaviour of customers between 11pm and 12 midnight, but he thought they were likely to be calling in on their way home from the pub.
- The residents he had spoken to did not like the idea of the extended opening hours because no other local premises were open this late.
- Nobody knew who the late customers would be, but the concern was that once the application was approved the Co-op could do anything they liked within the terms of the licence.
- His suggestion was to make the complaints procedure clear and understandable so that residents knew what behaviour was allowed and what the limits were.
- The complaints information on the website was entirely customer-based, requiring details of receipts, and was not easy to find. It was not designed for these circumstances.

- He had no evidence that local residents who wished to complain had been unable to do so.

Both parties were then given the opportunity to sum up.

Mr Mortimer summed up for the Representor, stating that they were not against the application in principle, but wanted improved conditions that better represented the local community and addressed the points in the licensing policy. Once the application was approved it would give the Applicant the ability to go beyond their current plans, so it was important for the conditions to cover the full scope of the approval.

Mr Arnot summed up for the Applicant, stating that he did not agree with the Representor that approval meant there was no going back, as the Applicant could be prosecuted or the licence reviewed in the event of a breach. It was also wrong to suggest that people buying alcohol between 11pm and 12 midnight were usually drunk. This was a convenience store and the change would cater for everyday customers, such as people on shift work. He reiterated that it was for the objector to prove that the application would not meet the licensing objectives and that the Thwaites case required the decision to be based on fact and not on hypothesis. The sale of alcohol up to 11pm was causing no problems and the Applicant only asked for one more hour. He had never heard anyone complain about the Care Line process. Anyone could simply walk into the shop and speak to a member of staff. He saw no reason not to approve the variation.

In response to point of clarification raised by the Chair:

- Mr Arnot stated that music could not be played as a licensable activity; only as background music.
- Mr Verschoor confirmed that Co-op radio was played in the store and this would be turned down or off if requested.

In respect of the proposed licence, the Sub-Committee had to determine whether the licence application demonstrated that the premises would not undermine 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 35(4) of the Licensing Act 2003 as it considered necessary for the promotion of the Licensing Objectives:

Option 1: Modify the conditions of the licence. This option was **approved**.

Option 2: Reject the whole or part of the application. This option was **rejected**.

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.

- Reasons:
- (i) The Sub-Committee must promote the licensing objectives and must have regard to the Guidance issued under section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy.
 - (ii) The Sub-Committee noted that there were no representations from the Police or any of the other Responsible Authorities. It was further noted that no Responsible Authorities had requested any changes to the conditions as submitted by the Applicant.
 - (iii) The Sub-Committee noted the concerns raised by the Hull Road Lib Dem Focus Team, the Representor, who attended the hearing and submitted written representations. The Sub-Committee considered in particular the concerns raised as to the potential impact of the modifications to the premises licence with regard to Licensing Objectives from users of the premises. It was noted that their representations relating to a 'proof of age' scheme were withdrawn. The Sub-Committee gave weight to the acceptance by the Representor that their concerns were theoretical, and that they had presented no evidence of issues or complaints.
 - (iv) In relation to the proposed extension to the hours for sale of alcohol, the Sub-Committee noted the Council's Licensing Policy and Secretary of State Guidance, which advised that supermarkets should normally be allowed to sell alcohol during their trading hours.
 - (v) The Sub-Committee noted the Applicant's evidence that the premises would be a convenience store with ancillary alcohol sales which would equate to only about 20% of the store's turnover. They also noted that the Applicant had a comprehensive training programme for staff and systems and policies were in place to control the sale of alcohol. The Sub-committee gave weight to the evidence put

forward at the hearing by the Applicant as to the nature of the business, how it functions, its national complaints procedure, and its operating schedule.

(vi) Having taken into account all the evidence before them the Sub-Committee determined that they were not persuaded by the Representor that the premises licence would not meet the licensing objectives if varied, they considered that additional conditions were not necessary or reasonable, and were satisfied that the proposed operating schedule including the proposed modified conditions, would be sufficiently robust to allay the fears of local residents and to prevent crime and disorder and public safety and public nuisance. The Sub-Committee were satisfied that granting the application to modify the premises licence would not have an adverse effect on any one or combination of the licensing objectives.

(vii) The Sub-Committee therefore agreed to grant the application to modify the premises licence to allow sales of alcohol for consumption off the premises until midnight each night, to add late night refreshment until midnight each night, and replace the conditions an Annex 2 of the premises licence with those set out in Section 16 of the Application.

Cllr R Melly, Chair

[The meeting started at 10:00 am on 18 October and was adjourned at 10:07 am; it resumed at 10.03 am on 26 October and finished at 11.17 am].



Licensing Act 2003 Sub Committee

20 December 2021

Report from the Director – Environment, Transport & Planning

Section 18(3) (a) Application for a premises licence for Clifton Bridge Hotel, 23 Water End, Clifton, York, YO30 6LL

Summary

1. This report seeks Members determination of an application for the grant of a premises licence, which has been made under the Licensing Act 2003.
2. Application reference number: CYC069581
3. Name of applicant: Clifton Bridge Hotel Ltd
4. Type of authorisation applied for: Grant of Premises Licence
5. Summary of application:

The proposal is to allow for the provision of the following activities at a Clifton Bridge Hotel:

Proposed Activity	Timings
Provisions of Late Night Refreshment – indoors (food to be provided to residents only – room services)	Mon – Sun 23:00 – 01:00
Supply of Alcohol – on and off the premises	Mon – Sun 12:00 – 23:00
Opening hours	Mon – Sun 12:00 – 23:00

Background

6. A copy of the application can be found at Annex 1, including a plan(s) of the premises.

7. The premises is described in the application as a hotel with 14 bedrooms, a bar area, a restaurant for seating of up to 43 people and an outside seating area for up to 40 people.
8. An overview of the circumstances in which entertainment activities are not licensable can be found at Annex 2.
9. This premises was previously licensed. The licence was suspended in 2012 due to non-payment of the required annual fee. The licence lapsed in 2018 following receipt of information that the licence holder had died.

Promotion of Licensing Objectives

10. The operating schedule submitted by the applicant shows that the licensing objectives would be met as follows:

11. General

- To follow any legislation passed regarding the sale of alcohol.
- To follow any guidelines set by City of York Council.
- All staff will receive training regarding the conditions imposed by the licence.

12. The Prevention of Crime and Disorder

Door Staff

- Due to the nature of the premises door staff will not be employed on a regular basis. Ongoing risk assessments will be made and door staff employed if necessary.

Drugs

- A zero tolerance policy on drugs will be implemented.

Designated Premises Supervisor

- The DPS/PLH will be contactable in an emergency.
- If the DPS/PLH is not on site then there will be a supervisor nominated in their absence.
- A Supervisor's Register will be maintained at the licensed premises and will be available for inspection upon request.
- The premises licence holder and/or designated premises supervisor will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti-

social behaviour, admissions refusals and ejections from the premises. The Incident Report Register will be retained for a period of twelve months and produced for inspection immediately on the request of an authorised officer.

Incidents

- As above, an incident book will be kept which will record details of all instances of public disorder.

CCTV

- A suitable Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises.
- The CCTV system will cover the main entrance/s and exit/s and designated emergency access routes from the premises.
- The CCTV system will be of a satisfactory resolution quality and will contain the correct time and date stamp information.
- The CCTV footage will have sufficient storage retention capacity for a minimum of 31 days continuous footage which will be of good quality.
- The CCTV will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing.
- The CCTV will be made available at the request of an authorised officer.

Radio

- Ongoing risk assessments will be made and use of radios will be reviewed if necessary.

Bottles and glasses

- No customer will be permitted to take open containers of alcohol from the premises onto the street.
- Every effort will be made for all bottles and glasses to be removed from the public areas as soon as they are finished with.
- The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.

Proof of age

- A proof of age policy to the satisfaction of the Police and City of York Council will be in place for those purchasing alcohol.
- The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.

Drinks promotions

- Non-alcoholic drinks will be readily available at all times.
- All-inclusive nights or other inappropriate/volume drinking promotions that promote excessive drinking philosophy will not be permitted.

Notices

- Clear and legible notices will be displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.

13. Public Safety

General

- A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.
- Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.
- Before opening to the public, checks will be undertaken to ensure all access to the premises are clear for emergency vehicles. Regular checks will be undertaken when the premises is open.
- Regular safety checks of all fixtures and fittings will be made and records of these checks will be kept.
- Empty bottles and glasses will be collected regularly, paying particular attention to outdoor areas.
- No strobes, lasers or smoke machines will be used on the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.

First Aid

- A suitably trained First Aider or appointed person will be provided at all times when the premises are open.

- Adequate and appropriate First Aid equipment and materials will be available on the premises at all times.

Fire Safety

- The premises will have an up to date Fire Risk Assessment at all times.

14. The Prevention of Public Nuisance

Noise

- Clear and legible notices will be displayed at exits requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting and anti-social behaviour.
- Internal speakers will be operated by staff only and the controls will not be accessible by the public.
- No external speakers shall be used.
- Bottles will not be placed in any outdoor receptacles between the hours of 23:00 and 07:00 so as to minimise the noise disturbance to neighbouring properties.

Litter

- The PLH/DPS will ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.

15. The Protection of Children from Harm

Admission

- Children under the age of 18 will be permitted into the restaurant if they are accompanied by an adult.
- A proof of age policy to the satisfaction of the Policy and City of York Council will be in place, for those purchasing alcohol.

Working with children

- Appropriate background checks on all potential staff will be carried out before offering them employment. The Licensee will report any child related concerns to the police he/she has about potential staff, existing staff and customers.
- The PLH/DPS will comply with the written guidance for protection children from harm issued by City of York Council, Department of Social Services.

Special Policy Consideration

16. This premise is not located within the cumulative impact area.

Consultation

17. 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.
18. All procedural aspects of this application have been complied with.

Summary of Representations made by Responsible Authorities

19. North Yorkshire Police have mediated with the applicant during the consultation period, they have agreed additional conditions with the applicant which now form part of the operating schedule and will appear as conditions if the licence is granted. The agreed conditions can be found at Annex 3. Therefore North Yorkshire Police do not oppose this application.

Summary of Representations made by Other Parties

20. There have been 16 relevant representations received from other persons. The list of representors is attached at Annex 4.
21. The representations are predominantly based on the grounds of the prevention of crime and disorder, and prevention of public nuisance objectives. They state that this objectives will be undermined if the application is granted.
22. A copy of all the representations are attached at Annex 5.
23. A map showing the general area around the venue is attached at Annex 6.
24. The mandatory conditions that will be attached to this licence if granted (if they apply) can be found at Annex 7. The Legislation and Policy considerations can be found at Annex 8.

Options

25. By virtue of s18(4) of the Act, the Committee have the following options available to them in making their decision: -
26. Option 1: Grant the licence in the terms applied for.
27. Option 2: Grant the licence with modified/additional conditions imposed by the licensing committee.
28. Option 3: Grant the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
29. Option 4: Refuse to specify a person on the licence as premises supervisor.
30. Option 5: Reject the application.

Analysis

31. The following could be the result of any decision made this Sub Committee:-
32. Option 1: This decision could be appealed at Magistrates Court by any of the representors.
33. Option 2: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
34. Option 3: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
35. Option 4: This decision could be appealed at Magistrates Court by the applicant.
36. Option 5: This decision could be appealed at Magistrates Court by the applicant.

Council Plan

37. The Licensing Act 2003 has four objectives the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.
38. By taking the statutory requirements of the Licensing Act into consideration, as well as the four licensing objectives when

determining licensing applications the Council are supporting the new and existing licence trade, as well as local residents and businesses. The functions support the Council's Plan of safe communities and culture for all, and a good quality of life for everyone.

Implications

39.

- **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

40. 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.
41. 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

42. Members determine the application.

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

Contact Details

Author:

Lesley Cooke
Licensing Manager

Chief Officer Responsible for the report:

James Gilchrist
Director Environment, Transport & Planning

Tel No. 01904 551515

**Report
Approved**



Date

07/12/21

Specialist Implications Officer(s)

Head of Legal & Democratic Services
Ext: 1004

Wards Affected:

For further information please contact the author of the report

Background Papers:

- Annex 1** - Application Form
- Annex 2** - Overview of Circumstances in which Entertainment Activities are not Licensable
- Annex 3** - Conditions Agreed by North Yorkshire Police and Applicant
- Annex 4** - List of Other Persons (CONFIDENTIAL)
- Annex 5** - Other Persons Representations
- Annex 6** - Map
- Annex 7** - Mandatory Conditions
- Annex 8** - Legislation and Policy Considerations

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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 CLIFTON BRIDGE HOTEL 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			
CLIFTON BRIDGE HOTEL 23 WATER END CLIFTON			
Post town	YORK	Postcode	YO30 6LL

Telephone number at premises (if any)	01904 610510
Non-domestic rateable value of premises	£ 14,464

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 type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> 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) ☐ 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	CLIFTON BRIDGE HOTEL LTD
Address	LAWRENCE HOUSE JAMES NICHOLSON LINK CLIFTON MOOR YORK YO30 4WG
Registered number (where applicable)	08810411

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
01	10	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)

HOTEL WITH 14 BEDROOMS
 BAR AREA AND RESTAURANT SEATING UP
 TO 43 PEOPLE
 OUTSIDE AREA SEATING UP TO 40 PEOPLE
 TO BE INCLUDED

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) | <input type="checkbox"/> |
| b) | films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) | indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) | boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) | live music (if ticking yes, fill in box E) | <input type="checkbox"/> |

- 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					
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"/>
				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			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			<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)
Thur			
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					
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur					
			<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)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music 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					
Thur			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Fri					
Sat					
Sun					
			<u>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</u> (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 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 playing of recorded music (please read guidance note 5)		
Wed					
Thur					
			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)		
Fri					
Sat					
Sun					

G

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

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	
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)	
Wed				
Thur			<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				
Sat			<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				

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	Please give further details here (please read guidance note 4) FOOD TO BE PROVIDED TO RESIDENTS ONLY (ROOM SERVICE)	Both	<input type="checkbox"/>
Tue	23:00	01:00			
Wed	23:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	01:00			
Fri	23:00	01:00	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 (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"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	12:00	23:00			
Tue	12:00	23:00			
Wed	12:00	23:00			
Thur	12:00	23:00	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)		
Fri	12:00	23:00			
Sat	12:00	23:00			
Sun	12:00	23:00			

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 <u>DANIEL FERRAIOLI</u>	
Date of birth _____	
Address _____ _____ _____	
Postcode	_____
Personal licence number (if known) _____	
Issuing licensing authority (if known) _____	

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).

NONE

I.

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	12:00	23:00	<p>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)</p>
Tue	12:00	23:00	
Wed	12:00	23:00	
Thur	12:00	23:00	
Fri	12:00	23:00	
Sat	12:00	23:00	
Sun	12:00	23:00	

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)

SEE OPERATING SCHEDULE ATTACHED

b) The prevention of crime and disorder

AS ABOVE

c) Public safety

AS ABOVE

d) The prevention of public nuisance

AS ABOVE

e) The protection of children from harm

AS ABOVE

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.**

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). • 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, 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	
Capacity	

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)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and

Clifton Bridge Hotel Ltd- Operating Schedule

A) General

To follow any legislation passed regarding the sale of alcohol.

To follow any guidelines set by York City Council.

All staff will receive training regarding the conditions imposed by the licence.

B) The prevention of crime and disorder

Door staff

Due to the nature of the premises door staff will not be employed on a regular basis. Ongoing risk assessments will be made and door staff employed if necessary.

Drugs

A zero tolerance policy on drugs will be implemented.

Designated Premises Supervisor

The DPS/PLH will be contactable in an emergency.

If the DPS/PLH is not on site then there will be a supervisor nominated in their absence.

A Supervisor's Register will be maintained at the licensed premises and will be available for inspection upon request.

The premises licence holder and/or designated premises supervisor will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, admissions refusals and ejections from the premises. The Incident Report Register will be retained for a period of twelve months and produced for inspection immediately on the request of an authorised officer.

Incidents

As above, an incident book will be kept which will detail recorded of all instances of public disorder.

CCTV

A suitable Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises.

The CCTV system will cover the main entrance/s and exit/s and designated emergency access routes from the premises.

The CCTV system will be of a satisfactory resolution quality and will contain the correct time and date stamp information.

The CCTV footage will have sufficient storage retention capacity for a minimum of 31 days continuous footage which will be of good quality.

The CCTV will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing.

The CCTV will be made available at the request of an authorised officer.

Radio

Ongoing risk assessments will be made and use of radio's will be reviewed if necessary.

Bottles and glasses

No customer will be permitted to take open containers of alcohol or glass from the premises onto the street.

Every effort will be made for all bottles and glasses to be removed from the public areas as soon as they are finished with.

The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.

Proof of age

A proof of age policy to the satisfaction of the Police and York City Council will be in place, for those purchasing alcohol.

The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.

Drinks promotions

Non alcoholic drinks will be readily available at all times.

All-inclusive nights or other inappropriate/volume drinking promotions that promote excessive drinking philosophy will not be permitted.

Notices

Clear and legible notices will be displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.

C) Public safety

General

A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.

Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.

Before opening to the public, checks will be undertaken to ensure all access to the premises are clear for emergency vehicles. Regular checks will be undertaken when the premises is open.

Regular safety checks of all fixtures and fittings will be made and records of these checks will be kept.

Empty bottles and glasses will be collected regularly, paying particular attention to outdoor areas.

No strobes, lasers or smoke machines will be used on the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.

First Aid

A suitably trained First Aider or appointed person will be provided at all times when the premises are open.

Adequate and appropriate First Aid equipment and materials will be available on the premises at all times.

Fire Safety

The premises will have an up to date Fire Risk Assessment at all times.

D) The prevention of public nuisance

Noise

Clear and legible notices will be displayed at exits requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting and anti-social behaviour.

Internal speakers will be operated by staff only and the controls will not be accessible by the public.

No external speakers shall be used.

Bottles will not be placed in any outdoor receptacles between the hours of 23:00 and 07:00 so as to minimise noise disturbance to neighbouring properties.

Litter

The PLH/DPS will ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.

E) The protection of children from harm

Admission

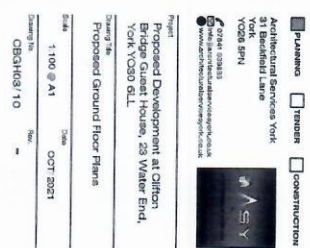
Children under the age of U18 will be permitted into the restaurant if they are accompanied by an Adult.

A proof of age policy to the satisfaction of the Police and York City Council will be in place, for those purchasing alcohol.

Working with children

Appropriate background checks on all potential staff will be carried out before offering them employment. The Licensee will report any child related concerns to the police he/she has about potential staff, existing staff and customers.

The PLH/DPS will comply with the written guidance for protecting children from harm issued by York City Council, Department of Social Services.



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Home Office – Guidance Issued Under Section 182 of the Licensing Act 2003

Section 16 Regulated Entertainment

Overview of circumstances in which entertainment activities are not licensable

16.5 There are a number of exemptions that mean that a licence (or other authorisation¹⁸) under the 2003 Act is not required. This Guidance cannot give examples of every eventuality or possible entertainment activity that is not licensable. However, the following activities are examples of entertainment which are not licensable:

- activities which involve participation as acts of worship in a religious context;
- activities in places of public religious worship;
- education – teaching students to perform music or to dance;
- the demonstration of a product – for example, a guitar – in a music shop;
- the rehearsal of a play or performance of music for a private audience where no charge is made with a view to making a profit;
- Morris dancing (or similar)
- Incidental music – the performance of live music or the playing of recorded music if it is incidental to some other activity;
- Incidental film – an exhibition of moving pictures if it is incidental to some other activity;
- A spontaneous performance of music, singing or dancing;
- Garden fetes – or similar if not being promoted or held for purposes of private gain;
- Films for advertisement, information, education or in museums or art galleries;
- Television or radio broadcasts – as long as the programme is live and simultaneous;
- Vehicles in motion – at a time when the vehicle is not permanently or temporarily parked;
- Games played in pubs, youth clubs etc. (e.g. pool, darts and table tennis);
- Stand-up comedy; and
- Provision of entertainment facilities (e.g. dance floors).

16.6 As a result of deregulatory changes that have amended the 2003 Act, no licence is required for the following activities:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the

audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

- Indoor sporting events: no licence is required for an event between 08.00 and 23.00 on any day, provided that those present do not exceed 1000.
- Boxing or wrestling entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace²⁶ that does not have a licence, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non- residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

- any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
- any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
- any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

- 16.7 The deregulatory changes mean that, for example, an indoor sporting event that takes place between 07.00 and 23.30 on a particular day is licensable in respect of activities taking place between 07.00-08.00 and 23.00-23.30. Similarly, where the audience for a performance of dance fluctuates, those activities are licensable if, and for so long as, the number of people in the audience exceeds 500. If organisers are uncertain as to audience sizes or if audience migration is likely, it might be easier and more flexible to secure an appropriate authorisation. Examples of where a Temporary Event Notice (TEN) could still be required include if the activity is the playing of recorded music or the exhibition of a film that requires an authorisation; or if the entertainment is not authorised by an existing licence or certificate and its conditions.
- 16.8 Of course, anyone involved in the organisation or provision of entertainment activities – whether or not any such activity is licensable under the 2003 Act – must comply with any applicable duties that may be imposed by other legislation relevant to the event (e.g. in areas such as crime and disorder, fire, health and safety, noise, nuisance and planning). Any such person should take steps to be aware of relevant best practice, and may find responsible authorities a useful source of expert support and advice.

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Cooke, Lesley

From: Hollis, Kimberley <Kimberley.Hollis@northyorkshire.police.uk>
Sent: 29 November 2021 14:48
To: licensing@york.gov.uk
Cc: Meghan Waldron
Subject: Clifton Bridge Hotel - New grant application

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good Afternoon Licensing,

I have reviewed the application for a premises licence at Clifton Bridge Hotel, 23 Water End, York and after discussions with the solicitor for the applicant I can confirm that the below agreement has been made in addition to the operating schedule offered.

Aa this agreement has been made I can confirm that North Yorkshire Police have no objection to this application and as such no Police representation shall be submitted.

Meghan – Thank you again, copy for your records.

CCTV condition enhanced to:-

-A digital colour CCTV system will be installed to cover the premises and recorded coverage will include all areas (including outside areas) to where public have access to consume alcohol as well as the exit/entrance.

It will be maintained, working and recording at all times when the premises are open.

The recordings should be of good evidential quality to be produced in Court or other such hearing.

Copies of the recordings will be kept available for any Responsible Authority for 31 days. Subject to Data Protection requirements.

Copies of the recordings shall be made available to any Responsible Authority within 48 hrs upon request. Subject to Data Protection requirements.

Copies of the recordings will display the correct time and date of the recording.

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. Subject to Data Protection requirements.

Staff training enhanced to:-

**-Documented staff training will be given regarding staff's obligation under the Licensing Act in respect of the:-
Retail sale of alcohol**

Age verification policy

Conditions attached to the Premises Licence

Permitted Licensable activities

The Licensing objectives and

The Opening Times of the venue.

Such records shall be kept for a minimum of one year and will be made available immediately upon request from any Responsible Authority.

Additional conditions:

-It is the responsibility of the Designated Premises Supervisor / Manager on duty for risk assessing the need for SIA Door Supervisors at the premises. Special consideration should be given to the need for Door staff on Fridays/Saturdays or any Sunday leading into a bank holiday Monday and any days where race meetings are held at York Racecourse.

-The licence holder will operate a Challenge 25 Age Verification Policy at the premises.

-The only acceptable proof of age identification shall be a current Passport, photo card Driving Licence, Military ID card, or identification carrying the PASS logo (until other effective identification technology e.g thumb print or pupil recognition, is adopted by the Premises Licence Holder).

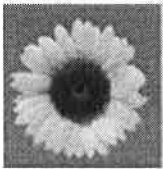
-The sale of alcohol shall cease 30 minutes before close of business on any given day to allow for 'drinking up' time.

-The outside area shall not be used by customers for food and drink after 2100hrs daily.

Kind Regards
Kim

PC 1671 Kim HOLLIS
Alcohol Licensing Officer (York)
Partnership Hub
North Yorkshire Police
Mobile 07802 385220
Tel: 101

'Committed to the Code of Ethics'



**I Support the
Hidden Disabilities
Sunflower Scheme**

From: Meghan Waldron <Meghan.Waldron@luptonfawcett.law>
Sent: 29 November 2021 12:58
To: Hollis, Kimberley <Kimberley.Hollis@northyorkshire.police.uk>
Subject: Clifton Bridge Hotel - Proposed condition enhancement

Dear PC Hollis

I write further to our telephone conversation this morning. I can confirm that my client agrees with all of your proposed conditions set out in your email below.

It is intended that the hotel restaurant will be open to residents of the hotel and members of the public if they book specifically to dine there.

My client confirms that the hotel does on occasion accept bookings from York City Council for people seeking emergency housing but this is on an ad hoc basis if he is contacted by them and if he has a vacancy.

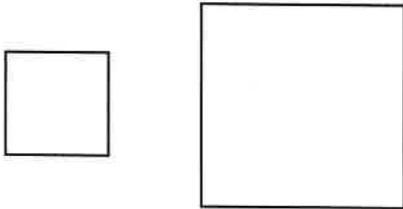
Please do not hesitate to contact me should you have any further questions.

Kind regards

Meghan Waldron

Meghan Waldron
Senior Associate, Regulatory & Corporate Defence
for and on behalf of Lupton Fawcett LLP

☐ +44(0)113-280-2125 ☐ +44(0)7469-859708 ☐ meghan.waldron@luptonfawcett.law ☐ ☐ ☐



Yorkshire House, East Parade, Leeds LS1 5BD.

T: +44(0)113-280-2000 F: +44(0)113-245-6782

The Synergy Building, 47 Bank Street, Sheffield S1 2DR. T: +44(0)114-276-6607 F: +44(0)114-276-6608

Stamford House, Piccadilly, York YO1 9PP.

T: +44(0)1904-611-411 F: +44(0)1904-646-972

From: Hollis, Kimberley [m]

ailto:Kimberley.Hollis@northyorkshire.police.uk]

Sent: 26 November 2021 15:07

To: Meghan Waldron <Meghan.Waldron@luptonfawcett.law>

Subject: Clifton Bridge Hotel - Proposed condition enhancement

Good Afternoon Meghan,

Thanks for calling me back today to discuss the above. I have below written some enhanced conditions I propose for the venue as well as some to add to those already offered on the operating schedule. I should appreciate your clients thoughts on these . Further any clarity that can be given as to the style of operation at the hotel would be greatly appreciated.

CCTV condition enhanced to:-

-A digital colour CCTV system will be installed to cover the premises and recorded coverage will include all areas (including outside areas) to where public have access to consume alcohol as well as the exit/entrance.

It will be maintained, working and recording at all times when the premises are open.

The recordings should be of good evidential quality to be produced in Court or other such hearing.

Copies of the recordings will be kept available for any Responsible Authority for 31 days. Subject to Data Protection requirements.

Copies of the recordings shall be made available to any Responsible Authority within 48 hrs upon request. Subject to Data Protection requirements.

Copies of the recordings will display the correct time and date of the recording.

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. Subject to Data Protection requirements.

Staff training enhanced to:-

**-Documented staff training will be given regarding staff's obligation under the Licensing Act in respect of the:-
Retail sale of alcohol**

Age verification policy

Conditions attached to the Premises Licence

Permitted Licensable activities

The Licensing objectives and

The Opening Times of the venue.

Such records shall be kept for a minimum of one year and will be made available immediately upon request from any Responsible Authority.

-It is the responsibility of the Designated Premises Supervisor / Manager on duty for risk assessing the need for SIA Door Supervisors at the premises. Special consideration should be given to the need for Door staff on Fridays/Saturdays or any Sunday leading into a bank holiday Monday and any days where race meetings are held at York Racecourse.

-The licence holder will operate a Challenge 25 Age Verification Policy at the premises.

-The only acceptable proof of age identification shall be a current Passport, photo card Driving Licence, Military ID card, or identification carrying the PASS logo (until other effective identification technology e.g thumb print or pupil recognition, is adopted by the Premises Licence Holder).

-The sale of alcohol shall cease 30 minutes before close of business on any given day to allow for 'drinking up' time.

-The outside area shall not be used by customers for food and drink after 2100hrs daily.

I have the end date for representations down as 30/11 for your information.

Kind Regards,
Kim

PC 1671 Kim HOLLIS
Alcohol Licensing Officer (York)
Partnership Hub
North Yorkshire Police
Mobile 07802 385220
Tel: 101

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Thank you for your co-operation.

Document is Restricted

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Cooke, Lesley

From:
Sent: 03 November 2021 21:12
To:
Cc: licensing@york.gov.uk
Subject: Re: Clifton Bridge Guest House

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Follow up to correct error

External alcohol being sold until 11pm and in house refreshments until 1am - the argument still stands. There will be no respite from the damage this will cause.

Sent from my iPhone

> On 3 Nov 2021, at 8:18 pm,
 >
 >
 >> Dear Sir/Madam,
 >>
 >> We wish to object to the alcohol licensing application by the Clifton Bridge Guest House. As a close neighbour, we are already woken regularly by the noise made by people coming and going from the guest house at night. Adding alcohol to the mix until 1am in a quiet residential street is simply not appropriate and is will result in even greater disruption to the local community (who often have small children and need to work the following day)
 >
 >> The 1am deadline on a residential street would undoubtedly be a source of increased late night noise and an increase in anti-social behaviour on the neighbouring streets. It would cause a public nuisance in the early hours 7 days a
 >
 >> On a personal level, our son has a severe disability and the level of noise pollution this proposal would cause is likely to disrupt his already precarious sleep patterns and cause very tangible harm to his well-being and that of his family and carers. Late night loud noises cause extreme distress, self-harm and break sleep patterns which are almost impossible to restore. The level of distress and sleep disruption the Clifton Bridge Guest House would inevitably inflict, would be unbearable.
 >
 >> There are other venues serving alcohol within easy walking distance (as well as the impending opening of the White Horse on Clifton Green) to make this application entirely unnecessary.
 >>
 >> Best wishes,
 >>
 >`
 >>
 >> Sent from my iPhone

Cooke, Lesley

From:
Sent: 04 November 2021 17:43
To: licensing@york.gov.uk
Subject: Alcohol licence for Clifton Bridge Hotel

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I wanted to write to register my concern about the application for an alcohol licence until 11pm for Clifton Bridge Hotel.

I have already witnessed a number of fights and drunken and aggressive behaviour outside the hotel, and a late alcohol licence would undoubtedly make this much worse, particularly in what is otherwise a quiet residential road with a lot of young families.

I would like to strongly object to this application.

Best regards,

Cooke, Lesley

From:
Sent: 04 November 2021 18:04
To: licensing@york.gov.uk
Subject: Clifton ton Bridge Hotel, Water End

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern,

I am writing to object to the application for a license for Clifton Bridge Hotel. My concerns are many but I am particularly concerned that this establishment has already been the scene of public disorder without a license. If a license is granted I am concerned that there would be further, and possibly increased, disorder.

In addition, Westminster Road and Water End are residential streets where there are many young families with children and elderly residents. Many of the residents and visitors to Homestead Park would need to walk past the premises and the driveway which is very close to a busy junction. In short, I feel the position of the premises is dangerously situated having witnessed 'near misses' already before adding alcohol into the mix.

Yours faithfully,

✉

Sent from my iPhone

Cooke, Lesley

From:
Sent: 04 November 2021 18:08
To: licensing@york.gov.uk
Subject: Clifton Bridge Hotel

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

> To whom it may concern,

>

> I am writing to object to the application for a license for Clifton Bridge Hotel. My concerns are many but I am particularly concerned that this establishment has already been the scene of public disorder without a license. If a license is granted I am concerned that there would be further, and possibly increased, disorder.

>

> In addition, Westminster Road and Water End are residential streets where there are many young families with children and elderly residents. Many of the residents and visitors to Homestead Park would need to walk past the premises and the driveway which is very close to a busy junction. In short, I feel the position of the premises is dangerously situated having witnessed 'near misses' already before adding alcohol into the mix.

>

> Yours faithfully,

Sent from my iPhone

Cooke, Lesley

From:
Sent: 05 November 2021 11:28
To: licensing@york.gov.uk
Subject: Re: Opposing licensing application for 23 Water End Lane Hotel

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello.

Please find my personal details below:

Sent from my iPhone

> On 5 Nov 2021, at 08:56, licensing@york.gov.uk wrote:
>
> Dear Sir
>
> Thank you for your representation. We are unable to accept it without your full name and address. If you could reply with your details.
>
> Kind regards
>
> Licensing Section
> t: 01904 552422 | e: licensing@york.gov.uk
>
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> information we collect, how we use it and who we may share it with,
> please visit <https://www.york.gov.uk/privacy>
>
> City of York Council | Public Protection Place Directorate, Hazel
> Court Eco Depot, James Street, York, YO10 3DS www.york.gov.uk |
> facebook.com/cityofyork | @CityofYork
>
> Please be advised that following the latest Government advice regarding the outbreak of Coronavirus (COVID-19), the Licensing Section will be working from home where possible. Emails and calls will still be responded to but it may take a little longer than usual. We apologise in advance for any inconvenience this may cause. It would help us greatly if you could communicate by email wherever possible.
>
>
>
>
>
>
>
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> collect, how we use it and who we may share it with please see the
> Public Protection Privacy Policy on our website, www.york.gov.uk

>
>
>
>
> -----Original Message-----
> From:
> Sent: 04 November 2021 21:02
> To: licensing@york.gov.uk
> Subject: Opposing licensing application for 23 Water End Lane Hotel
>
> This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.
>
> To whom it may concern.
>
> I wish to oppose to the application for an alcohol license at 23 Water End Lane Hotel for the following reasons:
>
> I have been inside the premises when a friend came to stay and I was shocked that there were several Fire Risks apparent. I have a background in Fire Safety and Health and Safety and can state with some accuracy that the building does not conform to the Fire Regs. Basic fire precautions are not being addressed such the sighting of fire extinguishers. The routes are too narrow and there is insufficient lighting, fire doors and signage and fire exits, etc for guests to use in an emergency. The building has clearly been worked upon since these Regs became effective which should have triggered a Legal requirement to amend the property so that it conforms to the said legislation. I have established fire risk management in public areas before and have had several signed off by the local fire authority. The major concern the fire staff rightly brought attention to is that the said building would never conform to fire regs (it was a grade 1 listed building in this example) but that what I proposed was suitable and sufficient given this. The introduction of alcohol rendered the fire risk management plan unusable because of the unpredictable nature of people when in drink. Not only does 23 Water End Lane have insufficient fire protection in its current guise but that it would only become a greater fire risk should a license be awarded. In short, the site is a high enough fire risk in its current layout and therefore should not receive an alcohol license.
>
> I'm aware that this hotel is used by a lot of suffering individuals with addiction challenges. I'm not sure if this is a Council/social care opportunity for the unfortunate but I find the idea that an alcohol license being awarded to the premises nothing short of handing a loaded gun to these guests. The point of enabling addicts a safe place to sleep is defeated if alcohol is on offer. I fear that this would risk more anti-social behaviour in the immediate vicinity.
>
> I would be grateful if I could receive an acknowledgment to ensure this message has been received given the alarming Health and Safety concerns raised.
>
> Thank you
>
>
> Sent from my iPhone
> * * * * *
> * * * * * Help protect the environment! - please don't print this email unless you really need to.
> * * * * *
> * * * * *
>
> This communication is from City of York Council.

Cooke, Lesley

From:
Sent: 12 November 2021 20:31
To: licensing@york.gov.uk
Subject: Clifton Bridge Hotel - 23 Water End

Follow Up Flag: Follow up
Flag Status: Flagged

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs/Madam

I wish to make observations in relation to the application for alcohol licencing of the above hotel on grounds of the potential for public nuisance.

The hotel occupies a prominent and busy corner of Water End and Westminster Road and is neighbouring residential development. The hotel appears to have been going through a period of investment including refurbishment which is welcomed. This has included improvements to the outside area fronting the main road on Water End with a seating/entertainment area.

The concern relates to the potential for noise and antisocial behaviour from the front of the hotel (outside area) which has the potential to be more prevalent during the summer months. It is also unclear whether the bar would be open to members of the public, rather than hotel guests only. The latter would give rise to concerns as to the potential for numbers of people to congregate outside of the hotel if not limited.

Regards



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Cooke, Lesley

From: licensing@york.gov.uk
Sent: 18 November 2021 12:45
To: Kettlestring, Jemma
Subject: FW: Clifton Bridge Hotel 23 Water End YO30 6LL

From: ..
Sent: 18 November 2021 11:41
To: licensing@york.gov.uk
Subject: Clifton Bridge Hotel 23 Water End YO30 6LL

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Clifton Bridge Hotel 23 Water End YO30 6LL

Dear Sir/Madam

We wish to make the following considerations relating to the application for alcohol licencing of the above hotel on grounds of the potential for public nuisance, public safety, and noise issues.

The hotel is situated in a prominent position on an extremely busy corner of two main roads, Water End and Westminster Road where all of the housing is of a residential nature. It has very limited parking and at present guests sometimes have to park on Westminster Road. The hotel has recently undergone a refurbishment with particular emphasis on the outside areas.

Our considerations relate to the potential for antisocial behaviour, excessive noise and public safety, around and outside of the hotel.

It is not clear in the application whether vertical drinking, with or without food, by hotel guests and/or members of the public would be allowed.

Should vertical drinking be allowed by members of the public, there is a concern regarding the numbers of people present, and drinking spreading onto both Water End and Westminster Road causing public nuisance, public safety and noise issues.



Virus-free. www.avast.com

Cooke, Lesley

From:
Sent: 24 November 2021 16:42
To: licensing@york.gov.uk
Cc:
Subject: Alcohol licence application Clifton Bridge Hotel

Dear Licensing Team

We would like to formally object to the application for a licence for the supply of alcohol both on and off sales for Clifton Bridge Hotel Ltd. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

The Hotel is situated in a residential area.

Neighbouring residents have expressed concerns about the current level of noise and disturbance coming from the Hotel but are extremely worried about the impact if the property were to be granted a licence.

There have been several incidents reported at the Hotel that have resulted in Police involvement.

We have also spoken to the local Police Officers who have expressed their concerns about a licence for Clifton Bridge Hotel.

In addition to this Clifton Bridge Hotel is located close to a quiet riverside walk which does not have a great deal of lighting and we have concerns about public safety particularly when alcohol would be available to purchase so near to the river.

Ward Councillors for Clifton

Cooke, Lesley

From:
Sent: 25 November 2021 10:26
To: licensing@york.gov.uk
Subject: RE: License Application by Clifton Bridge Hotel, York

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

The Clifton Green Hotel (Guest House) occupies a prominent position on the busy corner between Water End and Westminster Road essentially in the heart of a residential area. It has been going through considerable refurbishment and development over a long period including the installation of a 'bar and entertaining area' that sit facing Water end and Westminster Road junction. It seems clear that this will be used for its apparent purpose once licensing is granted resulting in noise and antisocial behaviour in the area. It seems more than likely that this would be more prevalent during spring, summer and autumn months but would not exclude it happening in winter months as well. Such a circumstance would have the potential to draw crowds to the property with the likelihood of spilling over onto the street.

I would hope that my concerns will be taken into account when the license is considered.

Yours

From: licensing@york.gov.uk <licensing@york.gov.uk>
Sent: 25 November 2021 09:48
To:
Subject: RE: License Application by Clifton Bridge Hotel, York

Good Morning,

In order to accept your representation as a valid rep we would require some further information. If you could please expand on how it relates to one or more of the licensing objectives – what was the rowdiness (noise, ASB), how did it impact yourself and the local residents etc.

Please find attached representation guidance.

Regards

Licensing

Licensing

t: 01904 552422 | e: Licensing@york.gov.uk

City of York Council | Public Protection

Place Directorate | Eco Depot, Hazel Court, James Street | York YO10 3DS

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<image001.jpg>

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From:

Sent: 20 November 2021 14:08

To: licensing@york.gov.uk

Subject: License Application by Clifton Bridge Hotel, York

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I note the application for an extension to the existing licence for Clifton Bridge Hotel. I wish to object to the application as it is in what is essentially a residential area, has adequate licensed premises fairly close by, not least at the Youth Hostel opposite and would encourage drinking in the garden, close to the busy Water End road.

There is also some evidence of rowdiness on the premises in recent days and granting such an extension to the licence can only exacerbate the situation.

My Name and address are:

Sent from [Mail](#) for Windows

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Cooke, Lesley

From:
Sent: 16 November 2021 16:44
To: licensing@york.gov.uk
Subject: Clifton Bridge Hotel

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I wish to object to the licencing application made for the Clifton Bridge Hotel. I do not think the application is suitable for the end of a quiet residential street. It will bring noise and nuisance to neighbors at the very least.

I have lived on Westminster Road for 20 years and have seen the police at, or parked outside, the hotel on numerous occasions. I suggest that North Yorkshire Police are consulted as to the exact number and circumstances and why the clientele seem to attract police interest. Whatever the issues at the hotel it's unlikely that alcohol licensing will improve behaviour.

Regards,

Cooke, Lesley

From:
Sent: 25 November 2021 19:58
To: licensing@york.gov.uk
Subject: Clifton Bridge Hotel alcohol licence objection

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear licencing team,

I would like to formally object to the alcohol licence that has been applied for by the Clifton Bridge Hotel (23 Water End, YO30 6LL), until recently named Clifton Bridge Guest House.

I am aware that there are often occasions when there are excessive levels of noise that comes from the Hotel and its residents, typically late at night, and that in the last few years the Police have attended on a number of occasions.

As a result I am are incredibly worried about escalations to the level of anti-social behaviour, and the subsequent need for more police attendance. I consider the potential for the Hotel to be selling alcohol until 11pm every night of the week for on and off sales to be completely inappropriate given the residential nature of its surroundings. Westminster Road, where the main entrance to the hotel is situated, is otherwise a very quiet road every evening. From a personal perspective as the parent of two young children and married to a doctor who commutes to Hull Royal Infirmary, the prospect of alcohol being consumed until 11pm each evening in an otherwise quiet neighbourhood horrifies me.

Therefore, I object to this application on the grounds of prevention of crime and disorder, and the prevention of public nuisance.

Kind regards,

Cooke, Lesley

From:
Sent: 27 November 2021 20:20
To: licensing@york.gov.uk
Subject: Re: Objection - Westminster road

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear licencing team,

I would like to formally object to the alcohol licence that has been applied for by the Clifton Bridge Hotel (23 Water End, YO30 6LL), until recently named Clifton Bridge Guest House. As a nearby neighbour I am aware that there are often occasions when there are excessive levels of noise that comes from the Hotel and its residents, typically late at night, and that in the last few years the Police have attended on a number of occasions.

As a result I am incredibly worried about escalations to the level of anti-social behaviour, and the subsequent need for more police attendance. I consider the potential for the Hotel to be selling alcohol until 11pm every night of the week for on and off sales to be completely inappropriate given the residential nature of its surroundings. Westminster Road, where the main entrance to the hotel is situated, is otherwise a very quiet road every evening. From a personal perspective as the parent of a very young child, the prospect of alcohol being consumed until 11pm each evening in an otherwise quiet neighbourhood horrifies me.

Therefore, I object to this application on the grounds of prevention of crime and disorder, and the prevention of public nuisance.

Sent from my iPhone

> On 16 Nov 2021, at 09:31, licensing@york.gov.uk wrote:

>

> Good Morning,

>

> I'm afraid we are unable to accept your email as a valid representation as it does not refer to any of the licensing objectives. You will also need to state which premises the representation is for.

> I have attached a representations guidance document. The last day we can receive representations is the 30/11/2021.

>

> Regards

>

> Licensing

>

> Licensing

> t: 01904 552422 | e: Licensing@york.gov.uk

>

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>
> Please be advised that following the latest Government advice regarding the outbreak
of Coronavirus (COVID-19), the Licensing Section will be working from home where
possible. Emails and calls will still be responded to but it may take a little longer
than usual. We apologise in advance for any inconvenience this may cause. It would
help us greatly if you could communicate by email wherever possible.
>
>
>
>
>
>
> -----Original Message-----
> From:
> Sent: 14 November 2021 09:54
> To: licensing@york.gov.uk
> Subject: Objection - Westminster road
>
> This email originated from outside of the organisation. Do not click links or open
attachments unless you recognise the sender and know the content is safe.
>
> To whom it may concern,
>
> I'd like to formally object to the requested alcohol license for the guest
house/hotel on Westminster road, YO30. We have recently moved to the area, chosen
because we have a young family and wanted somewhere quiet and safe. An alcohol license
would pose a threat not just to our family (children under 2) but to our elderly
neighbours and the many other residents of the area. There are plenty of premises for
patrons to drink nearer the city and still stay at the guest house.
>
> I am deeply concerned about this proposal and sincerely hope the correct decision is
made to reject this request.
>
> Sincerely,
>
> Resident of Westminster road
>
> Sent from my iPhone
> * * * * *
> * * * * * Help protect the environment! - please don't print this email
unless you really need to.
> * * * * *
> * * * * *
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other person.
>

21.11.2021

To:
The Manager,
'Grant of Premises Licenses' Department,
City of York Council Licensing Authority,
James Street, Eco Department,
York YO10 3DS

Dear Sir/Madam,

**City of York Council, Licensing Act 2003
Notice of Application for the Grant of a Premises License**

**Applicant: Clifton Bridge Hotel Ltd.
Address: 23 Water End, YO306LL**

I enclose herewith my Representation with regard to the above application with reasons for my objections to the granting of this license.

Unfortunately, owing to being in the Covid high vulnerability category – and with a recently broken femur – together with transport difficulties of getting across town to James Street, I am precluded from viewing the application document. My comments are based on the information accessed from the Notice on the Railings of the Clifton Bridge Hotel and the Licensing Applications Register: Licensing Act 2003, Advertisement of Applications, on the york.gov.uk site.

I should be most grateful if you could put my Representation before the Chairman of the Committee making a decision on this license for their thoughtful consideration.

With my thanks,

Yours sincerely,

**City of York Council
Licensing Act 2003
Notice of Application for the Grant of a Premises License**

**Applicant: Clifton Bridge Hotel Ltd.
Address: 23 Water End, YO306LL**

**Representations must be made no later than 30/11/2021
To City of York Council Licensing Authority**

**To: The Chairman and members of the Committee considering the
above Application**

Dear Chair and Members,

As an _____ of the above premises, the representation below notes my considered comments and concerns which I hope will be taken into account when this application is considered. From the information available, the proposals represent a fundamental change in status of the Hotel from an "unpretentious guesthouse" ('Clifton Bridge Guesthouse' as advertised on the Net 15.11.21). Such a changed Establishment would be detrimental to the surrounding community and out of keeping with this Residential Area. For this reason, and the negative environmental impact of issues on safety, vehicle congestion, parking hazard, noise and residential intrusion, I feel I must object to the Application.

Yours sincerely,

20.11.2021

Issues of Traffic/Parking

The Clifton Bridge Hotel is a Commercial Property located within a close-knit Community in a Residential Area. My first thoughts when I became aware of the Application were of the substantial increase in traffic that would be created at this busy and dangerous junction. Secondly, where could the additional engendered vehicles be parked on this congested part of Westminster Road? The Hotel has extremely limited parking facility for the size of the hotel and number of residents it can cater for; a severe, recurring problem over many years.

P.T.O.

The proposed changes would increase deliveries of food and drink, as well as other daily servicing requirements, staffing and waste products. This would exacerbate the problem, both around the Hotel and around the junction as well as down Westminster Road, adding to on-going problems with traffic/parking and the hazard they pose. The Hotel's Commercial Waste Bin, seemingly parked permanently on Westminster Road, an additional threat to the safety of road users.

Provision of Late night refreshment (Indoors)

Monday to Sunday: 23.00 to 01.00 hrs

It is questionable whether the environmental noise and residential intrusion (including the coming and going of taxis, cars, chatter etc.) likely to emanate from kitchen and dining staff, guests of Hotel residents and/or 'reserved' Celebration Party guests, leaving the hotel in the early hours of the morning after Late Night Refreshment (with the potential to having consumed alcohol until 11 pm) could ever be acceptable within yards of homes, some with children, in such a Residential Area. The hotel can cater for a substantial number of residents so the numbers involved could be significant, unless exclusion is an embedded condition of the license.

Sale by Retail of Alcohol: 'on and off' sales

Monday to Sunday: Midday to 23 hrs

If my interpretation of the title of this section is correct it seems that alcohol could be permitted to be sold to non-residents of the Hotel for consumption both on and off the site, (in addition to residents of the Hotel); permitted both outdoors and indoors.

This could result in the very long and wide terrace (running across the full frontage of the Hotel along Water End and extending along the Westminster Road side of the Hotel) used as a Drinking Place from lunch time until 11 p.m? Alcohol consumption is notorious for the creation of anti-social behaviours, thoughtlessness, noise and nuisance, often requiring intervention. This type of Establishment has a history of boisterous and rowdy participants with potential for revellers to impact on a hard-pressed police force.

It could be legitimately argued that No. 23 Water End would be an inappropriate location for such a changed Establishment,

Opening Hours. Monday to Sunday: Midday to 23.00 hrs

The deleterious environmental impact from the fall-out of the proposed activities would be experienced every day for 7 days a week, a nightmare scenario for neighbours in this residential community.

Relevant to the Application, residents in this vicinity are well aware that Music played outdoors (recorded or live, licensed or unlicensed) can prove to be a most negative intrusion, detrimental to health and mental well being.

Cooke, Lesley

From:
Sent: 29 November 2021 17:19
To: licensing@york.gov.uk
Subject: RE: License for Clifton Bridge Hotel

Importance: High

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Thank you for sending the information I requested from you.

I have to say that I am extremely surprised that I have not received a letter regarding this application, in view of the fundamental change of use to which it refers.

I have a serious objection to changing a "Bed and Breakfast" establishment into what is effectively a public house. I own and live in the property

The recent erection of a new, covered seating area, which I was not informed of, has also now provided an open facing side

I would also point out other reasons why this application is not acceptable :-

- There is limited parking onsite and all of these areas around the property are residents only parking, entrances to residents driveways and on the corner of an extremely busy main road (The three services have to drive extremely fast to attend to their jobs along this main highway) and this would be a nightmare for them and not acceptable on a corner such as this.
- As you are aware, this is a fully residential area and would be highly disruptive to all residents.
- This is a community of families with small children, I have a 1 year old granddaughter who stays here on a weekly basis and the potential for noise and, shall we say, boisterous patrons leaving late at night, would be very disruptive to families living locally and my family in particular. The potential for public nuisance is very real and unacceptable. Doors slamming, cabs, taxis and ubers delivering and collecting patrons would significantly increase noise pollution all day long.
- There is a risk to children in the area with potential numbers of inebriated patrons leaving the "Pub", and walking down the residential Westminster Road or Water End area. We all know that drink increases the boisterous nature of people and, if this is during the day, children could be out playing in the area and could be at risk. Police presence springs to mind and therefore causing more disruption.
- The potential for drinking glasses, glass bottles, cigarette waste and litter to be dropped in the vicinity and over my garden wall is real and probable.
- The application for an "off license" also does not seem appropriate when there are local off licenses already on Clifton Green and the Leeman Road area. As an "Off License" this would encourage people to "drop off" to buy alcohol and, as there is no parking to service this need, it would encourage illegal parking close by.
- None of this takes into account the potential for traffic issues in a purely residential area, with deliveries to the guest house having to park on a very difficult junction, in a residents only parking area. This would be disruptive to the residents of Westminster Road and the traffic on the main Water End road and any adjoining roads.

In conclusion, in so many ways, this application is highly inappropriate for the area in which it is situated.

Please acknowledge receipt of this objection.

Sent from Mail for Windows

From: licensing@york.gov.uk
Sent: 16 November 2021 10:23
To:
Subject: RE: License for Clifton Bridge Hotel

Good Morning,

Please find attached a redacted version of the premises licence. If you have any further questions please do not hesitate to contact licensing@york.gov.uk

Regards

Licensing

Licensing
t: 01904 552422 | e: licensing@york.gov.uk

City of York Council | Public Protection
Place Directorate | Eco Depot, Hazel Court, James Street | York YO10 3DS
www.york.gov.uk | [facebook.com/cityofyork](https://www.facebook.com/cityofyork) | @CityofYork

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Please be advised that following the latest Government advice regarding the outbreak of Coronavirus (COVID-19), the Licensing Section will be working from home where possible. Emails and calls will still be responded to but it may take a little longer than usual. We apologise in advance for any inconvenience this may cause. It would help us greatly if you could communicate by email wherever possible.

-----Original Message-----

From:
Sent: 14 November 2021 14:54
To: licensing@york.gov.uk
Subject: License for Clifton Bridge Hotel

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I have been notified that Clifton Bridge Hotel, 23 Water End Clifton York, has applied for a license and cannot find the application on the York Council website, can you please send me a link as I live next door to this and have had no formal notification of this.

Regards

Sent from my iPhone

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Cooke, Lesley

From:
Sent: 30 November 2021 16:34
To: licensing@york.gov.uk
Subject: Fwd: Objection to issuing of licence

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Sent from my iPad

Begin forwarded message:

From:
Date: 30 November 2021 at 16:30:40 GMT
To: licencing@york.gov.uk
Subject: Objection to issuing of licence

Dear licensing team

I would like to formally object to the alcohol licence that has been applied for by the Clifton Bridge Hotel (23 Water End, YO30 6LL).

I am aware that there have already been occasions of excessive noise that comes from the Hotel and it's residents, typically late at night, and the Police have attended on a number of occasions.

I, and other neighbours, are concerned about escalating levels of anti-social behaviour, and the subsequent need for more Police attendance. I consider the issuing of a licence enabling the Hotel to sell alcohol every night of the week to 11pm inappropriate given the residential nature of the environment in which it's situated. The neighbourhood is otherwise a very quiet road. As a parent of a young child, this potential rise of anti-social behaviour, drain on Police resources, really concerns me.

I therefore object to this application on the grounds of prevention of crime and disorder, and on prevention of public nuisance.

Yours,

Sent from my iPad

Cooke, Lesley

From:
Sent: 30 November 2021 20:00
To: licensing@york.gov.uk
Subject: Application for an alcohol license - Clifton Bridge Hotel

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear licensing office

I understand that Clifton Bridge Hotel are applying for an alcohol license, and one that extends to 1.0am.

The Clifton area is already well-served by bars, with the Old Grey Mare very close by. It looks over a large non-residential area of open space, Clifton Green, and has both a bar and beer garden and is open to 23.00.

The Clifton Hotel sits at the top of Westminster Road, which, as you know, is a residential street in a residential area. There is no equivalent open space around it.

The Hotel bar is likely to attract non-residents, with non-permit parking available in Westminster Road after 6.0pm. In addition to the risk of noise and antisocial behaviour from late night drinkers coming to and leaving the hotel, I am concerned about the risks to those who go to drink at the hotel - potentially having been drinking at bars and pubs in the city centre. There is an open stretch of river very close by - with no protection or lighting. Late night drinkers have drowned in the Ouse in central York as you know - and the causeway from Water End runs down to river at a point that is much less clearly marked and lit. Both north and south of the Water End area of Clifton Bridge.

I do hope that your Committee will agree that York is already very well-served by bars serving alcohol late into the night and early morning. And does not need another in a residential area by a treacherous stretch of river.

Many thanks for your consideration

Annex 6



Date: 07 Dec 2021
Author: City of York Council
Scale: 1:1,250

0 0.025 0.05 0.075 0.1 0.125
Km



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**MANDATORY & PROHIBITED CONDITIONS – PREMISES LICENCE
LICENSING ACT 2003**

MANDATORY CONDITIONS WHERE LICENCE AUTHORISES SUPPLY OF ALCOHOL

1. In accordance with section 19 of the Licensing Act 2003, where a premises licence authorises the supply of alcohol, the licence must include the following conditions.
2. The first condition is that no supply of alcohol may be made under the premises licence -
 - (a) at a time where there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
3. The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
 - (a) games or other activities which require or encourage, or are designed to require or encourage individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –

- (a) a holographic mark, or
- (b) an ultraviolet feature.

7. The responsible person must ensure that –

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
- (iii) still wine in a glass: 125ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

MANDATORY CONDITION: ALCOHOL PRICING

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 –

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);

(b) “permitted price” is the price found by applying the formula –

$$P = D + (D \times V)$$

where –

- (i) P is the permitted price,
- (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(7).

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

MANDATORY CONDITION: DOOR SUPERVISION

1. In accordance with section 21 of the Licensing Act 2003 (as amended by section 25 Violent Crime Reduction Act 2006), where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must -
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of that Act.
2. But nothing in subsection (1) requires such a condition to be imposed -
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
 - (b) in respect of premises in relation to -
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence, or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section -
 - (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for the purposes of that Act (see section 3(2) of that Act), and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

MANDATORY CONDITION: EXHIBITION OF FILMS

1. In accordance with section 20 of the Licensing Act 2003, where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
3. Where -
 - (a) the film classification body is not specified in the licence, or
 - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section - 'children' means persons aged under 18; and 'film classification body' means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

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Legislation and Policy Considerations

1. The following provisions of The Licensing Act 2003 apply to this application: S4 general duties of licensing authorities; s17 application for premises licence; s18 determination of application for premises licence; s23 grant or rejection of application; ss19, 20 and 21 mandatory conditions; The Licensing Act (Mandatory Licensing Conditions) Order 2010; and The Licensing Act 2003 (Mandatory Conditions) Order 2014.
2. The following provisions of The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 apply to this application: Regulation 42, Part 2 (Premises licences) and Part 4 (General) relating to applications, notices and representations and advertisement of applications
3. The following provisions of the Secretary of State's guidance apply to this application: Section 2 The Licensing Objectives; Section 9 Determining applications; Section 10 Conditions attached to premises licences and club certificates; and Section 14 Statements of licensing policy.
4. The following paragraphs of the licensing authority's statement of licensing policy apply to this application: 5.0 Applications for Premises Licences, Club Premises Certificates and Variations; 6.0 Guidelines for Applicants; 7.0 Saturation and Cumulative Impact and 8.0 Licensing Hours.
5. 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.
6. The Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property, which may include licences in existence, and the protection of private and family life.

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