

Meeting	Licensing Hearing
Date	2 October 2013
Present	Councillors Gillies, Horton and Looker

36. Chair

Resolved: That Councillor Gillies be elected as Chair of the meeting.

37. Introductions**38. Declarations of Interest**

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

39. MINUTES

Resolved: That the minutes of the Licensing hearing held on 15th August 2013 be approved and signed by the Chair as a correct record.

40. The Determination of an Application by Commercial Services, University of York for a Premises Licence Section 18(3)(a) in respect of Alcuin College Bistro. (CYC-022439)

Members considered an application by Commercial Services, University of York for a Premises Licence for Alcuin College Bistro, University of York, Heslington, York.

In coming to their decision, Members 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.

1. The Application Form.
2. The Licensing Managers report and her comments made at the hearing. She advised that the premises had previously been licensed and used as a bar but the licence had been surrendered in August 2012. North Yorkshire Police had met with the applicant and agreed a number of conditions. Consultation had been carried out correctly.
3. The representations made by the applicant at the hearing. It was advised that the previous licence had been surrendered as the premises was under used by students as a bar. Since then, following investment at the University, the decision had been taken to open the premises as a Bistro. In relation to the application, the 3am closing time was not required and the application was amended to 12 midnight. The target customers would be students and staff and the venue would be food led rather than being used for music events. The premises would close around 3.30pm on most days, but occasionally pre-booked functions may go on until later in the evening.
4. The representations made by local residents in writing. They raised concern in their letters about the potential for noise nuisance in the area late at night and the potential for an increase in anti social behaviour.

In coming to their decision, 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 agreed to grant the licence with the following conditions:

1. A CCTV system will be installed to cover the premises and recorded coverage will include all areas to where public have access to consume alcohol.
2. The CCTV system will be maintained, working and recording at all times when the premises are open.
3. The recordings shall be of good evidential quality to be produced in court or other such hearing.
4. Copies of the recordings will be kept available for any responsible authority for 28 days.
5. Copies of the recordings shall be made available to any responsible authority within 48 hours of request.
6. Copies of the recordings will display the correct time and date of the recording.
7. Random speculative searches will be undertaken as condition of entry.
8. Notices should be displayed informing patrons of the above random search policy.
9. Documented records shall be made of the searches undertaken.
10. Such records (referred to in Condition 9) shall be kept for at least one year and they will be made available upon a reasonable request from any responsible authority.
11. All events having a terminal hour of after 2330hrs where admission is by ticket only, or where entertainment is provided, shall employ an adequate number of Door Supervisors. For the purpose of clarity they shall be employed at a ratio of 1 to 100 attendees BUT with a minimum of two.
12. All "lock off events" (i.e. ticketed events) shall have all glassware removed and plastic glasses will be used. For

the purpose of clarity all drinks will be decanted into plastic glasses.

13. A Refusals Register and Incident Report Register will be kept. Such documents will record incidents of staff refusals to underage or drunk people as well as incidents of any anti-social behaviour and ejection from the premises.
14. Both documents (referred to in Condition 13) shall be kept for at least one year and they will be made available upon a reasonable request from any responsible authority.
15. Responsible and sensible drinking shall be promoted within the venue.
16. One pint capacity, half pint capacity and "highball" tumbler drinking glasses will be strengthened glass (tempered glassware) in a design whereby, in the event of breakage, the glass will fragment and no sharp edges are left.
17. 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.
18. Such records (referred to in Condition 17) shall be kept for at least one year and they will be made available upon a reasonable request from any responsible authority.
19. Drinking glasses of any type shall not be allowed to enter or leave the licensed area whilst under the customers care.
20. All events having a terminal hour of after 2330hrs will be approved by Campus Services.
21. The emptying of bottle bins shall be confined to daylight hours.
22. All OFF SALES shall be made in sealed containers.
23. There shall be a period of drinking up time leading up to the close of business hours during which no ON SALES

shall be made in the 20 minute period prior to the close of business.

24. 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.
25. Should a part of the premises operate an "underage" night aimed at persons under the age of 18 years, alcohol will not be served to anyone or consumed by anyone whether persons over the age of 18 years are allowed or not.
26. The only acceptable proof of age identification shall be a current passport, photocard driving licence or identification carrying the PASS logo.

Point to note - The application was amended at the hearing and all licensable activities will end at midnight.

All relevant mandatory conditions shall apply.

Reason for the decision:

The Sub-Committee concluded that the application was acceptable with the above additional/modified conditions as it addressed representations made both in writing and at the hearing, and it met all the licensing objectives. The Sub-Committee made this decision taking into consideration the representations, the Licensing Objectives, the City of York Council's Statement of Licensing Policy and the Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003.

Resolved: That the licence be granted in line with option
2

Reason: To address the issues raised.

Councillor Gillies, Chair

[The meeting started at 10.00 am and finished at 10.25 am].