
MEETING	LICENSING HEARING
DATE	14 FEBRUARY 2013
PRESENT	COUNCILLORS BOYCE, GUNNELL AND MCILVEEN

33. CHAIR

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

34. INTRODUCTIONS**35. 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.

36. MINUTES

RESOLVED: That the minutes of the Licensing
Hearings held on 29th October and 15th
November 2012 be approved and signed
by the Chair as a correct record.

**37. THE DETERMINATION OF AN APPLICATION BY MRS BIJAL PATEL
FOR A PREMISES LICENCE SECTION 18(3)(A) IN RESPECT OF 41
HESLINGTON ROAD, YORK, YO10 5AR. (CYC-021531)**

Members considered an application by Mrs Bijal Patel for a premises licence in respect of 41 Heslington Road, York, YO10 5AR.

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 Manager's report and her comments made at the Hearing. She advised that the application was for a premises licence at 41 Heslington Road. The premise is not located within the special policy area. A number of conditions had been agreed with North Yorkshire Police and the applicant prior to the hearing and consultation had been carried out successfully.
3. Representations made by a Licensing Consultant at the hearing on behalf of the applicant. It was advised that the applicant wished to expand her business and had recently acquired the lease to the premises. It was stated that she had successfully operated a nearby store for the past two years and without incident.
4. The representations made in writing by local residents who had raised concerns about the addition of another licensed premises in the area.

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 as agreed with the applicant and North Yorkshire Police:

- i. CCTV will be installed to cover the premises and will include all areas to where public have access.
- ii. It will be maintained, working and recording at all times when the premises are open.

- iii. The recordings should be of sufficient quality to be produced in Court or other such hearing.
- iv. Copies of the recordings will be kept available for any Responsible Authority for 7 days and will be made available to any Responsible Authority within 48hrs of request.
- v. Copies of the recordings will display the correct time and date of the recording.
- vi. All OFF SALES shall be made in sealed containers.
- vii. Documented staff training will be given regarding the retail sale of alcohol; the conditions attached to the Premises Licence; and the Opening Times of the venue.
- viii. Such records (referred to in Condition vii) shall be kept for at least one year and they will be made available immediately upon a reasonable request from any Responsible Authority.
- ix. 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.
- x. Both documents (referred to in Condition ix) shall be kept for at least one year and they will be made available immediately upon a reasonable request from any Responsible Authority.
- xi. Prominent clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
- xii. 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 Licence Holder).

All relevant mandatory conditions shall apply.

RESOLVED: That Members determined the application.

REASON: To address issues raised.

Councillor Boyce, Chair

[The meeting started at 2.00 pm and finished at 2.30 pm].