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MEETING	LICENSING HEARING
DATE	17 JULY 2008
PRESENT	COUNCILLORS HYMAN, MOORE AND WISEMAN (VICE-CHAIR)
APOLOGIES	COUNCILLORS

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**12. CHAIR**

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

**13. DECLARATIONS OF INTEREST**

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

**14. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the press and public be excluded prior to consideration of the personal data contained in annexes 5 & 7 to Agenda Item 5 as provided by the Data Protection Act 1998.

**15. THE DETERMINATION OF AN APPLICATION BY MR T TUNSTALL & MR M TUNSTALL FOR A VARIATION TO A PREMISES LICENCE [SECTION 35(3)(A)] IN RESPECT OF STONEBOW SNOOKER CLUB (THE DUCHESS), STONEBOW HOUSE, THE STONEBOW, YORK, YO1 7NP (CYC-009129)**

Members considered an application by Mr. T Tunstall and Mr. M Tunstall for the variation of a premises licence in respect of Stonebow Snooker Club (The Duchess), Stonebow House, The Stonebow, York.

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 objectives; the prevention of crime and disorder, the prevention of public nuisance and public safety.

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 Applicant had agreed to

conditions requested by the Fire Service and Environmental Protection Unit and that these representations had been withdrawn.

3. The Applicants' representations at the hearing including the fact that the Applicant is an experienced operator of live music venues, and that an operating schedule had been set up to bring transparency.
  
4. A Local Resident's representation both in writing and at the hearing. The Local Resident was represented at the hearing by the Secretary of the St. Andrews Place Residents Association who raised concerns regarding the impact of an extra 400 people in the area in the early hours of the morning.

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 Licence be granted.

The Sub-Committee then imposed the following conditions:

1. That the occupancy figure for the premises should not exceed 400 persons, as stipulated by North Yorkshire Fire and Rescue Service.
  
2. Conditions as agreed with City of York Council's Environmental Protection Unit. These are that a Staff Policy be put in place to monitor sound levels omitting from the premises and that the rear doors of the premises shall be kept closed when music is playing.
  
3. That all times are to be read at face value and no allowance is made for the Greenwich Mean Time/British Summer Time clock adjustment.
  
4. Mandatory Conditions 19 and 21 of the Licensing Act 2003.

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

Councillor Keith Hyman, Chair  
[The meeting started at 10.05 am and finished at 12.10 pm].