
MEETING	LICENSING HEARING
DATE	18 APRIL 2011
PRESENT	COUNCILLORS MERRETT, MOORE AND WISEMAN

73. CHAIR

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

74. INTRODUCTIONS**75. DECLARATIONS OF INTEREST**

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

76. MINUTES

RESOLVED: That the minutes of the Hearings held on 4th, 15th and 21st October 2010 were signed as a correct record by the Chair.

77. THE DETERMINATION OF AN APPLICATION BY MS. KAY DAVISON FOR A PREMISES LICENCE SECTION 18(3)(A) IN RESPECT OF 1 CHURCH STREET, COPMANTHORPE, YORK, YO23 3SE. (CYC-018096)

Members considered an application by Ms. Kay Davison for a premises licence in respect of Church Street, Copmanthorpe, 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 Officers report and his comments made at the hearing. He advised that the application was to allow for the sale of alcohol off the premises between 07:00 and 23:00 hours daily. The applicant had offered to take a number of steps to promote the licensing objectives including both the provision of staff training and a refusals log. A number of conditions had also been agreed with the police and consultation had been carried out successfully.
3. The applicants representations at the hearing. She advised that the store would be run as a convenience store and that alcohol would be just one aspect of the store. CCTV would be installed inside and outside and the applicant agreed to carry out litter picks. The Planning Hours would be conformed to initially and alcohol containers would be marked upon request from the police.
4. The representations made by local residents at the hearing. They advised that they object to the granting of the licence, as Copmanthorpe is experiencing problems with groups of youths congregating in the area and drinking. They felt that the addition of another licensed premises was inappropriate for the area and the premises could be better used as a different type of store or facility.
5. Representations made by local residents in writing.

Members were presented with the following options:

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| 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 sale of alcohol shall take place between the following times:
Monday, Tuesday, Thursday, Friday 07:00 – 19:00
Wednesday and Saturday 07:00 – 19:30
Sunday 07:00 – 16:00.
2. CCTV will be installed to cover the premises and will include all areas (including outside areas) to where the public have access. It will be maintained, working and recording at all times when the premises are open. The recordings should be of sufficient quality to be produced in Court or other such hearing. Copies of the recordings will be kept available for any Responsible Authority for 28 days and will be made available to any Responsible Authority within 48 hours of a request.

3. Copies of the recordings will display the correct time and date of the recording.
4. The only acceptable proof of age identification shall be a current passport, photocard driving licence or identification carrying the PASS logo (until other effective identification technology, e.g. thumb print or pupil recognition is adopted by the premises holder).
5. All off sales shall be made in sealed containers.
6. Documented staff training will be given regarding the retail sale of alcohol and the conditions attached to the Premises Licence. Such records shall be kept for at least one year and they will be made available upon a reasonable request from any Responsible Authority.
7. A Refusals Register and Incident Report Register will be kept. Such documents will record incidents of staff refusals to under-age or drunken people as well as incidents of any anti-social behaviour and ejections from the premises. Both documents will be made available upon a reasonable request from any Responsible Authority and will be kept for at least one year.
8. A direct contact number for the proprietor shall be made available to residents living in the vicinity of the premises on request.
9. 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.
10. The Licensee will provide litter bins in the vicinity of the premises and empty when necessary.
11. The applicant will co-operate at all times with any reasonable request by North Yorkshire Police in connection with the Local Alcohol Exclusion Zone.

INFORMATIVES

Should the applicant wish to extend the hours for the sale of alcohol an application to vary the premises licence will be required. The applicant was reminded that planning permission to extend hours of opening would also be required. Please see the attached information.

Residents in attendance at the hearing were advised of the Licence Review process.

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

REASON: To address the representations made.

Councillor Merrett, Chair

[The meeting started at 10.00 am and finished at 11.20 am].