
MEETING	LICENSING HEARING
DATE	26 JUNE 2008
PRESENT	COUNCILLORS AYRE, MOORE AND WISEMAN

1. CHAIR

RESOLVED: That Councillor Moore 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. MINUTES

RESOLVED: That the minutes of the Licensing Hearings held on 6 March 2008, 10 March 2008 and 3 April 2008 be signed by the Chair as a correct record.

4. THE DETERMINATION OF AN APPLICATION BY MR. GOKAY TIMUR AND MR. MEHMET TIMUR FOR A VARIATION TO A PREMISES LICENCE [SECTION 35(3)(A)] IN RESPECT OF YORK'S YUMMY CHICKEN, 28 PAVEMENT, YORK, YO1 9UP . (CYC-010802)

Members considered an application by Mr. Gokay Timur and Mr. Mehmet Timur for the variation of a premises licence in respect of York's Yummy Chicken, 28 Pavement, York, YO1 9UP.

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.

1. The application form, in particular the existing licence conditions 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. A photograph of the front of the premises was circulated to illustrate its proximity to other food outlets. The Licensing Officer clarified that the Applicant had agreed to the conditions requested by North Yorkshire Police and they had withdrawn their representation. The Officer also confirmed that the premises were not within the Cumulative Impact Zone.
3. The Applicant's representations at the Hearing, including the fact there had been no reported incidents of anti-social behaviour. The premises would not be serving alcohol or hot drinks and

approximately 55% of the business was delivery based. The premises had been trading for nearly 8 years.

4. The Planning Officer's representation both in writing and at the hearing.
5. Written representations made during the consultation period.

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.

RESOLVED: That in line with **Option 2** the variation to the licence be granted with the following additional conditions and informative.

1. CCTV will be installed to cover the premises. It will be maintained and working at all times and recordings will be kept for 5 days and made available to any relevant authority if required.
2. Upon closing the premises at the conclusion of business, staff will undertake a general litter pick up and tidy of the general area of the premises.

INFORMATIVE

The Committee noted the breaches in respect of the planning consent and recommended that the applicant address this at the earliest opportunity.

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

Councillor Richard Moore, Chair
[The meeting started at 10.15 am and finished at 11.00 am].