
MEETING	LICENSING/GAMBLING HEARING
DATE	19 NOVEMBER 2007
PRESENT	COUNCILLORS FUNNELL, HORTON AND B WATSON
APOLOGIES	COUNCILLOR REID

53. Chair

RESOLVED: That Councillor Horton be elected to act as Chair of the meeting.

54. Declarations of Interest

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

55. 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.

56. 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 The Pupil Support Centre, Danesgate, Fulford Cross, York, YO10 4PB. (CYC-013538)

Members considered an application by City of York Council's Learning, Culture and Children's Services Directorate for a premises licence in respect of the Pupil Support Centre, Danesgate, Fulford Cross, York, YO10 4PB.

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 licensing objective; the prevention of public nuisance.

It was decided to dispense with the Hearing for this application as the concerns of the representor had been met.

The representation had been received by way of petition signed by 28 local residents and after discussions between the Licensing Manager and the Applicant the following conditions were proposed:

1. The nature and character of activities will not change from school related activities.

2. All licensable activities will be restricted to indoors, Monday to Friday 08:00 hours to 21:00 hours and that the premises be entirely vacated by 22:00 hours.

Twenty six of the twenty eight residents who signed the original petition agreed to the proposed conditions but two residents were unavailable to give their opinion and therefore it was decided that a Hearing would still need to take place.

After consultation with the Licensing Manager and their legal advisor, the Sub-Committee were of the opinion that all residents would be happy with the proposed conditions and agreed that this application could be classed as mediated and that the premises licence would be granted including the proposed conditions set out above and three conditions requested by the North Yorkshire Fire and Rescue Service:

RESOLVED: That the application be mediated and the following additional additions incorporated into the licence.

- The nature and character of activities will not change from school related activities.
- All licensable activities will be restricted to indoors, Monday to Friday 08:00 hours to 21:00 hours and that the premises be entirely vacated by 22:00 hours.
- The maximum occupancy figures should not exceed 60 persons for the hall and 85 persons for the dining room when used for dancing with a group, disco or other licensable activity.
- When a performance takes place before a seated audience, no seating should be more than 7 seats from a gangway; any temporary seating should be secured in lengths no fewer than 4 seats and no more than 12. The minimum width of any gangway should be 1.05m.
- An occupancy figure for a seated audience should be reduced accordingly, dependent on the size of any stage and the layout of the seating taking into account any gangways.
- Mandatory conditions 20 and 22 apply.

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

Councillor D Horton; Chair

The meeting started at 10.15 am and finished at 10.35 am.