
MEETING	LICENSING HEARING
DATE	29 NOVEMBER 2010
PRESENT	COUNCILLORS HORTON, WATSON AND WISEMAN
IN ATTENDANCE	COUNCILLOR MOORE.

54. CHAIR

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

55. DECLARATIONS OF INTEREST

At this point in the meeting Members are asked to declare any personal or prejudicial interests they may have in the business on the agenda. None were declared.

56. MINUTES

RESOLVED: That the minutes of the Licensing Hearing held on 2 September 2010 be approved and signed by the Chair as a correct record.

57. THE DETERMINATION OF AN APPLICATION BY MR. BEN BOTHAM FOR A PREMISES LICENCE SECTION 18(3)(A) IN RESPECT OF UNIT 5, AUDAX CLOSE, CLIFTON MOOR, YORK, YO30 4RA. (CYC-017564)

Members considered an application by Mr. Ben Botham for a premises licence in respect of Unit 5, Audax Close, Clifton Moor, York.

In coming to their decision the sub-committee took into consideration all of the evidence and submissions that were presented to them and determined their relevance to the issues raised and the licensing objectives.

The following were taken into account:

1. The application form.

2. The Licensing Officer's report and his comments made at the Hearing. He advised that the application is for premises licence to support your business of a home delivery service . The premises houses a car spraying business but a lockable cupboard at the rear of the building would be utilised to store alcohol. He was satisfied that the application had been advertised correctly.
3. The applicants representations at the hearing. He advised that application had been made because he requires a fixed location to store alcohol. He advised that the location would not be advertised nor would it be used as an off licence. The unit would be used as a store for alcohol that would be delivered by him to customers who had made telephone orders. It was confirmed that the alcohol would be in a lockable cupboard and there would be no need for any more space due to the close proximity of the wholesalers which would enable the replenishment of stocks daily if necessary.
4. The representations made by the Ward Councillor for Skelton, Rawcliffe and Clifton Without. He advised that the area had previously been a hotspot for crime and that due to the hard work undertaken by a number of organisations, including the police, crime had reduced in the area. He advised that he considered the application to be an inappropriate use in an area that is quiet at night and raised concerns about the unit being a potential target for criminals.

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

Members chose Option 2 and added the following conditions to the licence:

1. The part of the premise to be licensed shall be the lockable cupboard only, as identified on the plan submitted.
2. Licensed hours shall be:
18:00 – 04:00 Sunday to Thursday
18:00 – 06:00 Friday and Saturday.
3. Purchasers identification shall be confirmed at the point of delivery.

Informative – the Sub Committee advised the applicant to seek advice from the Council’s Development Control department to clarify the planning situation.

RESOLVED: That in line with Option 2 the licence be granted.

REASON: To address the representations made.

Councillor Horton, Chair

[The meeting started at 10.00 am and finished at 11.30 am].