
MEETING	LICENSING/GAMBLING HEARING
DATE	20 NOVEMBER 2007
PRESENT	COUNCILLORS MOORE, HORTON AND B WATSON

61. Chair

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

62. Declarations of Interest

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

63. Exclusion of Press and Public

RESOLVED: That the press and public be excluded 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.

64. The Determination of an Application by City of York Council's Learning Culture & Children's Services Directorate for a Premises Licence [Section 18(3)(a)] in respect of Archbishop of York Junior School, Copmanthorpe Lane, Bishopthorpe, York. (CYC-013528)

At the start of the meeting the Chair clarified that all parties would be happy for Councillor Ayre to stay for the duration of the proceedings for training purposes. It was noted that he would not take part in any discussions. All parties were in agreement that he could stay.

Members considered an application by City of York Council's Learning, Culture and Children's Services Directorate for a premises licence in respect of Archbishop of York Junior School, Copmanthorpe Lane, Bishopthorpe, York.

The Applicant confirmed that they were not applying for Section 'H' and an error had been made when completing the application form.

Preliminary discussions took place regarding the petition submitted by the lead representor. As this petition had not been signed it was deemed to be invalid. The representor agreed that he would represent himself only and not the parties listed on the petition.

In coming to their decision the Sub-Committee took into consideration all of the evidence and submissions that were presented and determined their

relevance to the issues raised and the licensing objective; the prevention of public nuisance including:

1. The application form and the additional steps agreed to be taken by the Applicant to promote the four licensing objectives.
2. The Licensing Officer's report and his comments made at the Hearing, including the fact that the school had agreed to concede on the original time of 23.00 hours to 22.30 hours and that the school were willing not to undertake licensable activities on Saturdays, Sundays, Bank Holidays or Statutory Holidays.
3. The Applicant's representations at the Hearing, including the fact that the nature and scope of the activities will not deviate from those already undertaken by the school.
4. The representations made by a local resident in writing and at the Hearing. The Sub-Committee considered the written representation to be relevant to the issues raised and the licensing objective above. The representor was concerned that the school would be able to let the premises for commercial activities at the weekends and during the evenings.

The representations made by North Yorkshire Fire and Rescue Service were withdrawn prior to the Hearing.

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.

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

1. The maximum occupancy figure should not exceed 230 persons for the main hall and 180 persons for the dining room when used for dancing with a group, disco or similar activity. If both rooms are in use at the same time the maximum combined occupancy should not exceed 372 persons.
2. 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.
3. 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.

4. All internal licensable activities to cease by 22.30 hours and the premises to be cleared of members of the public by 23.00 hours.
5. All external licensable activities to cease by 20.00 hours and be cleared of members of the public by 20.30 hours.
6. No licensable activities to take place on Saturdays, Sundays, Bank Holidays and Statutory Holidays.

All conditions offered by the Applicant in the application, including the operating schedule, for granting 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 public nuisance.

Councillor Horton; Chair

The meeting started at 2.15 pm and finished at 3.05 pm.