
MEETING	LICENSING HEARING
DATE	3 APRIL 2009
PRESENT	COUNCILLORS AYRE, MOORE AND WISEMAN (VICE-CHAIR)
APOLOGIES	COUNCILLORS

63. CHAIR

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

64. DECLARATIONS OF INTEREST

Members were invited to declare any personal or prejudicial interests in any of the business on the agenda.

All three panel Members declared a personal non prejudicial interest as the Lord Mayor of York had submitted a letter of representation in objection to the application.

65. MINUTES

RESOLVED: That the minutes of the Licensing Hearing held on 2 February 2009 be signed as a correct record.

66. THE DETERMINATION OF AN APPLICATION BY MCDONALD'S RESTAURANTS LTD FOR A VARIATION OF A PREMISES LICENCE SECTION 35(3)(A) IN RESPECT OF MCDONALD'S RESTAURANT, 14-16 BLAKE STREET, YORK. (CYC-01023)

Members considered an application by McDonald's Restaurants Ltd for the Variation of a Premises Licence in respect of McDonald's Restaurant, 14-16 Blake Street, York, YO1 2QJ.

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 public nuisance, crime and disorder and the protection of children from harm.

The application form, in particular the operating schedule and the steps the applicant will take to promote the four licensing objectives.

The Licensing Officers report and his comments made at the hearing including the fact that the applicant has outlined a comprehensive list of steps to address the licensing objectives and no representations had been received from responsible authorities.

The Applicant's representation including the fact the hours applied for are not novel in York due to a number of other late night refreshment establishments opening until 4am in the city centre. The operating schedule was also referred to as evidence of the restaurants willingness to work alongside local residents to solve problems such as littering.

The representations from local residents who advised they experience numerous problems due to the restaurants current opening times and often suffer disturbance past 3am and suffer from anxiety most nights as a result. Problems regarding litter were also highlighted.

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 1 the variation of the licence be granted with the following recommendation:

The Committee recommends that a dialogue continues between McDonalds Restaurant and Local Residents, and that a phone number for the Duty Manager be provided to residents for use in case of concern and the situation be monitored by the Licensing Officers.

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

Councillor Ayre, Chair

[The meeting started at 10.00 am and finished at 11.40 am].