
MEETING	LICENSING/GAMBLING HEARING
DATE	17 SEPTEMBER 2007
PRESENT	COUNCILLORS WISEMAN, SUE GALLOWAY AND FUNNELL

41. Chair

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

42. Declarations of Interest

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

43. 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.

44. The Determination of an Application by Mr Jason Charles Lowery and Mrs Lisa Marie Lowery for the grant of a premises licence [Section 18(3)(a)] in respect of Lowery Newsagents, 77A Bootham, York. (CYC-013306)

Members considered an application by Mr and Mrs Lowery for the grant of a premises licence in respect of Lowery Newsagents, 77A Bootham, 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.

The Licensing Officer reported that the premises were not in the Cumulative Impact Zone and that no representations had been received from Responsible Authorities.

Representations were made at the hearing in support on behalf of the Applicant by the Applicant's solicitor. They were aware of the stringent guidelines relating to alcohol sales and all employees had undergone the necessary training. There were three personal licence holders, two of which would be on the premises at any one time. It was confirmed that the Applicant had agreed to increase the proof of age identification to apply to customers who appeared to be under the age of 21 years. A major refit and reorganisation of the premises would be undertaken if the application was granted.

Representations were made in objection by a neighbour in writing and at the hearing; these related to concerns regarding crime and disorder.

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 new layout of the premises shall be submitted to the Licensing Authority for agreement in writing to ensure that it meets the Licensing Objectives.
2. The new CCTV system to be installed and maintained in accordance with the Information Commissioner's CCTV Code of Practice.
3. There must be two adults (over the age of 21 years) on the premises during opening hours.
4. Mandatory condition 19 applies.

INFORMATIVE

1. The Sub-Committee noted that the Operating Schedule was amended at the hearing in relation to the protection of children from harm. The Applicant volunteered to require proof of age from any customer who appeared to be under the age of 21 years.

REASON: To address the representations made in respect of the prevention of crime and disorder.

COUNCILLOR SUE GALLOWAY; CHAIR

The meeting started at 10.00 am and finished at 10.35 am.