

## Licensing/Gambling Hearing

**To:** Councillors Cuthbertson, Hook and Nicholls

**Date:** Monday, 13 April 2026

**Time:** 10.00 am

**Venue:** West Offices, York

### AGENDA

#### 1. Chair

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

#### 2. Apologies for Absence

To receive and note apologies for absence.

#### 3. Introductions

#### 4. Declarations of Interest

At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

*[Please see attached sheet for further guidance for Members].*

## **5. 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.

## **6. Minutes** (pages 13 - 44)

To approve and sign the minutes of the Licensing Hearing held on 13 November 2025.

## **7. The Determination of an Application by Leeds Tap Ltd for a Premises Licence (Section 18(3) (a) application) in respect of Mittel River Restaurant, York Guildhall Restaurant, Lendal, York, YO1 8AA (CYC-083733)** (pages 45-124)

## Democratic Services Officer:

Name: Reece Williams

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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.

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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 (ہولی) میں بھی میا کی جاسکتی ہیں۔ (Urdu)



## **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;
- 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
24. The Chair will invite the Applicant 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
  - Local residents
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, a notice of the decision will be published online as soon as possible and those who were present at the hearing will be informed by email. This decision will then be communicated in full in writing, including reasons for the decision, to the Applicant and all Representatives (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 Representatives within 5 working days of the decision being made.

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

### Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) <b>OR</b> Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) <b>OR</b> Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

City of York Council

Committee Minutes

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Meeting	Licensing/Gambling Hearing
Date	13 November 2025
Present	Councillors Hook, Nicholls, and Rose
Officers in Attendance	Matthew Boxall – Head of Public Protection Jodi Ingram – Legal Advisor

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**39. Chair (10:27am)**

Resolved: That Councillor Rose be elected to act as Chair of the hearing.

**40. Apologies for Absence (10:27am)**

No apologies for absence were received.

**41. Introductions (10:27am)**

Introductions were made.

**42. Declarations of Interest (10:29am)**

Members were invited to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda if they had not already done so in advance on the Register of Interests. None were declared.

**43. Exclusion of Press and Public (10:29am)**

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.

**44. Minutes (10:29am)**

Resolved: That approval of the minutes from the Licensing Hearings held on held on 26 June, 28 August, 8 September, and 29 September 2025 would be deferred to the next meeting of the Sub-Committee.

**45. The Determination of an Application by Little Jay Limited for a Premises Licence (Section 18(3) (a) in respect of Little J, Chapel House, North Street, York, YO1 6JD (CYC-082555) (10:30am)**

Members considered an application by Little Jay Ltd. for a Determination of Application for Premises Licence in respect of Little J, Chapel House, North Street, York, YO1 6JD. In considering the application and the representations made, the Sub-Committee concluded that the following licensing objectives were relevant to the Hearing:

1. Prevention of Crime and Disorder.
2. Public Safety.
3. Prevention of Public Nuisance.
4. 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 including the written representations received from local residents, and the additional information provided by the Applicant, and North Yorkshire Police and Public Protection as Responsible Authorities, as seen in the agenda supplements.

3. The Report of the Director of Environment & Regulatory Services, and the Head of Public Protection's comments at the Hearing.

The Head of Public Protection outlined the report and annexes noting that the maximum capacity of the premises was 120, dedicating a safe space for the LGBTQIA+ Community.

The Head of Public Protection confirmed that the premises was located within the Cumulative Impact Area (CIA) and directed members to the representations made at Annexes 4, 5, 6, and 8, the additional information provided by the Applicant and Responsible Authorities as seen within the agenda. He then advised the Sub-Committee of the options open to them in determining the application.

4. The Applicant's representation at the hearing.

Leo Charalambides, Barrister acting on behalf of the Applicant, outlined their case.

He stated that high passions had been engaged throughout the application process and that the nominated Designated Premises Supervisor (DPS), Graham Dykes, understood strongly about activism and discrimination, and North Yorkshire Police understood regulation and law and order.

Mr. Charalambides discussed Cumulative Impact Area regulations which set out key aims of encouraging greater community involvement and listening to residents' views on licensing decisions; he also highlighted City of York Council's (CYC) policies regarding of having a safe city centre which is welcoming for all and the lack of a safe space for the Queer Community in York. Mr. Charalambides suggested that it was rude to impose that Queer people in York must leave Queer safe venues by 11pm, earlier than other venues.

In respect of the conditions proposed by North Yorkshire Police within their representation, Mr. Charalambides confirmed that the Applicant disagreed to condition numbers: 3, 4, and 5, but were in agreement with the remaining conditions suggested.

It was proposed that the Applicant could share with North Yorkshire Police weekly risk assessments and an event diary for both advice and for working together.

In respect of the conditions proposed by Public Protection within their representation, Mr. Charalambides confirmed that they were in agreement with most of the conditions but that there were outstanding conditions, as outlined within the representation, that they did not agree with.

Mr. Charalambides suggested that outstanding issues 1-3 were not necessary as the Applicant had now commissioned a noise impact assessment which had found that there would be minimal impact on noise from licensable activities within the premises.

Mr. Charalambides concluded by stating that the premises was small and tested and was to be a safe venue for queer people in York, and that granting of the licence would restore confidence in CYC.

In response to questions from the Sub-Committee, the Applicant confirmed that:

- Police were invited in to view the front gate – the front door opened to the right and could not be kept closed due to fire safety. The door inside could be kept closed to make acoustic lobby but was currently kept open. The rear door needed to be closed as per noise reports that had been undertaken and was consistent with Public Protection's conditions as shown within their representation.
- They were happy to adhere to Challenge 25; for films, there would be someone on the door to check ages.
- The capacity of the premises was 120 unseated based upon their fire risk assessment. Capacity would be reduced through seating to around 80. The outside courtyard would be limited as a smoking area of which the capacity was unknown.
- A licence until 0400 hours would bring the premises in line with other LGBTQIA+ venues across the country while allowing flexibility for timings and allowing a break in times from other premises dispersing.

- When the premises was opened for alcohol licensable activities there would be a minimum of 2 SIA door staff on duty, if there were no alcohol licensable activities then there would be no need for SIA door staff. Little J was a multi-use business, pub, club, and community space and so flexibility was needed to undertake different events. Two door staff were not required for some events.
- Their noise assessment, as seen in the agenda supplement Further Additional Information from Applicant, showed there would be minimal impact to noise levels.
- The onus was on the Applicant to evidence how they would support the licensing objectives, but other policies were also important - the CYC Vision, as an example, was also important to consider. Public Sector Equality Duty was an overarching duty that applied to all policies and should have an aspect within all policies and working. This Application needed to be assessed on a 'Each case on its own merits' basis.
- Point 9.14 seen in Annex 2 of the Report of the Director of Environment & Regulatory Services had not been incorporated within the Application as the premises was not a restaurant so the condition would not work. The intention was for late night refreshment to be added to the licence in future. Mr. Charalambides stated however that assurance can be offered through the diary of events which showed the type of events hosted to ensure the premises was not just for vertical drinking.
- Homophobia was an element of many police forces in the UK and although it was not inherent of North Yorkshire Police officers it was understandable to see the Applicant's attitude towards the Police through previous experiences of discrimination.
- Other venues, such as Popworld, were open in the near vicinity overnight.
- There would likely be no off-sales and so the licence could be for on the premises only.

- Some events hosted during 2025 using TENs were as follows:
  - i. Pride Event, 7 July 1600 hours to 0400 hours;
  - ii. Trans & Non-Binary Open Mic Night, 27 July 1600 hours to 0200 hours;
  - iii. Ebor Festival, 1600 hours to 0200 hours;
  - iv. Event on 25 September, until 0200 until reduced to 2300 hours following mediation with Public Protection;
  - v. Halloween event of which the TEN was withdrawn following objections made.
  
- North Yorkshire Police did not have any issues with the Applicant and DPS other than through personal interactions, factual experience showed their suitability in operational arrangements. Mr. Charalambides suggested that the Police consider the effect of operation rather than personality. The proposed DPS, as is known by the Police would allow the Police to foster good relationships with him, rather than selecting someone unknown as DPS.
  
- 5. The representation of North Yorkshire Police, Responsible Authority, at the hearing.

Paul Clarke, Solicitor on behalf of North Yorkshire Police, outlined their case.

Mr. Clarke told the Sub-Committee that the onus was on the Applicant to show how they would not impact the Cumulative Impact Area, which was the main focus and issue of the application. He highlighted that there had been no effort from the Applicant to work with Responsible Authorities such as the Police, and untruths regarding the application process had been shared on social media by the Applicant; Mr. Clarke informed the Sub-Committee that the Applicant had told their supporters that the previous hearing on 29 September 2025 had been adjourned before the adjournment had been confirmed by the Sub-Committee.

Mr. Clarke reported that if this was an ordinary vertical drinking application within the CIA it would have been refused without mediation, however due to the nature of the premises to become a safe venue for the queer community, the Police wished to permit the licence with conditions as proposed. He continued to state that Little J was already a safe venue for the queer community without a licence, but that proof was needed that the DPS (Designated Premises Supervisor) was suitable to hold the licence; he stated that North Yorkshire Police did not have confidence in the proposed DPS.

In respect of the Licensing Objectives Mr. Clarke confirmed that the Police was not prejudice against the community, but that they needed to ensure safety for the community. There was no provision within the application for children being on the premises until 04:00 hours, and there was a reluctance to impose Challenge 25 checks, and as such the Police needed to ensure the Protection of Children from Harm; Mr. Clarke stated that North Yorkshire Police was sympathetic to concerns from the LGBTQIA+ Community regarding identification, but that safety must be ensured. Mr. Clarke noted that the Police had had concerns regarding the lack of risk assessment for the premises and with the iron gate being closed upon entry. Regarding Prevention of Public Nuisance, Mr Clarke indicated that more people within the CIA both late at night and in the early hours of the morning would increase noise from taxis and pedestrians; and regarding Prevention of Crime and Disorder, Mr Clarke indicated that increased alcohol consumption could lead to increased disorder and attitude changes.

Mr Clarke concluded by reporting that the Police only object to applications through real concerns and always try and work with applicants on issues raised; he indicated that the application fell short on the licensing objectives and that North Yorkshire Police had no confidence in DPS.

In response to questions from the Applicant, the representatives from North Yorkshire Police confirmed that:

- The Police considered the application subject to CYC's licensing policies and have liaised with Public Protection.
- As there was no LGBTQIA+ venue in York there was a desire to work with the Applicant to support this. The Police Understood need for diversity and as such have not refused application out right, as would have in other circumstances.
- There was agreement with the Police and Applicant in protecting the LGBTQIA+ Community by ringfencing the premises to only be used as an LGBTQIA+ venue.
- Without additional conditions the premises could be used as a vertical drinking establishment, regardless of intent, and so conditions were needed to prevent this.
- There was not a legal duty for the Applicant to liaise with the Police, but the onus was on the Applicant to evidence their actions towards to licensing objectives and concerns raised.

In response to questions from Representors, North Yorkshire Police confirmed that:

- North Yorkshire Police visited the premises during a Halloween event and were not openly invited in, as happened with other venues, however they also did not ask to enter the premises.

In response to questions from the Sub-Committee, North Yorkshire Police confirmed that:

- North Yorkshire Police had concerns with the DPS, not necessarily with the application.
- To improve safety of children there are conditions as suggested within the representation in order to not allow unsupervised children on the premises up to 04:00 hours.
- No concerns had been previously received at the premises to the Police.

- The Pride Event in York went through the Safety Advisory Group and no concerns had been raised from a Temporary Event Notice (TEN) during this event at the premises. The only option with TENs is to approve or reject and so as there was no option for the Police to object with conditions, they were forced to object outright to the previous TEN application from the Applicant.
  - Equalities needed to be taken into account along with other necessities such as safety and law enforcement. The Police needed to be able to trust the management of the premises and the Police had worked hard to work with the Applicant and to suggest conditions.
  - There were concerns with the Applicant's wording that they accepted some conditions "Under protest" because the Police wanted transparency throughout the application process and comments like this suggested the Applicant being forced into conditions that they cannot adhere to and also over-emphasised the Police's role in the hearing process.
6. The representation of Public Protection, Responsible Authority, at the hearing.

Sandra Branigan, Solicitor on behalf of Public Protection, outlined their case.

Ms. Branigan highlighted that the premises was located within the CIA and noted that the application would allow live and recorded music including amplified live music within the CIA until 0300 hours from Sunday-Wednesday and until 0400 hours from Thursday-Saturday, inside a small building of which noise levels had not been assessed by Public Protection. She continued to report that the application was contrary to CYC's Cumulative Impact policy.

Due to the Noise Impact Assessment and Noise Management Plan, contained within the agenda supplement 'Further Additional Information from Applicant', being received late, Public Protection was not able to assess the plans undertaken by the Applicant and therefore maintained that the outstanding conditions, as outlined within their representation, still stood as it was

unknown whether building was suitable for suggested events and potential noise levels.

In response to questions from the Applicant the representatives from Public Protection confirmed that:

- The suggested outstanding conditions had been added to other premises' licences when no noise consultation from Public Protection had happened. The noise reports which had been requested previously were submitted late, and no noise report had yet been undertaken by Public Protection.
- The cost implementation of suggested conditions had been assessed, and Public Protection were trying to work with the Applicant to ensure no extra costs were incurred if not necessary.

In response to questions from the Sub-Committee the representatives from Public Protection confirmed that:

- As the premises was an old historic building noise levels were unknown and without the outstanding conditions there would be possibility of increased nuisance. With the conditions added Public Protection could work with the Applicant and the condition could be superseded.
- If the front door was to be locked, then there was a danger of not adhering to fire regulations but leaving it open would increase nuisance through noise.
- Nearest accommodation was near George Hudson Street and Micklegate.

[The meeting adjourned at 11:45am and reconvened at 11:55am]

In response to questions from the Sub-Committee the representatives from Public Protection confirmed that:

- There had been no issues raised with previous TENs for the premises.

7. The representation of the Licensing Authority, Responsible Authority, at the hearing.

Sandra Branigan, Solicitor on behalf of the Licensing Authority, outlined their case.

It was noted that the Licensing Authority agreed with North Yorkshire Police on the comments made regarding the lack of engagement from the Applicant, and that the application as requested would permit vertical drinking at the premises, which was contrary to CYC's Cumulative Impact policy.

Ms Branigan stated that the Applicant had offered conditions over door staffing and Challenge 25 but had so far made no improvement on Cumulative Impact. As there was no kitchen on site the premises could not be food led, and movable tables at the premises would not stop the premises from allowing vertical drinking.

Ms Branigan told the Sub-Committee that the CIA was cumulative and therefore not attributed to individual premises, and any increase in activity could lead to an increase in cumulative impact; the Sub-Committee must use Responsible Authorities as respective experts, and the Applicant had not highlighted how the licence would not add to the cumulative impact.

In response to questions from the Applicant, representatives from the Licensing Authority confirmed that:

- There was no designation in legal terms of an LGBTQIA+ community venue and therefore designation of this within the licence would not mean the licence could not also be a vertical drinking establishment. In order to prevent vertical drinking, the minimum number of seats required when alcohol is sold could be conditioned.
- Any premises would be expected to have a robust operating schedule, and granting the licence would have impact on the CIA. Other policies were not being ignored, but all relevant policies must be considered, and the CIA must not be overlooked.

Equality Sector Duty had been considered but duty was to have due regard rather than to bring about a certain outcome.

- The Diary of Events that had been offered to be shared would be welcomed but would need to be in depth and go into the confirmation of timings. This information could be used to determine when SIA door staff should be present; door staff were needed to protect those in the premises and not only to stop people from entering.

8. The representation of York LGBT Forum at the hearing.

Joe McKenzie and Phil Grosset, on behalf of the York LGBT Forum, outlined their case.

They indicated that there were other queer friendly venues in York but was important to have both a queer-friendly and safe space for the community; discrimination and hate crime was on the rise and York LGBT Forum had experienced this and offered support.

They stated that the Applicant had created good networks with the queer community and had offered support. They detailed how community events were at risk without the licence applied for being granted, and indicated how Moral Panic events were the only of their type in York allowing many people to perform for first time, especially when they hadn't felt comfortable before. They concluded by saying how these events and community support would not exist without the proposed DPS.

In response to questions from the Sub-Committee, the representatives for York LGBT Forum confirmed that:

- The only issues experienced at Little J's dry events were regarding accessibility, no issues were experienced with the Police.
- Dry events were useful but alcohol events with extended hours would offer the queer community parity with other venues.

9. The representation of Queer Arts at the hearing.

Leo Charalambides, Barrister on behalf of Queer Arts, directed the Sub-Committee to their representation submitted within the agenda.

10. The representation of Dr. Andrew Malcom-Neale at the hearing.

Mr. Malcom-Neale confirmed that he lived within CIA and indicated at the difficulty of bringing new LGBTQ people to the LGBT rugby team he was part of without a safe space for the queer community. The community space would be used by members of the rugby club and by those visiting the city for away matches – many potential visitors did not visit the city due to the lack of a safe, queer venue in York. Many other cities in the UK had queer community dedicated spaces and York needed to provide a dedicated competitive venue for visitors. He stated that other than Pride events, there were minimal locations and venues to advertise the rugby group to others with there being no cohesive community space. Mr Malcom-Neale concluded by stating that Pride Events, which needed lots of organisation and policing, had been described as easy to police due to the lack of issues that result.

Mr Malcom-Neale confirmed that he did not represent the rugby club and that his views and representation was his own.

In response to questions from the Sub-Committee Andrew Malcolm-Neale confirmed that:

- The flexibility of extended hours would allow for a variety of events to be held and groups to use the community space.

11. The representation of Generate at the hearing.

Leo Charalambides, Barrister, and Bigby Eris Waterson, on behalf of Generate, outlined their case.

Mr Charalambides reported that the Generate charity had commended York's aim to become a human rights city, but that York had not done enough to limit the rise in hate crimes, and support trans rights. Transphobic commentary and hate crime were on the rise in York and made it unsafe for trans people. Little J offered events that supported and empowered the queer community, and a licence would empower Little J to offer a more consistent programme of events. Mr Charalambides continued to say that reduced licensing hours would directly affect dispersal and as such dispersal would mean big groups leaving at the busiest times, making it more likely to encounter issues on the streets - at a time when people were experiencing a rise in hate crimes. Later dispersal would allow for a buffer between different groups leaving. Mr Charalambides commented that York was one of the only cities without an LGBTQIA+ community venue.

Bigby Eris Waterson detailed their support for queer community cohesion and support for Little J as a community venue. They stated that they supported the Applicant and proposed DPS who had been very supporting, welcoming, and helpful. An increase in hate crimes and discrimination effected participation and inclusivity, which worsened without a safe community space; Little J played a pivotal role in eliminating barriers and promoting inclusion and was a welcoming, friendly queer space.

They concluded that a late night notice was needed because many in the community had to travel far for queer late night culture at sometimes non-queer safe venues, dispersal at 0400 hours would allow dispersal in small, safe groups without immediately coming into contact with dispersing groups of non-queer safe venues.

[The meeting adjourned at 1:43pm and reconvened at 2:00pm]

12. The representation of The Family Shambles at the hearing.

Jake Craggs, on behalf of The Family Shambles, outlined their case.

They stated that they had been a drag act for seven years with no clear queer venue to enter queer night life and safe spaces. There was difficulty in getting many venues to host drag events and this led to an increased personal experience of hate speech and sexual harassment. Every queer venue that had invited them outside of York offered a much more positive experience than that that was experienced in many York non-queer venues. Little J had the opportunity to host a consistent stream of events for the queer community and Jake indicated how the community needed a safe space due to increasing demonisation and negative views of the queer community held by some. There was no location in York where many openly queer people felt safe and there needed to be a community space to feel safe in York. Little J would allow for a wider connection to the queer community in York and elsewhere - and vice versa.

In response to questions from the Sub-Committee Jake Craggs, on behalf of The Family Shambles, confirmed that:

- Personal drag acts were late night themed and didn't usually take place during rowdy nights, as the focus was on people being entertained.
- Flexibility was important to allow for different acts to partake and for the changeover of some acts in order to allow entertainment at all times of the night while open.

Mr. Clarke, on behalf of North Yorkshire Police, was then given the opportunity to sum-up.

He commented that the Little J premises was the right thing for York but that the Police had not heard enough evidence to approve of its location within CIA without the proposed conditions, and with the proposed DPS. In the proposed format, the venue would be a vertical drinking establishment; and if the venue was hired out then under 18s would be able to be in attendance throughout the night, showing a lack of provision for the safety of children. Mr Clarke concluded by indicating that due to the late submittal of noise evidence, and a lack of remorse and admittance of error in their behaviour, North Yorkshire Police believed that the proposed DPS was unsuitable.

The representatives on behalf of Public Protection were then given the opportunity to sum-up.

They indicated that not enough had been done to show events can run without nuisance issues. Evidence for previous events that have happened curtailed at around 2330 hours, and so not the proposed hours. They argued that the late submittal of the noise report did not give enough time for Public Protection to provide a professional opinion on the information within the report and stated that the proposed conditions protect the public and applicant in terms of preventing nuisance, and conditions would be superseded following adherence to noise management.

Ms Branigan concluded by stating that if the Sub-Committee took the view as suggested by Mr Charalambides that the outstanding conditions proposed by Public Protection were unlawful then they would have to instead recommend to the Sub-Committee that the licence is refused outright.

The representatives on behalf of the Licensing Authority were then given the opportunity to sum-up.

They suggested that they were supportive of an application that adhered to the CIA policy and outlined that a community safe space was not a formal premises type, and that the venue must show how it would uphold the licensing objectives. They concluded that the overriding factor for the Sub-Committee was to question the impact on the CIA from the premises.

Joe McKenzie, on behalf of York LGBT Forum, was then given the opportunity to sum-up.

He confirmed that he was keen to see a safe space for the LGBT Community and would support facilitation of this.

Queer Arts declined the opportunity to sum-up.

Dr. Andrew Malcolm-Neale was then given the opportunity to sum-up.

He concluded that it was important to have a central safe space for the queer community and evidence showed the need for this.

Mr. Charalambides and Bigby Eris Waterson, on behalf of Generate, were then given the opportunity to sum-up.

Bigby Eris Waterson concluded that the increase in discrimination highlights the need of public participation opportunities for trans people in York. The central location of Little J meant that people did not need to risk travelling distances and to areas that could be dangerous to queer people outside of York.

Jake Craggs, on behalf of The Family Shambles, was then given the opportunity to sum-up and he concluded by highlighting the importance of the premises to the queer community.

The Applicant was then given the opportunity to sum-up.

Mr Charalambides highlighted the duty CYC had for safety and to eliminate discrimination and foster good relations with York residents. He argued that listening to the advice from the Responsible Authorities at the hearing would lead to discrimination.

He concluded by stating that CYC policies show that diversification of premises was important, and CYC's approach should not ignore other important policies; the Public Sector Equality Duty, for example, was essential. Little J would promote the elimination of discrimination and would foster good relations.

In response to questions from the Sub-Committee, Leo Charalambides, on behalf of the Applicant, confirmed that:

- Further discussions with the Applicant were required in order to understand fire safety capacity; he understood roughly that around 2/3 of the premises would be seating.
- There was a Fire Safety Report that had been held from February 2025, but this was not submitted to, or requested by, CYC.
- The proposed DPS had agreed to some conditions proposed by Responsible Authorities and had worked with representors; they were proud of their activism and actions taken during the application process.
- The Premises would operate as an LGBTQIA+ bar and at times would look to operate as a vertical drinking establishment, but for many events, such as cabaret nights, tables would be used, and the capacity would be reduced to 70-80 people.
- The Applicant could provide and maintain an events diary for the Police and CYC at least one month before events scheduled showing hours of bar use, hours of the event, expected numbers of seated and standing guests, and other relevant information. The Event Diary would evidence proper use of the premises as a queer space rather than a vertical drinking establishment.
- The front door to the venue would create a hazard and fire risk if kept open, the rear and internal door could remain closed and create an acoustic lobby. Doors could be open and closed for egress.
- Through hiring out the premises the Protection of Children from Harm would be done by requiring an appropriate Risk assessment to be done.
- SIA door staff were agreed for race days, but there may have been many days in which licensable activities happened without alcohol, and it would not have been feasible to have two SIA door staff on duty for these.
- An extra internal door had been discussed in order to create acoustic lobby, and a door could be installed near the rear door and restrooms for this.
- The flexibility of having a licence such as applied for supported the use of the premises by different groups, in different ways, as a community venue.

In response to questions from the Sub-Committee, representatives from North Yorkshire Police confirmed that:

- Many venues had door staff start earlier due to race days and Little J could follow suit for similar days. The condition for door staff from 1900 hours was based on information from the Applicant. 2200 hours would be an unusual late start for a condition requiring door staff.
- A fire safety assessment would not usually be conditioned but would be beneficial due to the individuality of the building.

[The meeting adjourned at 3:15pm and reconvened in private session at 3:30pm]

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 rejected.

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 approved.

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.

In approving Option 3, the Sub-Committee resolved to grant and exclude licensable activities and to modify conditions as applied for, as follows:

<b>Activity</b>	<b>Timings</b>
Plays – indoors	23:00 to 01:00 Sunday to Wednesday 23:00 to 03:00 Thursday to Saturday Non-standard timings: 23:00 to 03:00: Halloween and Bank Holiday Sundays 23:00 to 04:00: New Years Eve and Pride Event
Films – indoors	23:00 to 01:00 Sunday to Wednesday 23:00 to 03:00 Thursday to Saturday Non-standard timings: 23:00 to 03:00: Halloween and Bank Holiday Sundays 23:00 to 04:00: New Years Eve and Pride Event

Indoor sporting events	23:00 to 01:00 Sunday to Wednesday 23:00 to 03:00 Thursday to Saturday Non-standard timings: 23:00 to 03:00: Halloween and Bank Holiday Sundays 23:00 to 04:00: New Years Eve and Pride Event
Live music – indoors	23:00 to 01:00 Sunday to Wednesday 23:00 to 03:00 Thursday to Saturday Non-standard timings: 23:00 to 03:00: Halloween and Bank Holiday Sundays 23:00 to 04:00: New Years Eve and Pride Event
Recorded music - indoors	23:00 to 01:00 Sunday to Wednesday 23:00 to 03:00 Thursday to Saturday Non-standard timings: 23:00 to 03:00: Halloween and Bank Holiday Sundays 23:00 to 04:00: New Years Eve and Pride Event
Performance of dance – indoors	23:00 to 01:00 Sunday to Wednesday 23:00 to 03:00 Thursday to Saturday Non-standard timings: 23:00 to 03:00: Halloween and Bank Holiday Sundays 23:00 to 04:00: New Years Eve and Pride Event
Other forms of entertainment – indoors	23:00 to 01:00 Sunday to Wednesday 23:00 to 03:00 Thursday to Saturday Non-standard timings: 23:00 to 03:00: Halloween and Bank Holiday Sundays 23:00 to 04:00: New Years Eve and Pride Event

Supply of alcohol – <b>on the premises only</b>	11:00 to 01:00 Sunday to Wednesday 11:00 to 03:00 Thursday to Saturday Non-standard timings: 11:00 to 03:00: Halloween and Bank Holiday Sundays 11:00 to 04:00: New Years Eve and Pride Event
Opening hours	07:00 to 02:00 Sunday to Wednesday 07:00 to 04:00 Thursday to Saturday Non-standard timings: 07:00 to 04:00 Halloween and Bank Holiday Sundays 07:00 to 04:30 New Years Eve and Pride Event

'Pride Event' is defined as the Saturday closest to the Pride Parade held in York City Centre.

Additional conditions:

1. The premises will operate as an LGBTQI+ community events venue and bar.

Events include but are not limited to: dance and live performance, social gatherings, film showings, exercise classes, support groups, arts and craft groups and markets.

2. The sale of alcohol shall cease 30 minutes before close of business on any given day to allow for 'drinking up' time. (Reinstated, this leaves 30mins on any early closing. 30mins on New Year's Eve and pride event and 1 hour where the full hours of the licence are utilised).
3. When the venue is open and operating for licensable activities a min of 2 SIA registered door staff shall be provided at the premises from 19:00 hours to the close of business at the following times:
  - Fridays and Saturdays or any Sunday leading into a bank holiday Monday.

- Any days where race meetings are held at York Racecourse (save for the family meeting held in September and the first meeting in May).
4. At all other times the need for SIA registered door staff shall be determined in accordance with a risk assessment, to be carried out by the Designated Premises Supervisor and or the Premises Licence Holder. When employed, door staff will wear high visibility arm bands.
  5. The management of the venue will comply with any written, reasonable and justified request made by North Yorkshire Police regarding the provision of Door Supervisors should the need arise at other times. When employed, a register of those door supervisors employed shall be maintained at the premises and shall include:
    - i. The number of door staff on duty;
    - ii. The SIA badge number and name of each member of door staff;
    - iii. The times the door staff are on duty;
    - iv. Any incidents.
  6. The licence holder will operate a Challenge 25 Age Verification Policy at the premises. Identification which is accepted as proof of age must bear the holder's photograph, date of birth, and either a holographic mark or ultraviolet feature. Examples of acceptable ID include photo card driving licences, passports, military identification or proof of age cards bearing the PASS hologram, although other forms of ID which meet the criteria laid out above are also acceptable.
  7. Customers shall not be permitted to take glass outside (including the designated outside area).
  8. An incident log shall be kept at the premises, and made available upon immediate request to an authorised officer from any responsible authority, which will record the following:
    - All crimes reported to the venue;
    - All ejections of patrons;
    - Any complaints received;
    - Any incidents of disorder;
    - Seizures of drugs or offensive weapons;
    - Any faults in the CCTV system or searching equipment or scanning equipment;
    - Any refusal of the sale of alcohol;

- Any visit by a relevant authority or emergency service Details of which shall be retained for a period of 12 months from the date recorded.
9. Any entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 shall not be provided.
  10. The premises will take part in and comply with any crime reduction initiatives, when requested to do so by a responsible authority.
  11. A noise management plan shall be submitted to and approved by the Environmental Protection Team of City of York Council within 2 months of the premises licence being granted. The Noise Management Plan shall include a procedure for investigating noise complaints received from the premises and controlling smokers in the outside area. Once agreed the Premises Management shall ensure compliance with all aspects of the approved Noise Management Plan.
  12. A documented dispersal policy shall be submitted and approved to the City of York Council's Public Protection team within 2 months of the licence being granted. Once approved the policy shall be implemented.
  13. The footprint of the outside area shall be clearly defined by semi-permanent removal barriers.
  14. Patrons shall not use the external area other than for ingress and egress, queueing and smoking between the following hours 22:00 hours and 8:00 hours.
  15. All tables and chairs in the outside licensed area shall be removed by 22:30 hours each day and stored away securely within the premises until 8:00 hours the following day.
  16. All doors save for the outer front door exiting on to North Street (except for immediate ingress or egress), and windows shall remain closed when regulated entertainment is taking place.

17. No regulated entertainment shall take place at the premises until either the Environmental Protection team of the City of York Council are satisfied that the sound insulation performance of the building envelope of the premises is satisfactory at preventing noise break out of sound from regulated entertainment or until a detailed scheme of noise insulation measures have been submitted to and agreed with the Environmental Protection team of the City of York Council and then implemented, at which time this condition shall be removed from the licence by the licensing authority.
18. If deemed appropriate by Environmental Protection, within 2 months of a written request by the City of York Council's Environmental Protection team, a tamper-proof noise-limiting device shall be fitted to the sound system within the premises and all music played at the premises must pass through this sound limiter at a level first agreed in writing by the City of York Council's Environmental Protection Team. Thereafter the device shall not be altered or modified without prior agreement with the City of York Council's Environmental Protection team. The device must be of a type and in a location approved in writing by the City of York Council's Environmental Protection team.
19. A door along the passageway between the bar and the rear door shall be installed to create an acoustic lobby.
20. The applicant shall maintain a Calendar of Events which shall include:
  - i. An indication of the licensable activities taking place;
  - ii. An indication of the hours of the sale of alcohol;
  - iii. An indication of the opening and closing hours;
  - iv. And any other relevant matters.
21. The Calendar of Events shall be provided to the North Yorkshire Police and the Licensing Authority regularly to ensure that a minimum of 1 months' notice prior to an event is given where possible.
22. Where the venue is hired out for a private event children under the age of 18 will be permitted to remain until close of

the premises subject to the supervision of a responsible adult.

### **Reasons for the decision**

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.

The Sub-Committee noted that the premises was located within an area where a cumulative impact policy applies. The Sub-Committee had regard to the Cumulative Impact Assessment 2022-2025.

The Sub-Committee must also have regard to other overarching legislation including the Equalities Act 2010 and the Crime and Disorder Act 1998.

The Sub-Committee noted that the application is for a LGBTQI+ community venue and bar. The Sub-Committee considered the representations supporting the application and acknowledged that there is a lack of provision for a dedicated LGBTQI+ late night licensed venue.

The Sub-Committee had regard to the Statement of Licensing Policy 2025-2030 (SLP) and noted that paragraph 1.5 states that through the licensing process the Council seek to ensure [they] offer a wide choice of high quality and well managed entertainment and cultural values within a safe, orderly and attractive environment'. The Sub-Committee also considered paragraph 6.1 of the SLP and noted that the application would progress the Councils objectives by 'improving quality of life by bringing greater choice to residents, consumers, tourists and businesses about where, when and how they spend their leisure time', 'further developing rich culture of live music, dancing and theatre in our area' and 'encouraging a variety and mix of high quality licensed premises that will appeal to a broad spectrum of people, including a well-used city centre, day and night, that is safe and accessible to all'. The Sub-Committee gave weight to the paragraphs headed 'diversity' and 'use of public space' in paragraph 6.4 of the SLP.

The Sub-Committee had regard to the public sector equality duty (PSED) under S149 of the Equality Act 2010 which provides that in that exercise of its function a public authority must have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act 2010;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Sub-Committee considered the evidence provided by the applicant and in the relevant representations of support. The Sub-Committee noted with concern the evidence regarding the discrimination, harassment and victimisation experienced by the LGBTQIA+ community. The Sub-Committee considered that the granting of the application for the premises licence would assist to eliminate discrimination, harassment, victimisation by providing a safe space for the LGBTQI+ community to be their authentic selves. The Sub-Committee also took into account the evidence from the applicant and the representations of support noting that there is no dedicated space for the LGBTQI+ community and that those with a protected characteristic do not have the same equality of opportunity as people without those protected characteristics in that they are unable to participate in late night entertainment and drinking in a dedicated safe space. The Sub-Committee considered that granting the licence would advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

The Sub-Committee had regard to the Cumulative Impact Assessment 2024 (CIA) and noted that an application for a premises situated in the cumulative impact area that is likely to add to the cumulative impact already experienced will normally be refused if relevant representations are received (paragraph 8) and that the onus is on the applicant to demonstrate to the responsible authorities how their proposal will not add to the cumulative impact (paragraph 9). The Sub-Committee also had regard to paragraph 9.14 of the SLP which indicates that food led, seated, table service only premises will be considered more favourably.

It was noted by the Sub-Committee that the premises licence applied for does not fall within the criteria to be considered more favourably for the grant of a premises licence in the cumulative impact area under paragraph 9.14. The Sub-Committee gave great weight to paragraph 6 of the CIA and noted that each application will be considered on its own merits and that it is open for the Council to grant an application where it is considered appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact. Members considered that whilst the style of venue did not meet the criteria to be considered more favourably under paragraph 9.14 it was appropriate to depart from this policy given that the application is for a LGBTQI+ community venue and bar and having regard to the assessment made under the PSED, the representations made regarding the need for this style and type of venue in York and the policy considerations set out in the SLP at paragraphs 6.1 and 6.4.

The Sub-Committee noted that the onus was on the applicant to demonstrate how their proposal would not add to the cumulative impact. The Sub-Committee also gave considerable weight to S18 of the Licensing Act 2003 and the S182 Guidance which requires that members take such steps as it considers appropriate for the promotion of the licensing objectives when making a determination. Members acknowledged the operating schedule provided and noted the applicant's agreement to the majority of the conditions proposed by Public Protection and the majority of the conditions previously proposed by the police.

The Sub-Committee considered the SLP and the CIA and noted that nature of the Cumulative Impact Area is such that the problems and cumulative impact directly relates to the style of business operating in the area and their clientele, due to the concentration of pubs, bars, nightclubs, restaurants, cafes, hotels, late night refreshment and off-sale licensed premises especially in the night time economy; and especially at weekends.

The Sub-Committee had regard to the S182 Guidance and noted that the Police are the main source of advice on matters relating to crime and disorder. They also play a key role in managing the night-time economy.

The Sub-Committee considered the condition proposed by the police in relating to the use of the venue as an LGBTQI+ community venue and bar. Members noted the applicant's representations and acknowledged that due to the breadth and variety of events that are held at the venue flexibility for the applicant is required. Members were concerned that the granting of the licence may enable the venue to become a vertical drinking establishment with the capacity for 120 people which they felt would undermine the licensing objectives of the prevention of crime and disorder and public nuisance. Members felt it was proportionate and appropriate to add a condition that the premises remain a LGBTQI+ community events venue and bar. The Sub-Committee had regard to the applicant's suggestion that an events diary be provided monthly, for the purpose of allowing the police to provide advice on any events that may be difficult and to ensure the premises remains an LGBTQI+ community event venue whilst retaining the flexibility to hold events more akin to events provided in a vertical drinking establishment. The Sub-Committee felt it was appropriate and proportionate to add the condition regarding the use of the venue in conjunction with the condition to provide a calendar of events to ensure that the venue's use remains as it is proposed, and it is able to meet the licensing objectives of public nuisance and the prevention of crime and disorder.

The Sub-Committee considered the condition previously proposed by the police regarding the requirement for SIA registered door staff on Friday and Saturday nights from 19:00hrs when licensable activities are taking place. The Sub-Committee considered the suggestion by the applicant that the SIA registered door staff are only required when the sale of alcohol is taking place. The Sub-Committee noted that the premises is located in the cumulative impact area and considered that it was appropriate and proportionate that 2 door staff be required even where the sale of alcohol is not offered by the premises as the premise is in the cumulative impact area and the grant of the licence will allow up to 120 patrons to be ejected into the cumulative impact area in the early hours of the morning and patrons from nearby establishments may seek to access the premises. The Sub-Committee felt that an LGBTQIA+ community events venue and bar did not have reduced need for door staff than other venues in the cumulative impact area.

The Sub-Committee therefore felt that it was appropriate and proportionate to impose the condition requiring 2 SIA door staff for the promotion of the licensing objectives of preventing crime and disorder and public nuisance.

The Sub-Committee had regard to the location of the premises and the character of the area and noted its city centre location in the cumulative impact area and its proximity to residents' flats and a hotel. The Sub-Committee gave great weight to the representation of Public Protection in accordance with paragraph 9.12 of the S182 guidance which states that each responsible authority will be an expert in their respective field. The Sub-Committee acknowledged the applicants' representations regarding the Noise Impact Assessment. The Sub-Committee noted that the Noise Impact Assessment was only available to Public Protection 1 working day before the hearing and therefore they were not in a position to be able to sufficiently review and comment on the report. Members considered that the report is of a very technical nature, and in lieu of comments on the report from Public Protection they could not be satisfied that unreasonable sound escape would not emanate from the premises when undertaking any amplified licensable activities. Therefore, the Sub-Committee felt it was proportionate and appropriate to impose the additional conditions proposed by Public Protection as this would ensure that nearby residents and hotel customers would not be unreasonably disturbed during sensitive hours and to ensure the promotion of the public nuisance licensing objective.

The Sub-Committee gave great weight to the representation of the police regarding the request that the operating hours be reduced to mitigate the risk of further crime and disorder in an area which is already under the highest strain. The Sub-Committee considered that the hours requested for licensable activities and operating hours would have an unreasonable impact on the cumulative impact area in the early hours of the morning and that this would undermine the prevention of crime and public nuisance objectives, therefore they considered it was appropriate and proportionate to reduce the hours applied for.

The Sub-Committee noted the applicant's representation and the representations of support regarding the requirement for slow and safe dispersal in the early hours of the morning and considered it was appropriate and proportionate to promote the licensing objectives of the prevention of crime and disorder and public nuisance to provide 1 hour drinking up to time where the premises is open for the full operating hours granted and 30 minutes drinking up to time where it is closed early.

The Sub-Committee felt that given the late-night hours granted it was appropriate and proportionate for the protection of children from harm to add a condition that children be supervised by a responsible adult when they are on the premises and the venue is booked out for private events.

The Sub-Committee acknowledged the police representations regarding the suitability of the proposed Designated Premises Supervisor (DPS). It was noted that in their original representation the Police had not made a representation or statement in accordance with S18(9) of the Licensing Act 2003 nevertheless it was open to Members as part of the options available to them to refuse to specify a person on the licence as a DPS. The Sub-Committee gave weight to the proposed DPS's experience and noted that the DPS had a track record of successfully managing, without complaint, many licensed events at the premises which had been operated under a Temporary Event Notice. Whilst it has been noted that there had been some disagreement between the applicant and the responsible authorities, the Sub-Committee were satisfied that the appointment of the proposed DPS would not undermine the licensing objectives. The Sub-Committee want to encourage the applicant and the responsible authorities to work together towards the promotion of the licensing objectives.

The Sub-Committee welcomed the application and strongly supports the use of the premises as an LGBTQI+ community events venue and bar as it adds diversity to the city centre offering, provides a broader range of choice for local residents and tourists and will improve the ambience of the city.

The Sub-Committee were satisfied that the grant of the licence with reduced hours and the imposition of the additional conditions would not have an impact on the cumulative impact being experienced and would not undermine the licensing objectives. It felt that, based on the evidence before it, the additional conditions were appropriate and proportionate to promote the licensing objectives.

Cllr Rose, Chair

[The meeting started at 10.27 am and finished at 5.15 pm].



## Licensing Act 2003 Sub Committee

Date 13 April 2026

Report from the Director – Environment & Regulatory Services

### Section 18(3) (a) Application for a premises licence for Mittel River Terrace, York Guildhall Restaurant, Lendal, York, YO1 8AA

#### 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: CYC 083733
3. Name of applicant: Leeds Tap Limited
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 new build gastro-brewpub in York City Centre.

Proposed Activity	Timings
Late Night Refreshment – indoors & outdoors	23:00 to 01:00 - everyday
Supply of Alcohol – on & off the premises	08:00 to 01:00 everyday
Opening Hours	08:00 to 01:30 everyday

#### 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 Gastro Brew-pub.

8. An overview of the circumstances in which entertainment activities are not licensable can be found at Annex 2.

### **Promotion of Licensing Objectives**

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

10. **General**

10.1. A documented staff training programme shall be provided to all members of staff at the premises in respect of the:

- retail sale of alcohol;
- age verification policy;
- conditions attached to the premises licence;
- the licensing objectives;
- opening times for the venue;

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

10.2. As a minimum, in all parts of the premises where alcohol is sold or supplied for consumption on the premises substantial food and non-intoxicating beverages including water shall be available to order between midday and 21:00 hours. For the avoidance of doubt, a substantial food menu shall be available to order between these hours each day.

11. **The Prevention of Crime and Disorder**

11.1. On days when race meetings are held at York Racecourse (save for the family meeting held in September and the first meeting in May) a minimum of 2 door supervisors shall be provided at the premises from 19.00 hours to the close of business. At all other times the need for SIA licensed door staff shall be determined in accordance with a risk assessment, to be carried out by the Designated Premises Supervisor and / or the Premises Licence Holder. When employed, door staff will wear high visibility arm bands.

11.2. Customers shall not be permitted to take drinks outside the premises or away from any external areas licensed by way of tables and chairs permission, with the exception of sealed off-sales.

11.3 A colour digital CCTV system shall be installed within the premises and be operational and recording at all times when licensable activities take place.

11.4 The CCTV equipment shall have constant time / date general which must be checked on a daily basis for accuracy.

11.5 CCTV cameras shall be installed to provide adequate cover of all public areas in the premises and entrances / exits and outside designated smoking areas (excluding toilets).

11.6 The CCTV system recordings must be kept for a minimum of 28 days.

11.7 North Yorkshire Police or a Responsible Authority (as defined in the Licensing Act 2003) may at any times request a recording. This should be complied with within 24 hours of the request being made.

11.8 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.

11.9 All CCTV recordings will have sufficient clarity / quality / definition to allow facial recognition.

11.10 Where door supervisors are on duty they shall sign in and out of the premises logbook, providing full details of their name and SIA number.

11.11 The premises shall possess and use the local nighttime economy radio system (where this system is in operation). The radio shall be turned on and always used by staff at the premises when the venue is open for licensable activities.

11.12 A refusal register / incident report record shall be maintained for the premises. Such registers, electric or otherwise stored, will record incidents of staff refusals of underage or drunk people as well as incidents of any anti-social behaviour and ejections from the premises. Such registers shall be kept for a minimum of one year. (For the avoidance of doubt the one-year period relates to each entry in the logbook and runs from the date of the particular entry.)

11.13 Alcoholic drinks purchased on the premises may only be taken off the premises in sealed containers

## **12. Public Safety**

12.1. The DPS/ manager will undertake a weekly inspection of the public areas of the premises to identify anything might present an identifiable risk to public safety. Any risks identified that are deemed to be unreasonable must be rectified at the earliest possible opportunity.

12.2 Staff will be trained in first aid.

12.3 Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.

12.4 Public Areas will be maintained free from obstruction and trip hazards.

12.5 All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

12.6 Appropriate fire safety measures will be installed and maintained as shown on the plan reference LN\_PV\_1240/01

## **13. The Prevention of Public Nuisance**

13.1 All doors and windows shall be closed between 23:00 and 08:00 each day other than for ingress and egress.

13.2 Signs shall be displayed near the exits reminding customers to respect the needs of those living nearby and to leave the premises as quietly as possible.

13.3 All highway and public spaces in the vicinity of the premises will be kept free from litter to the satisfaction of the council.

13.4 Refuse such as bottles will be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.

## **14. The Protection of Children from Harm**

14.1 The venue shall operate a Challenge 25 Age verification police and display posters confirming such in prominent locations throughout the venue.

### **Special Policy Consideration**

15. This premises is located within the cumulative impact assessment area which was approved by full council on 27 March 2025. The assessment can be found at Annex 3. Section 9 of the Statement of Licensing Policy which deals with Cumulative Impact can be found at Annex 4.

### **Consultation**

16. 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.
17. All procedural aspects of this application have been complied with.

### **Summary of Representations made by Responsible Authorities**

18. North Yorkshire Police have made representation based on the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance, and public safety. Their representation can be found at Annex 5.
19. City of York Council Public Protection (Environmental Protection) have made representation based on the licensing objectives of the prevention of public nuisance. Their representation can be found at Annex 6.
20. The Licensing Authority has made a representation on the grounds that the granting of this application would undermine the licensing objectives of both prevention of crime and disorder and prevention of public nuisance. Furthermore, the applicant fails to demonstrate how this application would not add to the cumulative impact of licensed premises already experienced within the CIA. The representation is attached at Annex 7.

### **Summary of Representations made by Other Parties**

21. There have been 5 relevant representations received from other persons. The list of representors is attached at Annex 8
22. The representations are based on the grounds of the prevention of crime and disorder, public safety and the prevention of public nuisance objectives. They state that these objectives will be undermined if the application is granted.
23. A copy of all the representations is attached at Annex 9.
24. A map showing the general area around the venue is attached at Annex 10.
25. The mandatory conditions that will be attached to this licence if granted (if they apply) can be found at Annex 11. The Legislation and Policy considerations can be found at Annex 12.

### **Options**

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

### **Analysis**

32. The following could be the result of any decision made this Sub Committee:-
33. Option 1: This decision could be appealed at Magistrates Court by any of the representors.

34. Option 2: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
35. Option 3: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
36. Option 4: This decision could be appealed at Magistrates Court by the applicant.
37. Option 5: This decision could be appealed at Magistrates Court by the applicant.

### **Council Plan**

38. 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.
39. 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 commitments to make York a healthier, fairer, more accessible place, where everyone feels valued, creating more regional opportunities to help today's residents and benefit future generations. It supports the priority for a fair, thriving, green economy for all.

### **Implications**

40.

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

**Equalities** – The Council recognises, and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in

the exercise of a public authority's functions) when setting its Statement of Licensing Policy.

- **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**

41. 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.
42. 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**

43. Members determine the application.  
Reason: To address the representations received as required by the Licensing Act 2003.

### **Contact Details**

**Author:**

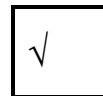
**Chief Officer Responsible for the report:**

Lesley Cooke  
Licensing Manager

Dave Atkinson  
Director Environment & Regulatory Services

Tel No. 01904 551515

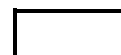
**Report  
Approved**



**Date** 24.03.2026

**Specialist Implications Officer(s)**  
Head of Legal & Democratic Services  
Ext: 1004

**Wards Affected: Guildhall**



**For further information please contact the author of the report**

**Background Papers:**

- Annex 1** - Application form and plan
- Annex 2** - Overview of circumstances in which entertainment activities are not licensable
- Annex 3** - Cumulative impact area (CIA) assessment
- Annex 4** - Policy extract on the CIA
- Annex 5** - Representation from North Yorkshire Police
- Annex 6** - Representation from Public Protection
- Annex 7** - Representation from the Licensing Authority
- Annex 8** - List of representors
- Annex 9** - Representations
- Annex 10** - Map of area
- Annex 11** - Mandatory conditions
- Annex 12** – Legislation and policy

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**Application for a premises licence to be granted under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Leeds Tap Limited

*(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 Mittel River Terrace <b>York Guildhall Restaurant</b> Lendal			
<b>Post town</b>	York	<b>Postcode</b>	YO1 8AA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£ Unrated</b>

**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)       | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                                 | <input type="checkbox"/>            | please complete section (B) |
| d) a charity   | <input type="checkbox"/>            | please complete section (B) |
| e) the proprietor of an educational establishment    | <input type="checkbox"/>            | please complete section (B) |
| f) a health service body                             | <input type="checkbox"/>            | 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)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/>		Please tick <input checked="" type="checkbox"/> yes	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
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)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
-----------------------------	------------------------------	-------------------------------	-----------------------------	--------------------------------	--

<b>Surname</b>		<b>First names</b>	
<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/>	Please tick <input checked="" type="checkbox"/> yes
<b>Nationality</b>			
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	
<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			

**(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.

<b>Name</b> Leeds Tap Limited
<b>Address</b> C/O Pivovar Station Yard York Road, Elvington, York, England, YO41 4EL
<b>Registered number (where applicable)</b> 08477409
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b> Limited Company
<b>Telephone number (if any)</b>
<b>E-mail address (optional)</b>

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
A	S	A P

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year
D D	M M	Y Y Y Y

Please give a general description of the premises (please read guidance note 1)

~~Class E~~ Gastro-brewpub

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)



**In all cases complete boxes K, L and M**

A

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

B

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

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			<b><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></b> (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

D

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

E

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

F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded 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			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed					
Thur			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

G

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

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> 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	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Fri					
Sat			<b><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></b> (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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon		0100	<b><u>Please give further details here</u></b> (please read guidance note 4)		
		2300			
Tue		0100			
		2300			
Wed		0100	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
		2300			
Thur		0100			
		2300			
Fri		0100	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
		2300			
Sat		0100			
		2300			
Sun		0100			
		2300			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (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	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)					
Mon	0800	0100						
Tue	0800	0100						
Wed	0800	0100						
Thur	0800	0100						
Fri	0800	0100						
Sat	0800	0100						
Sun	0800	0100						
						<b>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</b> (please read guidance note 6)		

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):

<b>Name</b> Jamie Hawksworth	
<b>Date of birth</b>	
<b>Address</b> C l	
<b>Postcode</b>	Y1
<b>Personal licence number (if known)</b> ERYC/059353	
<b>Issuing licensing authority (if known)</b> East Riding of Yorkshire Council	

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).**

n/a

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon		0130	
	0800		
Tue		0130	
	0800		
Wed		0130	
	0800		
Thur		0130	
	0800		
Fri		0130	
	0800		
Sat		0130	
	0800		
Sun		0130	
	0800		
<b>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</b> (please read guidance note 6)			

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)**

1. A documented staff training programme shall be provided to all members of staff at the premises in respect of the:
- retail sale of alcohol;
  - age verification policy;
  - conditions attached to the premises licence;
  - the licensing objectives;
  - opening times for the venue;

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

25. As a minimum, in all parts of the premises where alcohol is sold or supplied for consumption on the premises substantial food and non-intoxicating beverages including water shall be available to order between midday and 21:00 hours. For the avoidance of doubt, a substantial food menu shall be available to order between these hours each day.

**b) The prevention of crime and disorder**

2. On days when race meetings are held at York Racecourse (save for the family meeting held in September and the first meeting in May) a minimum of 2 door supervisors shall be provided at the premises from 19.00 hours to the close of business. At all other times the need for SIA licensed door staff shall be determined in accordance with a risk assessment, to be carried out by the Designated Premises Supervisor and / or the Premises Licence Holder. When employed, door staff will wear high visibility arm bands.

3. Customers shall not be permitted to take drinks outside the premises or away from any external areas licensed by way of tables and chairs permission, with the exception of sealed off-sales.

4. A colour digital CCTV system shall be installed within the premises and be operational and recording at all times when licensable activities take place.

5. The CCTV equipment shall have constant time / date general which must be checked on a daily basis for accuracy.

6. CCTV cameras shall be installed to provide adequate cover of all public areas in the premises and entrances / exits and outside designated smoking areas (excluding toilets).

7. The CCTV system recordings must be kept for a minimum of 28 days.

8. North Yorkshire Police or a Responsible Authority (as defined in the Licensing Act 2003) may at any times request a recording. This should be complied with within 24 hours of the request being made.

9. 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.

10. All CCTV recordings will have sufficient clarity / quality / definition to allow facial recognition.

11. Where door supervisors are on duty they shall sign in and out of the premises log book, providing full details of their name and SIA number.

12. The premises shall possess and use the local night time economy radio system (where this system is in operation). The radio shall be turned on and used by staff at the premises at all times the venue is open for licensable activities.

13. A refusal register / incident report record shall be maintained for the premises. Such registers, electric or otherwise stored, will record incidents of staff refusals of underage or drunk people as well as incidents of any anti-social behaviour and ejections from the premises. Such registers shall be kept for a minimum of one year. (for the avoidance of doubt the one year period relates to each entry in the log book and runs from the date of the particular entry.)

14. Alcoholic drinks purchased on the premises may only be taken off the premises in sealed containers.

**c) Public safety**

15. The DPS/ manager will undertake a weekly inspection of the public areas of the premises to identify anything might present an identifiable risk to public safety. Any risks identified that are deemed to be unreasonable must be rectified at the earliest possible opportunity.

16. Staff will be trained in first aid.

17. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.

18. Public Areas will be maintained free from obstruction and trip hazards.

19. All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

20. Appropriate fire safety measures will be installed and maintained as shown on the plan reference LN\_PV\_1240/01

**d) The prevention of public nuisance**

21. All doors and windows shall be closed between 23:00 and 08:00 each day other than for ingress and egress.

22. Signs shall be displayed near the exits reminding customers to respect the needs of those living nearby and to leave the premises as quietly as possible.

23. All highway and public spaces in the vicinity of the premises will be kept free from litter to the satisfaction of the council.

24. Refuse such as bottles will be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.

**e) The protection of children from harm**

24. The venue shall operate a Challenge 25 Age verification police and display posters confirming such in prominent locations throughout the venue.

**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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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).</li> <li>• 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)</li> </ul>
--------------------	---

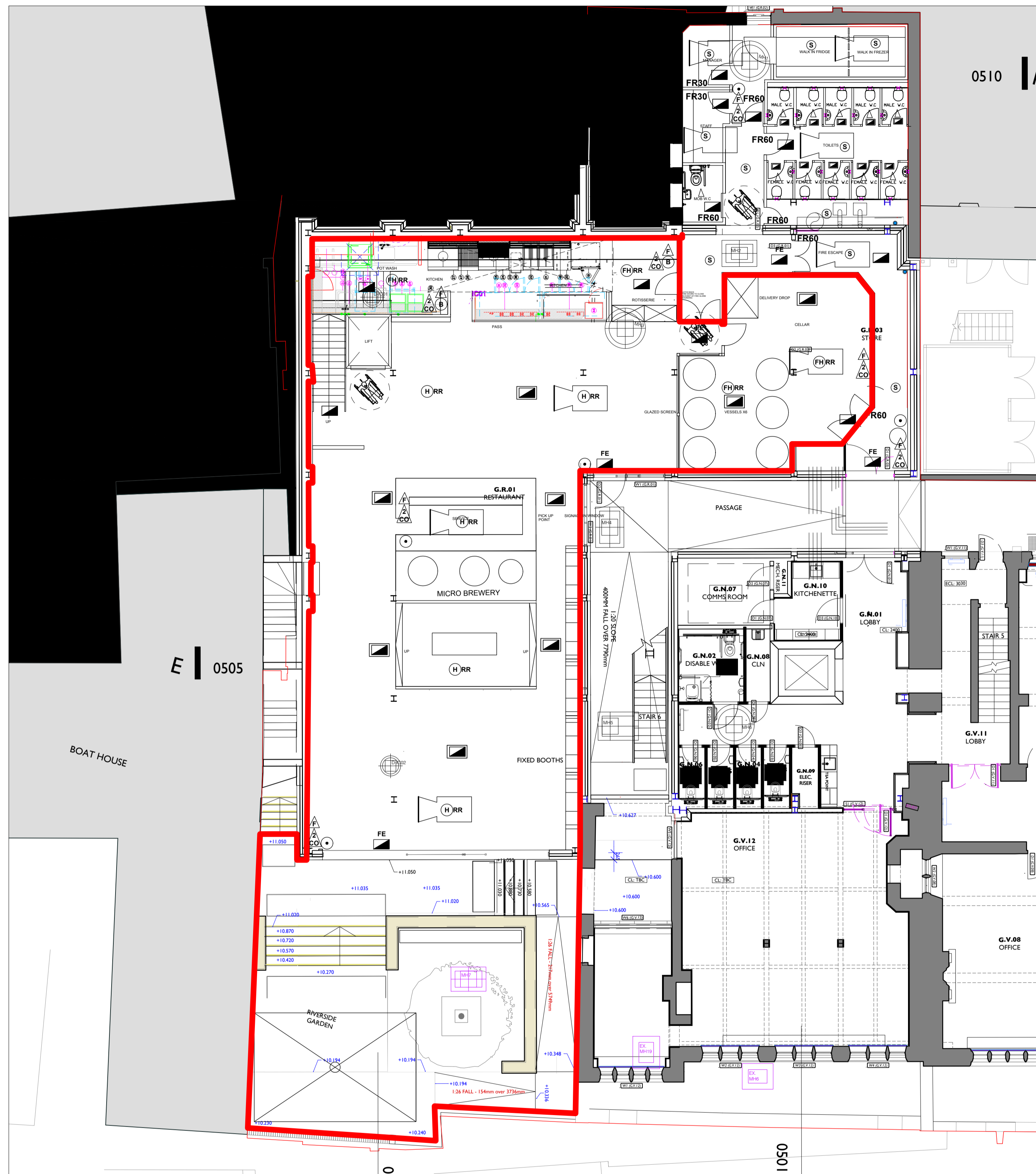
Signature	1
Date	18 February 2026
Capacity	Solicitor to Applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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) Piers Warne TLT Solicitors One Redcliff Street			
Post town	Bristol	Postcode	BS1 6TP
Telephone number (if any)	+44 (0)333 006 0692		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) Pie			





## LOWER GROUND FLOOR SCALE 1:100

PLEASE NOTE -

FIRE PANEL LOCATION INDICATED REAR OF UNIT T.B.C

FLASHING BEACON LOCATED TO REAR ENTRIES AND LINKED TO TENANT FIP

LANDLORD AND TENANT INTERFACES TO BE APPLIED TO SOUND SYSTEMS FOR ISOLATION

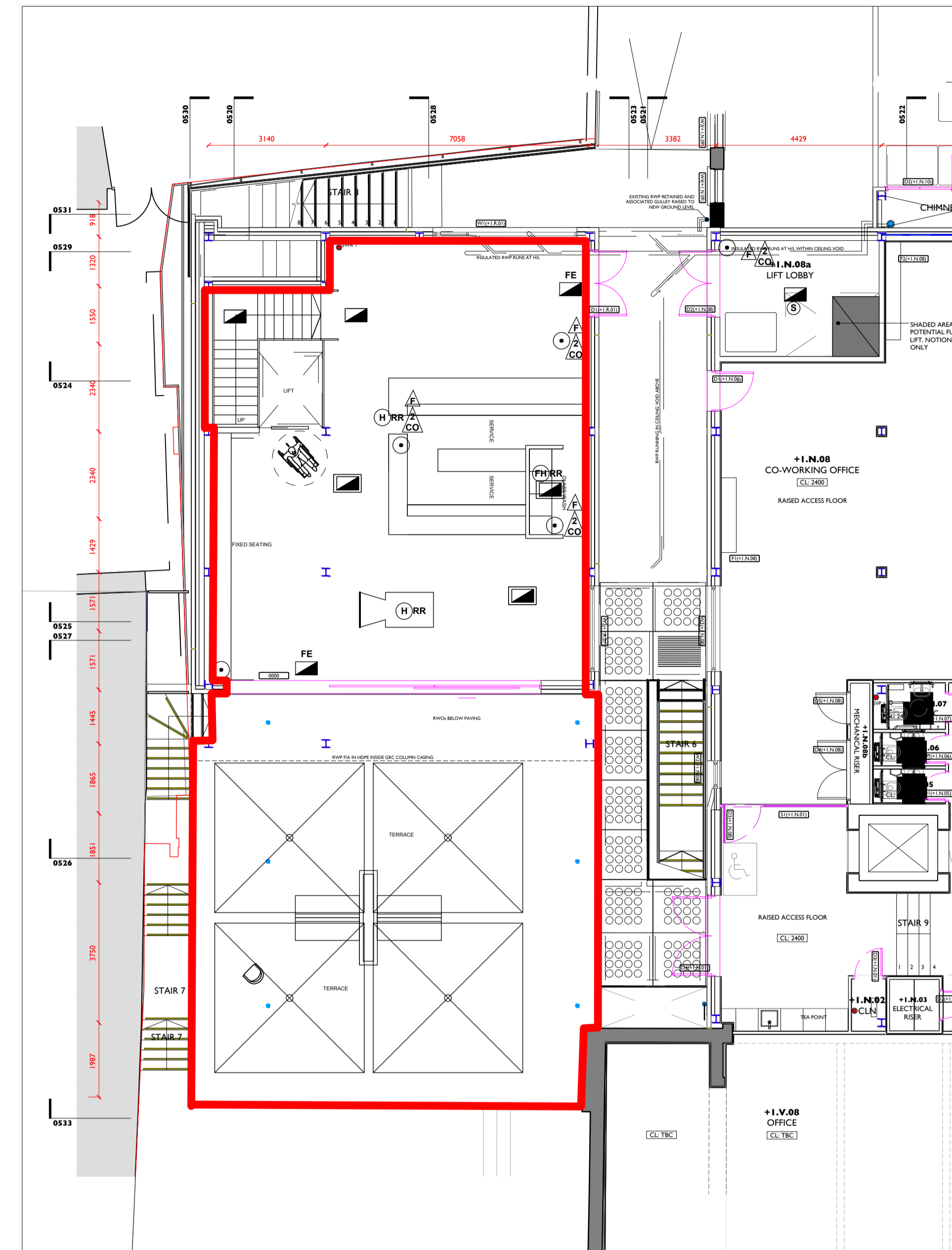
AUTOMATIC DETECTION SYSTEM L1+M AND SOUNDERS THROUGHOUT CONTRACTOR TO ENSURE APPLIED TO ALL VOIDS AND INTERNALS OF BULK HEADS

Emergency Lighting: emergency lighting is in compliance with BS5266 Part 1, Category M2 and will provide maintained emergency lighting for 3 hours duration.

Fire alarm to be installed as an L1 system by proposed contractor

Fire Alarm: the proposed fire alarm will be in accordance with BS5839 Part 1 and BS9999 and installations will be LPC approved and undertaken by an LPC approved installer to LPS 1014.

REDLINE OUTLINE INDICATES AREAS OF LICENSED ACTIVITIES



## GROUND FLOOR SCALE 1:100

LEGEND EMERGENCY FITTINGS		(B)	FIRE BLANKET WALL MOUNTED
	MAINTAINED 8 WATT LED LUMINAIRE. BY R&S ROBERTSONS TEL:- 07919477458 IAN	FR30 FR60	60/ 30 PROTECTION FIRE DOOR TO FULLY COMPLY WITH B.S SEE DESIGNERS DETAILS
	8 WATT MAINTAINED FIRE EXIT LUMINAIRE (FIRE ESCAPE SIGN) GLASS BLADE SUSPENDED ON CHAIN (BRUSHED STAINLESS FINISH.) BY R&S TEL:- 07919477458 IAN	(H)RR	HEAT RATE RISE DETECTOR
	NON MAINTAINED 8 WATT Non Maintained Emergency LED Downlight Ref: 2320164. BY R&S ROBERTSONS TEL:- 07919477458 IAN (WP) EXTERIOR VERSION	(S)	OPTICAL SMOKE DETECTOR
	FIRE EXTINGUISHER CO2	(C)	CALL POINT
	FIRE EXTINGUISHER FOAM	(S)	SOUNDER WITH BEACON
	FLASHING BEACON / SMOKE DETECTOR TO BE CONNECTED TO ALARM SYSTEM	(FH)RR	FIXED HEAT RATE RISE DETECTOR

DISCLAIMER  
 USE ONLY WRITTEN OR CALCULATED DIMENSIONS.  
 BY NOT SCALE. THIS DRAWING MUST ONLY BE USED FOR THE PURPOSE INTENDED.  
 ALL DIMENSIONS MUST BE CONFIRMED ON SITE.  
 THIS DRAWING IS DESIGN INTENT ONLY AND IS NOT INTENDED FOR USE IN MANUFACTURE.  
 ALL DRAWINGS ARE TO BE READ IN CONJUNCTION WITH RELEVANT SPECIALIST DRAWINGS.  
 ALL DRAWINGS ARE SUBJECT TO APPROVAL OF BUILDING CONTROL.  
 ANY DISCREPANCIES OR DISCREPANCIES BETWEEN ALL DRAWINGS ISSUED MUST BE DRAWN TO THE ATTENTION OF THE DESIGNER FOR CLARIFICATION.  
 THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL OTHER RELATED DRAWINGS AND DOCUMENTATION IT IS THE CONTRACTORS RESPONSIBILITY TO ENSURE FULL COMPLIANCE WITH THE BUILDING REGULATIONS.  
 ALL DRAWINGS WHERE REQUIRED ARE SUBJECT TO THE APPROVAL OF A STRUCTURAL ENGINEER. THE DESIGNATED STRUCTURAL ENGINEER TO PROVIDE APPROPRIATE CALCULATIONS AND DETAILS.  
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 THIS DRAWING AND THE DETAILS THEREON DO NOT CONSTITUTE AN INSTRUCTION.

client  
PIVOVAR

job title  
MITTEL RIVER TERRACE  
LENDAL  
YORK

drawing title  
LICENSING LAYOUT

scale @ A1

date AUGUST 2024 drawn by

drg. no.  
LN\_PV\_1240/01

PHONE 07766883798  
 W: WWW.COLLECTIVE-DESIGN.CO.UK  
 E: SIMON@COLLECTIVE-DESIGN.CO.UK

A: BALTIC 39  
39 HIGH BRIDGE STREET  
NEWCASTLE UPON TYNE  
NE1 1EW

**COLLECTIVE DESIGN**

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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 authorisation<sup>18</sup>) 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 workplace<sup>26</sup> 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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## Cumulative Impact

1. Cumulative impact has been included within the Section 182 guidance issued by the Home Office since the commencement of the Act. Cumulative impact assessments were introduced at Section 5A of the Act by the Police and Crime Act 2017, with effect from 6 April 2018. This provides provision for licensing authorities to publish a document, cumulative impact assessment, stating that the licensing authority considers that a number of relevant authorisations in respect of premises in one or more parts of its area, described in the assessment, is such that it is likely that it would be inconsistent with the authority's duty under the Act to grant any further relevant authorisations in respect of premises in that part or those parts.
2. Relevant authorisations means:
  - premises licence
  - club premises certificate
3. Cumulative impact is the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.
4. The Council has included a Cumulative Impact Policy within its Statement of Licensing Policy since 2005, in relation to an area within York city centre. Due to the changes within the city centre, mainly the locations where licensed premises are predominately operating, this area has increased over the years.

## Cumulative Impact Assessment

5. As required by the Act the Council has reviewed the cumulative impact area following the receipt of evidence provided by North Yorkshire Police and the Councils Public Protection Service (noise). The Council has published its first cumulative impact assessment (assessment) in relation to an area that has been identified in York city centre. The assessment is available on the Council website or from the Licensing Section. The assessment will be reviewed at least every three years as required by the Act. A map showing the area can be found in the assessment.
6. As required by the Act the Council has formally consulted on the assessment.

7. By publishing the assessment the Council is setting down a strong statement of intent about its approach to considering applications for grant and variation of premises licences or club premises certificates in the area described. The Council must have regard to the assessment when determining or revising this Statement of Licensing Policy. The assessment does not change the fundamental way that a licensing decision is made, each application will be considered on its own merits. It is open for the Council to grant an application where it is considered appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact. Applications in the area covered by the assessment should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives. Where relevant representations are received and the Council determines to grant an application reasons for granting the application will be given to the applicant, the Chief Officer of Police and all parties who made a relevant representation, with the reasons for departing from the Policy.
8. Where no relevant representations are received an application within the cumulative impact area will be granted in terms consistent with the operating schedule.
9. Applications for new premises licences or variations for premises situated within the cumulative impact area that are likely to add to the cumulative impact already experienced will normally be refused if relevant representations are received. The applicant must demonstrate through the operating schedule, the steps that they intend to take so that the Council and responsible authorities can be satisfied that granting a new or varied licence will not add to the cumulative impact already being experienced.
10. The onus is on the applicant to demonstrate to the responsible authorities the suitability of how their proposal will not add to the cumulative impact. To assist this process the Council recommends early consultation with responsible authorities; this can be done directly with those authorities or through the Council's Licensing Section.
11. The Statement of Licensing Policy and Cumulative Impact Assessment were approved by the City of York on the 27 March 2025.

### **Cumulative Impact Area**

12. The published assessment relates to an area within York city centre. This area has been identified because evidence shows that the cumulative impact of the number and concentration of licensed premises in this area

continue to adversely affect residents, visitors and other businesses and therefore adversely affecting the promotion of the licensing objectives:

- prevention of crime and disorder
- prevention of public nuisance

13. North Yorkshire Police and Public Protection have provided information that the nature of this area is such that the problems and cumulative impact directly relates to the style of businesses operating in the area and their clientele, due to the concentration of:

- drink led premises – pubs, bars, nightclubs and restaurants/cafes;
- entertainment premises – pubs, bars and nightclubs providing entertainment, especially late at night into the early hours of the morning;
- late night refreshment premises – takeaways; and
- off licence premises – supermarkets and convenience stores.

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## 9. Cumulative Impact

- 9.1 Cumulative impact has been included within the Section 182 guidance issued by the Home Office since the commencement of the Act. Cumulative impact assessments were introduced at Section 5A of the Act by the Police and Crime Act 2017, with effect from 6 April 2018. This provides provision for licensing authorities to publish a document, cumulative impact assessment, stating that the licensing authority considers that a number of relevant authorisations in respect of premises in one or more parts of its area, described in the assessment, is such that it is likely that it would be inconsistent with the authority's duty under the Act to grant any further relevant authorisations in respect of premises in that part or those parts.
- 9.2 Relevant authorisations means:
- premises licence
  - club premises certificate
- 9.3 Cumulative impact is the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.
- 9.4 The Council has included a Cumulative Impact Policy within its Statement of Licensing Policy since 2005, in relation to an area within York city centre. Due to the changes within the city centre, mainly the locations where licensed premises are predominately operating, this area has increased over the years.

### Cumulative Impact Assessment

- 9.5 As required by the Act the Council has reviewed the cumulative impact area following the receipt of evidence provided by North Yorkshire Police and the Councils Public Protection Service (noise). The Council has published its first cumulative impact assessment (assessment) in relation to an area that has been identified in York city centre. The assessment is available on the Council website or from the Licensing Section. The assessment will be reviewed at least every three years as required by the Act. A map showing the area can be found in the assessment.
- 9.6 As required by the Act the Council has formally consulted on the assessment.

- 9.7 By publishing the assessment the Council is setting down a strong statement of intent about its approach to considering applications for grant and variation of premises licences or club premises certificates in the area described. The Council must have regard to the assessment when determining or revising this Statement of Licensing Policy. The assessment does not change the fundamental way that a licensing decision is made, each application will be considered on its own merits. It is open for the Council to grant an application where it is considered appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact. Applications in the area covered by the assessment should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives. Where relevant representations are received and the Council determines to grant an application reasons for granting the application will be given to the applicant, the Chief Officer of Police and all parties who made a relevant representation, with the reasons for departing from the Policy.
- 9.8 Where no relevant representations are received an application within the cumulative impact area will be granted in terms consistent with the operating schedule.
- 9.9 Applications for new premises licences or variations for premises situated within the cumulative impact area that are likely to add to the cumulative impact already experienced will normally be refused if relevant representations are received. The applicant must demonstrate through the operating schedule, the steps that they intend to take so that the Council and responsible authorities can be satisfied that granting a new or varied licence will not add to the cumulative impact already being experienced.
- 9.10 The onus is on the applicant to demonstrate to the responsible authorities the suitability of how their proposal will not add to the cumulative impact. To assist this process the Council recommends early consultation with responsible authorities; this can be done directly with those authorities or through the Council's Licensing Section.

### **Cumulative Impact Area**

- 9.11 The published assessment relates to an area within York city centre. This area has been identified because evidence shows that the cumulative impact of the number and concentration of licensed premises in this area continue to adversely affect residents, visitors and

other businesses and therefore adversely affecting the promotion of the licensing objectives:

- prevention of crime and disorder
- prevention of public nuisance

9.12 North Yorkshire Police and Public Protection have provided information that the nature of this area is such that the problems and cumulative impact directly relates to the style of businesses operating in the area and their clientele, due to the concentration of:

- drink led premises – pubs, bars, nightclubs and restaurants/cafes;
- entertainment premises – pubs, bars and nightclubs providing entertainment, especially late at night into the early hours of the morning;
- late night refreshment premises – takeaways; and
- off licence premises – supermarkets and convenience stores.

9.13 A red zone has also been identified in this area due to the high concentration of licensed premises, the impact of which have lead to a high level of occurrences in relation to crime and disorder related issues. Therefore, the Council should refuse all applications within the red zone where relevant representations are received, unless the applicant can show how their application would not lead to an increase in the impact of licensed premises in this zone. A map showing the red zone can be found in the assessment.

9.14 Amber zones have also been identified in this area, again due to the high concentration of licensed premises, the impact of which has led to a high level of occurrences in relation to crime and disorder related issues. Therefore, unless the application relates to a food led operation, as details in paragraph 9.15, the Council should refuse all applications within the amber zones where relevant representations are received, unless the applicant can show how their application would not lead to an increase in the impact of licensed premises in these zones. A map showing the amber zones can be found in the assessment.

9.15 Applications for the grant or variation of a premises licence in the cumulative impact area may be considered more favourably if the applicant can demonstrate, through the operating schedule, that the premises is going to be predominantly food led with:

- alcohol being sold/supplied ancillary to a meal, with substantial\* food being served throughout the duration of the operating hours;
- no vertical drinking, all customers seated at tables;
- set number of table covers;
- table service only, no customers at the bar;

- no drinks promotion, unless they are in line with a food promotion.  
\*something more substantial than a bag of crisps or a bowl of olives or nuts.

9.16 The Covid 19 pandemic, and government restrictions, have impacted the operation of a number of licensed premises dramatically, with some premises, such as nightclubs and theatres, closing for at least 12 months. Therefore, the evidence base for the cumulative impact assessment does reflect a reduction in crime and disorder related issues during 2020/21, which has made changes to the previously large red zone, providing a smaller red zone areas and introduces an amber zones.

## NOTICE OF RELEVANT REPRESENTATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003



North Yorkshire Police hereby give notice of objection to the Premises Licence as listed below:

<b>Postal Address of premises or club premises:</b> Mittle River Terrace Lendal York	
<b>Post town:</b> York	<b>Post code (if known):</b> YO1 8AA

**Notice of Objection relates to the following licensing objective:** *(Please tick one or more boxes)*

1. The prevention of crime and disorder	<input checked="" type="checkbox"/>
2. Public safety	<input checked="" type="checkbox"/>
3. Prevention of Public Nuisance	<input checked="" type="checkbox"/>
4. The protection of children from harm	<input type="checkbox"/>

### GROUND FORS RELEVANT REPRESENTATION

Please provide as much information as possible to support this relevant representation:  
(e.g. please list any additional information, e.g. dates of problems which are included in the grounds for review)

This is a new grant application for Mittle River Terrace, described as a Gastro-Brewpub, within York City centre. The applicant requests licensable activities 7 days a week between the following times:

Supply of alcohol (on and off sales)- 0800hrs-0100hrs daily

Late Night Refreshment – 2300—0100hrs daily

With Hours open to the public between 0800hrs and 0130hrs each day.

The premises sits within York's cumulative impact assessment area (CIA). An area which The City of York Council has identified as being under the most stress from crime and disorder and public nuisance in their statement of licensing policy. The current policy came into effect in March 2025 and states:

9.10 Applications for new premises licences or variations for premises situated within the cumulative impact area, that are likely to add to the cumulative impact already experienced, will normally be refused if relevant representations are received. The applicant will be expected to demonstrate through the operating schedule, the steps that they intend to take to promote the licensing objectives, so that the Council and responsible authorities can be satisfied that granting a new or varied licence will not add to the cumulative impact already being experienced.

9.11 The onus is on the applicant to demonstrate to the responsible authorities the suitability of how their proposal will not add to the cumulative impact. To assist this process the Council recommends early consultation with responsible authorities; this can be done directly with those authorities or through the Council's Licensing Section. Applicants should also have regard to the guidance issued by the Home Office under Section 182 of the Act.

9.14 Application for the grant or variation of a premises licence in the cumulative impact area may be considered more favourably if the applicant can demonstrate through the operating schedule that if:

- the application relates to the 'on-sale' of alcohol, that the premises is going to be predominantly food led with:
  - alcohol being sold/supplied ancillary to a meal, with substantial\* food being served throughout the duration of the operating hours;
- no vertical drinking, all customers seated at tables;
- set number of table covers;
- table service only, no customers at the bar;
- no drinks promotion, unless they are in line with a food promotion.

\*something more substantial than a bag of crisps or a bowl of olives or nuts.

North Yorkshire Police conducted a site visit to the premises and spoke with the operators regarding the venue and the proposed business.

During the visit to the premises the applicant expressed that the hours applied for would likely be reduced as they have some planning restrictions in place.

Following on from this meeting I proposed to the applicant's solicitor some conditions in line with the proposed revised hours of operating, seeking clarification over the timings and conditions.

Unfortunately I was unable to get clarification over the timings from the applicant within the consultation period and as such no agreement was made to reduce the timings in line with discussions had or agreement over suitable conditions for the timings applied for.

The applicant via their legal representation has submitted an operating schedule with various conditions offered. This is welcomed by North Yorkshire Police but believed that it is not robust enough yet to mitigate risk associated with opening a licensed premises within this area.

As part of the proposed operating schedule the applicant offered the following condition regarding food:

25. As a minimum, in all parts of the premises where alcohol is sold or supplied for consumption on the premises substantial food and non-intoxicating beverages including water shall be available to order between midday and 21:00hrs. for the avoidance of doubt, a substantial food menu shall be available to order between these times.

This would mean that, if granted as applied for, the premises would be able to operate for supply of alcohol within the Cumulative impact area without the need for a substantial food between 08:00hrs – Midday and 21:00hrs to 01:30hrs 7 days a week meaning that the premises would have no obligation to offer food for 8 and a half hours a day, 7 days a week. It would be our position that this would not, therefore, be a 'food led' premises.

I have written on a number of occasions to get clarification on the times and although the applicant has confirmed some conditions proposed would be agreed, they have not clarified the timings within the consultation period and as such North Yorkshire Police would like to suggest that the following timings and conditions are proposed and considered.

Suggested Timings:

Supply of Alcohol: 10:00-00:00hrs daily (with a 30 minute 'drink up time for on sales, meaning all on sales would stop no later than 23:30hrs daily)

Outside terrace areas closed by 23:00hrs daily and cleared of any non-fixed tables and chairs if accessible by members of the public.

Proposed amendment to operating schedule conditions:

-There shall be a minimum number of seats provided for customer use at all times the premises is open and operating as follows:

Lower floor – (to be agreed)

Upper Floor – (to be agreed)

Outside terrace areas (both) – (to be agreed)

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

-Condition 2 offered - to be amended to add SIA doorstaff on each Saturdays as well as on race days.

Thank you.

Signature: K Hollis

Date: 18/03/26

Contact name: PC1671 Kim HOLLIS

Address for correspondence: **Alcohol Licensing Department Fulford Road Police Station**

Post town: **York**

Post code: **YO10 4BY**

Tel. number (if any): **01609 643273**

Email address if preferred option of contact: **NYPLicensing@northyorkshire.pnn.police.uk**

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## Public Protection Representation

Environmental Protection are making representation against the application for the Mittel Restaurant River Terrace, York Guildhall, Lendal, York, YO1 8AA on the grounds of the prevention of public nuisance.

The site is in the Cumulative Impact Area (CIA) area of York. This is an area designated by City of York Council in its statement of licensing policy where evidence shows that the cumulative impact of the number and concentration of licensed premises continue to adversely affect residents, visitors and other businesses and therefore adversely affecting the promotion of the licensing objectives of prevention of crime and disorder and prevention of public nuisance. Within this area, when applying for licenses the onus is on the premises license holder to demonstrate that the licensing objectives will be met and that their proposed activities will not result in an escalation of crime, disorder and public nuisance in this area. The applicant has not engaged with this at all or offered any conditions to prevent a public nuisance from occurring in the external areas.

We have not been able to engage in any conversations with the applicant or negotiate conditions regarding the 2 external areas. It is believed that the general public can have access to one and potentially both of the external areas and no conditions have been offered to control noise from customers or members of the public, the latter of who may access the areas 24 hours a day.

It is not clear how the restaurant will operate in terms of managing a smoking area or how customers will enter and exit and whether this will have to be through the external terrace areas, therefore it is not possible at this stage for us to offer meaningful and practical conditions.

The hours of operation for the external areas have not been agreed and as it stands the external areas could be used from 08:00 hours – 01:00 hours each day and then still accessed by members of the public 24 hours a day. If external furniture is left outside then members of the public could sit on them at any time during the night and early mornings potentially generating noise and a public nuisance.

We have not been able to agree appropriate hours for the external area as the applicant has not confirmed to us whether there is any residential dwellings nearby.

If there are residential dwellings nearby, overlooking the site then we would seek to restrict the hours to which the customers can be in the external area to between 10:00 hours and 21:00 hours each day.

If there is no residential dwellings nearby we would wish to restrict the hours to between 10:00 hours and 23:00 hours each day.

The issues remain, however, of whether customers will need access to these terraces in order to enter and leave the premises and where smokers will be allowed to smoke when the terrace is closed, how a smoking area will be managed, how the external area will be managed and what will happen to external furniture if it is left out all night and the public have access to them.

Unless the hours of use for the external areas are restricted and robust conditions in relation to these areas are attached to any premises licence, as this is in the CIA and no conditions for controls have been offered we would advise that the application is refused on the grounds of the prevention of public nuisance.

Regards

Michael Golightly  
**Technical Officer**

**Representation on behalf of the Licensing Authority, York  
Mittel River Terrace, York Guildhall Restaurant, Lendal**

I write to make representation on behalf of the Licensing Authority in relation to the grant of a premises licence for the above premises.

This application relates to the grant of a premises licence for a self-styled Gastro Brew-pub. The application requests licensable activities to take place seven days a week.

Requested activities and hours as follows:

- Late Night Refreshment indoors and outdoors 23:00 until 01:00
- Supply of alcohol on and off the premises from 08:00 until 01:00
- Opening hours 08:00 until 01:30

The proposed licensed premises is located over the lower ground and ground floors of a newly built premises next door and adjoining to the Guildhall complex. Both floors have external terraces which face the riverfront. The lower ground floor will contain a customer reception area, the kitchen, dining area and bar and house a microbrewery enabling the operator to produce their own beer on site. The ground floor will contain customer seating. The applicant would also like to provide seating and tables on both external terraces. The main customer entrance is through an archway on Lendal (next to the House of Trembling Madness). There is also an access/egress route via an alleyway past the Guildhall.

The premises is located within York's Cumulative Impact Assessment (CIA) area, this area has been identified by the Council within the Statement of Licensing Policy (the Policy) as being under the most stress from crime and disorder and public nuisance related issues due to the high concentration of licensed premises.

The Policy came into effect in March 2025, it states:

9.10 Applications for new premises licences or variations for premises situated within the cumulative impact area, that are likely to add to the cumulative impact already experienced, will normally be refused if relevant representations are received. The applicant will be expected to demonstrate through the operating schedule, the steps that they intend to take to promote the licensing objectives, so that the Council and responsible authorities can be satisfied that granting a new or varied licence will not add to the cumulative impact already being experienced.

9.11 The onus is on the applicant to demonstrate to the responsible authorities the suitability of how their proposal will not add to the cumulative impact. To assist this process the Council recommends early consultation with responsible authorities; this can be done directly with those authorities or through the Council's Licensing Section. Applicants should also have regard to the guidance issued by the Home Office under Section 182 of the Act.

9.14 Applications for the grant or variation of a premises licence in the cumulative impact area may be considered more favourably if the applicant can demonstrate through the operating schedule that if:

- the application relates to the 'on-sale' of alcohol, that the premises is going to be predominantly food led with:

- alcohol being sold/supplied ancillary to a meal, with substantial\* food being served throughout the duration of the operating hours;
- no vertical drinking, all customers seated at tables;
- set number of table covers;
- table service only, no customers at the bar;
- no drinks promotion, unless they are in line with a food promotion.

\*something more substantial than a bag of crisps or a bowl of olives or nuts.

The Policy and CIA can be found at: [York's licensing policy – City of York Council](#)

Within the proposed operating schedule, the applicant has offered conditions relating to the provision of door supervisors, prevention of public nuisance and a condition regarding the provision of substantial food from 12 noon until 21:00 hours which are welcomed; however, they are not considered robust enough for a premises located within the CIA.

As detailed above this premises is in an area identified by the Council as being under the most stress due to crime and disorder and public nuisance, already having a high level of licensed premises. We do not believe that the applicant has demonstrated through the hours applied for and the operating schedule how the granting of a licence for this premises will not negatively impact those licensing objectives in this area.

The Licensing Authority do not believe the applicant has fully considered the Policy and CIA and there is clearly no mention of the Policy, I submit therefore they have not demonstrated through the application and proposed operating schedule how the granting of this licence will not add to the cumulative impact already being experienced.

Jemma Kettlestring  
Licensing Enforcement Officer  
[licensing@york.gov.uk](mailto:licensing@york.gov.uk)

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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City of York Council  
Licensing Section  
Hazel Court EcoDepot  
James Street  
York, YO10 3DS

Dear Licensing Team

**RE: Representation Regarding Premises Licence Application  
Mittel River Terrace, York Guildhall Restaurant, Lendal, YO1 8AA  
Leeds Tap Limited**

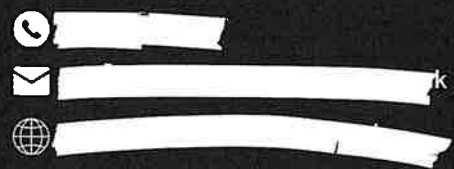
I am writing on behalf of York Science Park, the leaseholder and operator of the Guildhall, to formally submit our representation regarding the recent premises licence application for the vacant unit within the development.

Since April 2022, York Science Park has invested significantly in creating a premier hub for innovation and business, hosting over 23 companies and 100+ professionals. While we have always anticipated a restaurant occupant for the remaining unit, the proposed shift toward a craft beer gastro-brew pub presents a fundamental change in the building's operational dynamic.

Our representation (attached) highlights serious concerns regarding the potential for Public Nuisance, Crime and Disorder, and Public Safety. Our primary objectives are to:

- Protect the professional working environment and "quiet enjoyment" required by our tenants.
- Ensure the security of a multi-tenanted business building with shared access points.
- Mitigate the physical and acoustic impact of a high-volume alcohol-led venue in an integrated historic site.

Innovation Centre  
Innovation Way  
Heslington  
York  
YO10 5DG



York Science Park Limited,  
Company number 2939132.

Registered address: Heslington  
Hall, Heslington, York YO10 5DD.



We believe that without the specific conditions and mitigations outlined in the attached document, the grant of this licence in its current form would be detrimental to the existing business community and the reputation of the Guildhall as a professional workspace.

We would like to formally invite the Licensing Committee and applicant to a site visit. We believe that seeing the immediate proximity of the offices to the Terrace and shared external areas is essential for understanding the necessity of our requested conditions.

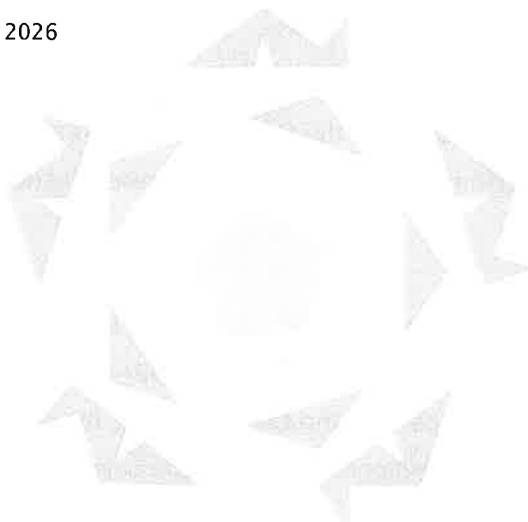
We look forward to hearing from you.

Yours sincerely

DocuSigned by:  
1B37005A0A0F479...

12.03.2026

General Manager  
York Science Park



Innovation Centre  
Innovation Way  
Heslington  
York  
YO10 5DG



[Redacted]  
[Redacted].uk  
[Redacted]

York Science Park Limited,  
Company number 2939132.

Registered address: Heslington  
Hall, Heslington, York YO10 5DD.



## Representation Regarding Premises Licence Application

Mittel River Terrace, York Guildhall Restaurant, Lendal, YO1 8AA

Leeds Tap Limited

### Introduction

York Science Park has held the lease for the Guildhall since April 2022. Our remit is to foster a professional ecosystem for over 23 companies across 9,000 sq ft of office space and a dedicated coworking suite. While we support the occupancy of vacant units, we have significant concerns regarding the proposed transition from a restaurant use to a "craft beer gastro-brew pub."

Given that our tenants operate in a high-focus, professional environment—often hosting clients and funders—the introduction of a high-volume alcohol-led business within the same footprint requires stringent mitigation.

### 1. The Prevention of Crime and Disorder

To maintain the security of the business complex, we request the following:

- **Joint Security Strategy:** A formalised agreement between the applicant and York Science Park to manage shared areas, access and anti-social behaviour.
- **Access Control:** The Guildhall operates on controlled access. We are concerned that increased late-night footfall may lead to unauthorised entry attempts or security "tailgating."
- **Enhanced Monitoring:** Installation of monitored CCTV and professional door supervision during peak hours.
- **Privacy Measures:** We request frosted glazing on windows overlooking the Terrace and passageways to ensure visual privacy for both office tenants and venue patrons.

### 2. Public Safety

The physical constraints of the historic Guildhall site present specific risks:

- **Access & Egress:** The shared passageways must remain clear. We are concerned that deliveries or crowds will create "bottlenecks," particularly during peak commuting hours (08:00–09:30 and 16:30–18:00).
- **Coordinated Fire Strategy:** A unified fire management plan must be established that accounts for both restaurant covers and the 100+ office occupants.
- **Smoking/Vaping:** We enforce a strict "no smoking/vaping" policy within 3 metres of the building. This must be mirrored by the applicant to prevent smoke from entering office windows.
- **Environmental Safety:** Measures must be in place to ensure office entrances are cleared of litter, broken glass, or waste from the previous night's trade before 08:00 daily.

Innovation Centre  
Innovation Way  
Heslington  
York  
YO10 5DG



York Science Park Limited,  
Company number 2939132.

Registered address: Heslington  
Hall, Heslington, York YO10 5DD.



### 3. The Prevention of Public Nuisance

The proximity of the Terrace to quiet working zones is our primary concern:

- **Acoustic Management:** We request a total ban on live or recorded music and sports broadcasts on the Terrace.
- **"No Vertical Drinking":** To maintain a professional atmosphere during the working week (Monday–Friday, 08:00–18:00), the Terrace should be restricted to **seated patrons only**.
- **Operational Conflict:** Odour and noise from brewing plant, kitchen extraction, and air conditioning units must be strictly mitigated to prevent "cooking smells" and ambient hum from disrupting office environments.
- **Waste Management:** Glass bottling out should be prohibited between 08.00 – 18.00 Monday to Friday to prevent disturbance to office workers.

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### Conclusion

Our tenants chose the Guildhall for its prestige and professional serenity. The introduction of a gastro-brew pub threatens tenant retention and the "first impression" for visiting clients.

**We strongly welcome a site visit** with the licensing committee and the applicant to demonstrate the immediate proximity of the Terrace to our offices and to discuss these essential mitigation measures.

②

**Archaeology Data Service**

University of York  
The King's Manor  
Exhibition Square  
York  
YO1 7EP

**Email**

City of York Council  
Licensing Section  
Hazel Court EcoDepot  
James Street  
York, YO10 3DS

12 March 2026

Dear Licensing Team

**RE: Representation Regarding Premises Licence Application  
Mittel River Terrace, York Guildhall Restaurant, Lendal, YO1 8AA  
Leeds Tap Limited**

I am writing as Director of the Archaeology Data Service, a world-leading national information technology research unit, based in York. In the last 2 years we have received over £15m of UK government investment to develop our research infrastructure, via UK Research and Innovation (UKRI), creating over 30 new highly skilled IT jobs in the centre of York, and leveraging an additional £5m of commercial and EU funding to the city.

We are currently housed within The King's Manor but as of 1 June 2026 we are due to take up tenancy of offices in the Guildhall directly adjacent to the proposed craft beer gastro-pub and brewery. We have significant concerns about the proposed re-purposing of the vacant premises. Our new offices are situated at the upper terrace level of the vacant premises, directly adjacent to, and looking out on the area which Leeds Tap propose to use as an external drinking and dining area. Given that we operate in an intensive IT research environment – regularly hosting clients and funders from the UK and abroad—the introduction of a high-volume alcohol-led business within the same footprint requires stringent mitigation.

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[archaeologydataservice.ac.uk](http://archaeologydataservice.ac.uk)

**The digital repository for archaeology and heritage** *Supporting access, innovation, and research*



I am therefore writing to submit our representation regarding the recent premises licence application for the vacant property. This highlights our serious concerns regarding the potential for Public Nuisance, Crime and Disorder, and Public Safety. Our primary objectives are to:

- Protect the professional working environment our business requires.
- Ensure the security of our offices, and the equipment and data we maintain.
- Mitigate the physical and acoustic impact of a high-volume alcohol-led venue on our organisation.

We believe that without the specific conditions and mitigations outlined below, the grant of this licence in its current form would be detrimental to our research and development activity and, in the worst case, would force us to reconsider our location in the City.

### **1. The Prevention of Crime and Disorder**

To maintain the security of our offices, we request the following:

- A formalised agreement between the applicant and York Science Park to **manage shared areas, access and anti-social behaviour**. In particular, we need to retain access to the lockable bicycle shed which is accessed via the passageway which provides the only entrance to the gastropub.
- **Access** to the upper terrace should be via the restaurant entrance and through the restaurant interior, not by continuing along the passageway which then goes directly past our office windows, and that passageway should be gated at that point, but with fire exit provision (see below).
- We request that the applicant covers the cost of a frosted glazing or similar solution on our office doors and windows adjoining the terrace and passageways to ensure visual **privacy and security** for our staff and avoid potential intruders identifying expensive IT equipment.

### **2. Public Safety**



- We have a major concern about egress and **fire safety**. The passageway provides the only access to the restaurant and its terraces, but it is also our fire exit (and that of other Guildhall tenants in that part of the development). It is only about 2m wide. We are unclear how many covers are going to be provided by the applicant but press coverage suggests some 200. We are concerned that, in the event of a fire, if 200 people are trying to exit from the restaurant and courtyard, in addition to our 40 staff, plus other Guildhall tenants who would need to use that route, there would be a **severe bottleneck** in the passageway. We request that North Yorkshire's Fire Service is consulted to make a formal assessment of the risk of that single exit point.
- We also request that the applicant enforces a strict **"no smoking/vaping"** policy on the upper terrace to prevent smoke entering our offices.

### 3. The Prevention of Public Nuisance

The proximity of the Terrace to our offices is a major concern:

- We request a **ban** on live or recorded music and sports broadcasts on the Terrace before 18:00.
- Until 18:00 service should be **seated at table only** (to prevent drinkers standing directly outside our office doors and windows).
- We also request that the applicant installs noise mitigating fencing or 'hedging' along the side of the terrace adjacent to our offices.

In summary, we fear this is a very ill-advised location for the proposed gastro-pub. However, we are prepared to go ahead with our tenancy if Leeds Tap are willing to alleviate our concerns by implementing these mitigations.

I look forward to hearing from you.



Professor of Sound and Music Computing  
 Director XR Stories/XR Network+  
 The Courtyard, Guildhall, Coney St, York YO1 9QN  
 13<sup>th</sup> March 2026



**School of Physics,  
 Engineering and  
 Technology**

**xR StOries**

T:  
 E:

City of York Council  
 Licensing Section  
 Hazel Court EcoDepot  
 James Street  
 York, YO10 3DS

To Whom It May Concern,

**Representation Regarding Premises Licence Application Mittel River Terrace, York Guildhall Restaurant, Lendal, YO1 8AA  
 Leeds Tap Limited**

I am writing in my capacity as Director of XR Stories, and on behalf of my team of eleven who, for the last almost four years, have been resident in two spaces within the Guildhall complex, to formally submit our representation regarding the recent premises licence application for the vacant unit within the development.

Since May 2022, as a leading external business facing project at the University of York, XR Stories has operated from the office space directly above the vacant unit, and from our R&D Creative Technology Lab on the top floor within the older part of the Guildhall. As well as our office space being directly above the proposed development, both of our spaces also open out onto the terrace area, which, we understand, will be used by customers of Leeds Tap. Over the last four years our project has engaged directly with more than 600 creative industries businesses across Yorkshire and Humber, has secured more than £27m of Co-Investment into the region, created or maintained 543 jobs and brought additional revenue of £6.6m to the companies we have worked with. Additionally XR Stories has built a close working relationship with the newly formed Mayoral Combined Authority, including working on the development of the Local Growth Plan, and have entertained creative industries business leaders, policy makers, academics, politicians, and civil servants from across the region and the UK, as well as serviced the needs of our creative communities and businesses within the City of York itself. All our guests are impressed with and envy our location within the city and see it as representative of both York's history and its future. Although we are pleased to see that this vacant unit is at last to be occupied, we now realise that the current plans will fundamentally change the operation of the whole site, with an impact for all those currently working there, as well as any visitors – we will have to fundamentally consider our future in the Guildhall if this goes ahead due to the anticipated disruption ahead, during both redevelopment and operation of the unit.

Our representation, however, is focused on serious concerns regarding the potential for Public Nuisance, Crime and Disorder, and Public Safety. Our primary objectives are to:

- Protect the professional working environment for our staff and the quiet operation of our R&D Creative Technology Lab facility.
- Ensure the security of our offices, facilities and equipment, noting the complex footfall and multiple shared access points to the vacant unit and terrace areas. Noting further that the main Guildhall Reception door is now always locked, where it once was not, due to members of the public finding their way, maliciously or otherwise, into and around our site. This can be problematic for welcoming and entertaining visitors to the Guildhall. Increased footfall due to the planned use of the site, including outside areas, will only compound this problem and potentially impact the use of these spaces for our existing staff and other tenants.

University of York  
 York YO10 5DD  
 york.ac.uk

- Mitigate the physical and acoustic impact of a high-volume alcohol-led venue in an integrated historic site; as a professional acoustic/audio engineers, I very much understand the limited success or impact of any post-hoc structure based ameliorations that might be proposed.

We believe that without the specific conditions and mitigations outlined below, the grant of this licence in its current form would be detrimental to the existing business community and the reputation of the Guildhall as a professional workspace and flagship development within the City of York:

### **The Prevention of Crime and Disorder**

To maintain the security of our offices, we request the following:

- A formalised agreement between the applicant and York Science Park to manage shared areas, access and anti-social behaviour. In particular we need to retain access to the lockable bicycle shed which is accessed via the rear passageway which provides the only entrance to the proposed development.
- Access to the upper terrace should be limited to manage footfall and through the restaurant entrance and interior only. Additional gating will be required, including at the bottom of the steps that provide the main fire exit from our office and the neighbouring co-working space – we regularly see members of the public trying to gain access to the Guildhall up these stairs, no doubt lost in their navigation of the site - and on the lower level near the back door to the main Guildhall complex. Leeds Tap customers should additionally not try to find entrance or exit from the restaurant via the main Guildhall/Mansion House entrance.
- We request frosted glazing on the rear-facing windows of the proposed development to ensure separation and privacy between customers and fire exit space from our office and neighbouring co-working space.

### **Public Safety**

- We have a major concern about egress and fire safety. The current passageway provides the only access to the restaurant and its terraces, but it is also our main fire exit (and that of other Guildhall tenants in this part of the site). We are unclear how many covers are going to be provided by the applicant but press coverage suggests around 200. We are concerned that, in the event of a fire, if 200 people are trying to exit from the restaurant and courtyard, in addition to our 11 staff, additional guests we may be hosting (up to an additional 30 individuals across both of our spaces) plus other Guildhall tenants who would need to use that route, there would be a severe bottleneck in the passageway. We request that the local Fire Service is consulted to make a formal risk assessment.
- Our office windows and balcony direct overlook the terrace areas – we request that the applicant enforces a strict no smoking/vaping policy to prevent smoke entering our offices.

### **The Prevention of Public Nuisance**

The proximity of the Terrace to our offices is a major concern:

- We request a ban on outdoor service, live or recorded music and sports/other broadcasts on the terrace spaces before 18:00 on weekdays.

The Guildhall is a prestigious development for the city of York and speaks of our history and ambitions to anyone who visits – this reputation is at risk with a development of this nature at the very heart of the building, especially as there exist a whole selection of other alternative restaurants, bars and cafes in our immediate proximity. I would strongly recommend that the licensing committee visit the site to understand the challenges of a co-location of this nature. The XR Stories project were the first team to take residency within the Guildhall and we have been lucky to be integral to much of the developments that have taken place there since. This has included a first-hand tour with the architect responsible for the design of the site. She noted the challenge of building a rational design across a complex set of spaces with no planned client-as-tenant in place at the outset. This lack of foresight is now made evident with this plan to drop a busy gastropub within such a high-profile office and events space – the site is not designed for such a development and the result is sure to be unsatisfactory for existing tenants, future tenants as well as the current applicant.

Yours Sincerely

4

18 March 2026

Colour Urban Design Ltd  
Coworking Hub  
The Courtyard, Guildhall  
Coney St  
York YO1 9QN

To Whom It May Concern,

I object to this application.

I work during the week in the Guildhall coworking hub, which is physically attached to the premises in question.

I am concerned that the proposed licence will result in disorder, including noise disruption during office working hours, Monday to Friday.

The business will also compromise valuable external quiet space, particularly the lower terrace next to the river which many coworkers use for breaks during the working day. As such, the proposed form of business and licensing hours represent a nuisance to coworkers within the Guildhall.

The property which is the subject of the licensing application is only accessible through a narrow, poorly lit alleyway which has several alcoves, doorways to other premises (including Guildhall cycle storage) and external steps providing access to parts of the Guildhall, all of which raise safety and security concerns for customers of the proposed business and for coworkers at the Guildhall, especially after dark.

Thank you for considering this objection.

Sincerely,



5

Haxby  
York  
YO32 3FD

City of York Council  
Licensing Section  
Hazel Court EcoDepot  
James Street  
York, YO10 3DS

To Whom It May Concern,

**RE: Representation Regarding Premises Licence Application  
Mittel River Terrace, York Guildhall Restaurant, Lendal, YO1 8AA  
Leeds Tap Limited**

I am writing to express my concern about the premises licence application for the vacant unit within the Guildhall development.

Whilst I was aware that a restaurant tenant was planned for this space, the licensing application for a gastropub, with licence to serve alcohol from 8am to 1am is not as far as I am aware, what was originally intended. This will present a fundamental change in the building's operational dynamic.

I have serious concerns regarding the potential for Public Nuisance, Crime and Disorder, and Public Safety.

- Such a venue with the proposed licencing arrangement will be extremely detrimental to the office tenants in the building, particularly those adjacent to the bar. How will the licence be structured to protect the professional working environment required by office tenants?
- The site is complex, with several locked gates that will need to be removed to enable access to the bar, thereby opening up the Guildhall site and building to unwanted access, potentially by people who have been drinking
- There are numerous alleys, under stairs area, close quarters and dark spaces on the site that will have to be opened up. This is a concern particularly for women or vulnerable users of the site
- There is the potential for serious public safety issue in the case of a fire, with the 200 covers proposed in the bar plus the office residents using a single alleyway as fire escape.
- An issue around public safety for the office tenants if smoking and vaping is allowed on the terrace, where office above have open window and doors, especially in the summer
- A public safety issue on the passageway into the venue – this is frequently littered with broken glass now, this will increase as an issue
- The closing down of access to the current restrictions was due to people sleeping, urinating, taking drugs on the site, this is likely to return and increase if the licence is granted

The site is undoubtedly unique and understandably of interest to a hospitality venue, but a restaurant is different to the proposed Tap bar. There are enough of these sorts of venues along Coney Street and in the town centre, the proposed licence application will result in a venue with high physical and acoustic impact, in what is an office working complex.

Yours sincerely

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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.

Amended 24/04/17