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MEETING	LICENSING/GAMBLING HEARING
DATE	31 MAY 2007
PRESENT	COUNCILLORS MOORE, REID AND B WATSON

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**1. Chair**

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

**2. Declarations of Interest**

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

**3. 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 3 and 5 to Agenda Item 5 as provided by the Data Protection Act 1998.

**4. The Determination of an Application by Richard Dearlove for the Determination of an Application to Vary a Premises Licence [Section 35(3)(a) in respect of Duchess of York (boat), Acaster Malbis, York. (CYC-010891)**

Members considered an application by Mr Richard Dearlove for the Determination of an Application to Vary a Premises Licence in respect of the Duchess of York (boat), Acaster Malbis, York.

Members were presented with the following Options:

**Option 1** Grant the variation of the licence in the terms applied for.

**Option 2** Grant the variation of the licence with modified/additional conditions imposed by the Licensing Committee.

**Option 3** Grant the variation of the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.

**Option 4** Reject the application.

Representations were received from the Applicant at the hearing. He had run the business for 18 years and it had always been run in a responsible way. He stressed that he was committed to having a good working

relationship with his neighbours and therefore offered to cease selling alcohol at 9:30pm and to not have live music or external speakers on the vessel.

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 variation of a premises licence with additional conditions and some exclusions.

RESOLVED: That, in line with above **Option 3**, the variation of the premises licence with the following exclusions and additional conditions be granted.

Exclusions from the licence

- (i) Performance of live music
- (ii) Performance of dance
- (iii) Facilities for making music
- (iv) Facilities for dancing
- (v) Facilities for activities like music and dance
- (vi) Late night refreshment

The Sub-Committee then imposed the following conditions:

Opening Hours – 10am to 10pm  
Supply of alcohol – 10am to 9:30pm  
Premises to be vacated by staff by 10:30pm

All conditions offered by the Applicant in the application, including the operating schedule, for variation of the premises licence under the Licensing act 2003, shall be included in the licence, unless contradictory to the above conditions.

REASON: To address the representations made in respect of the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm.

Councillor A Reid; Chair

The meeting started at 10.10 am and finished at 11.10 am.