
MEETING	LICENSING/GAMBLING HEARING
DATE	30 AUGUST 2007
PRESENT	COUNCILLORS WISEMAN (VICE-CHAIR), REID AND HORTON
IN ATTENDANCE	COUNCILLOR FUNNELL (for training purposes)

29. Chair

RESOLVED: That Councillor Reid be elected as Chair of the meeting.

30. Declarations of Interest

Members were invited to declare any personal or prejudicial interests in any of the business on the agenda. None were declared.

31. Exclusion of Press and Public

RESOLVED: That the press and public be excluded from the meeting prior to consideration of the personal data contained in Annexes 2 and 4 to Agenda Item 5 as provided by the Data Protection Act 1998.

32. The Determination of an Application by City of York Council; Learning, Culture & Children's Services Directorate for a Premises Licence [Section 18(3)(a)] in respect of Applefields School, Bad Bargain Lane, Burnholme, York, YO31 0LW (CYC-013192)

Members considered an application by the City of York Council's Learning, Culture and Children's Services Directorate for a premises licence in respect of Applefields School, Bad Bargain Lane, Burnholme, York.

Members were presented with the following options:

- Option 1** Grant the licence in the terms applied for.
- Option 2** Grant the licence with modified/additional conditions imposed by the licensing committee.
- Option 3** Grant the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
- Option 4** Reject the application

Officers reported that the school was based in a predominantly residential area. Schools were becoming cultural centres for the community and not

used solely for educational purposes. It was confirmed that the representation received from North Yorkshire Fire and Rescue Service had been mediated prior to the hearing and the Applicant had agreed to the occupancy figures proposed.

The legal advisor to the Sub-Committee queried the occupancy figures of 240 seated and 120 standing and questioned whether there should be another occupancy figure if a combined seated/standing event were to take place.

Representations were made at the Hearing by the Applicant, including the fact that they were willing to have a maximum occupancy figure of 120 persons at all events to avoid any problems surrounding the Fire Service's different occupancy figures for seated and standing events. The Applicant felt that the local community would lose the benefit of the use of the school of a licence were not granted. He confirmed that the premises could be hired by third parties but, as of yet, this had not occurred.

Taking into consideration the representations made in writing and at the hearing, the licensing objectives and the City of York Council's Statement of Licensing Policy, the Sub-Committee agreed to grant the premises licence with additional conditions.

RESOLVED: That, in line with the above Option 2 the premises licence be granted with the following additional conditions:

1. That the occupancy be restricted to 120 persons maximum in respect of any licensable activity held on the premises.
2. That all external licensable activities shall cease by 20:00 hours.

REASON: To address the representations made in respect of public nuisance.

Councillor A Reid; Chair

The meeting started at 10.10 am and finished at 10.40 am.