

Licensing Hearing

To: Councillors Douglas, Mercer and Richardson

Date: Thursday, 19 May 2016

Time: 10.00 am

Venue: The Craven Room - Ground Floor, West Offices (G048)

AGENDA

1. Chair

To elect a Member to act as Chair of the meeting.

2. Introductions

3. Declarations of Interest

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

4. Minutes

To approve and sign the minutes of Licensing Hearings held on, 14 September 2015, 24 September 2015, 12 November 2015 and 25 January 2016.

5. The Determination of an Application by The Botanist for a Premises Licence Section 18(3)(a) in respect of The Botanist, 15 Stonegate, York, YO1 8ZW (CYC-055340)

Democracy Officer

Jayne Carr

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For more information about any of the following, please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats.

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

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LICENSING ACT 2003 SUB – COMMITTEES PROCEDURE FOR HEARINGS

Introduction

The procedure outlined below will be followed at all Licensing Hearings.

As Licensing Hearings are quasi-judicial the Sub-Committee will, in effect, act like a Court and the rules of natural justice will apply. The Sub-Committee will be guided by legal principles in determining whether evidence is both relevant and fairly admitted. Committee Members have a duty to view all evidence presented before them impartially. Members of the Licensing Sub-Committee have all received relevant training and are used to making decisions of this type. No matter how strong local opinion may be, Committee Members can only make decisions based on relevant licensing issues as set out before the Sub-Committee in determining applications.

The hearing will be in public session. However, the Sub-Committee may exclude the public from a hearing if it considers it in the public interest to do so. However, the decision will be made in private.

The purpose of the hearing is

- To enable those with a right to appear to advance their point of view and to test the case of their opponents
- To assist the Sub-Committee to gather evidence and understand the relevant issues

In view of the requirement to hold hearings within specified times, the Licensing Authority will generally be unable to enter into discussions to identify dates convenient to all parties concerned. In exceptional circumstances, the Licensing Authority will consider applications to adjourn hearings to a later date.

Representations at Licensing Hearings

The Applicant, Ward Councillors, and Representors who have made written submissions will be allowed to speak at the Sub-Committee. At

any hearing of an application, the Applicant and any Representors shall attend in person wherever possible. Any party to a hearing may be assisted or represented by any person, legally or otherwise.

All parties will be given a fair hearing and each party will have the same amount of time in which to address the Sub-Committee. A time limit has been set because of the pressures on the Sub-Committees to hear so many applications in a short period of time. **Each party will have 15 minutes to address the Sub-Committee, give any further information, and call any witnesses.** If any party considers this time to be insufficient then a request in writing may be made to the Democracy Officer for an extension of time at least 2 working days before the hearing. However, this will not be automatically granted and will be at the discretion of the Sub-Committee.

The Sub-Committee may take into account any documentary evidence or other information in support of the application, representations or notice, either before the hearing or, with the consent of all other parties, at the hearing.

If any Representors fail to attend the hearing, the Sub-Committee will normally proceed but will consider their written objection and hear and consider any evidence and argument in relation to it put forward by the Applicant. In considering written evidence in the absence of a Representor, appropriate weight will be attached, given that the person cannot be questioned by the Applicant and Members.

The Sub-Committee is required to disregard any information given or evidence produced by a party or witness which is not relevant to the application, representations, or notice, and the promotion of the licensing objectives. Duplication should be avoided. Comments must be confined to those points already made, although the parties may extend or expand on their written submissions. The Sub-Committee will have read and familiarised themselves with all the written submissions and the issues prior to the hearing, and therefore do not require the points to be repeated or made at length. The Applicant and Representors cannot raise substantial new information at a hearing which has not been seen previously by the other parties.

A Representor **may not** introduce any new ground or objection not referred to in the written submission. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing.

Any person behaving in a disruptive manner will be asked to leave the hearing. If this does occur, that person may, before the end of the hearing, submit in writing any information which they would have been entitled to give orally.

Procedure prior to the Hearing

The Members sitting on the Sub-Committee will meet prior to the hearing to note the matters that are to be presented. They will only be accompanied by the Democracy Officer and Legal Advisor (*if present*). Attention will only be drawn to the nature of the application and the premises or person to which it relates. The actual application will not be discussed.

At any hearing of an application, the Licensing Officer, the Applicant and any Representors or representatives will report to reception and be asked to wait in reception until the democracy officer calls them through to the committee room.

Procedure at the Hearing

1. Members of the Sub-Committee will appoint a chair.
2. The Chair introduces the Committee Members and officers [*Democracy Officer, Legal Advisor to the committee (if present) and the Licensing Officer*], welcomes the Applicant and Representors (or their representatives), and establishes the identity of all who will be taking part.
3. The Chair will explain to the parties the procedure that will be followed at the hearing.
4. The Chair will proceed with the order of business on the agenda.
5. When the agenda item relating to the application is reached, the Chair will invite the Licensing Officer to present the application.
6. The Licensing Officer outlines the application, confirms the application details, introduces the report and gives an update on any recent changes.

7. The Chair will invite Committee Members, the Applicant and Representors (or representatives) to ask the Licensing Officer questions to clarify any points raised in the report.
8. The Chair will ask the Applicant (or their representative) to present their case.
9. The Applicant (or their representative) will present their case and may call any witnesses to support their case *[maximum 15 minutes]*.
10. The Chair will invite the Representors (or their representative) in the following order to ask questions of the Applicant (or their representative) and/or witnesses *[maximum 5 minutes each party]*
 - (i) Police
 - (ii) Other Responsible Authorities
 - (iii) Ward Councillors
 - (iv) Interested Parties
11. The Chair will invite the Committee Members to ask questions of the Applicant (or their representative) and/or witnesses.
12. The Chair will invite the Representors (or their representative) in the following order to state the nature of their interest in the matter, present their case and call any witnesses to support their case *[maximum 15 minutes each party]*
 - (i) Police
 - (ii) Other Responsible Authorities
 - (iii) Ward Councillors
 - (iv) Interested Parties
13. The Chair will invite the Applicant to ask questions of each Representor (or their representative) and/or their witnesses after each presentation *[maximum 5 minutes per Representor]*.
14. The Chair will invite the Committee Members to ask questions of each Representor (or their representative) and/or their witnesses after each presentation.

15. The Chair will invite the Representors (or their representative) in the following order to summarise their case *[maximum 5 minutes each party]*
 - (i) Police
 - (ii) Other Responsible Authorities
 - (iii) Ward Councillors
 - (iv) Interested Parties
16. The Chair will invite the Applicant (or their representative) to summarise their case *[maximum 5 minutes]*.
17. The Chair will provide the Sub-Committee with a final opportunity to seek clarification from any of the parties on any points raised, or seek advice from the Licensing Officer on policy, or from the Legal Advisor *(if present)* on law and jurisdiction.
18. When all the evidence has been heard, the Chair will declare the hearing closed and ask the Licensing Officer, the Applicant and Representors (or their representatives) plus any witnesses present to leave the committee room and wait in reception while the Sub-Committee considers the evidence.

Procedure after the Hearing

19. If the Sub-Committee wish to seek further clarification on the evidence given, the Democracy Officer will invite all parties back into the committee room.
20. If possible, and for all hearings under:-
 - section 35 or 39 which is in respect of an application made at the same time as an application for conversion of an existing licence under paragraph 2 of Schedule 8 (determination of application under section 34 or 37)
 - section 85 which is in respect of an application made at the same time as an application for conversion of an existing club certificate under paragraph 14 of Schedule 8 (determination of application under section 85)
 - section 105(2)(a) (counter notice following police objection to temporary event notice)
 - section 167(5)(a) (review of premises licence following closure order)

- paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence)
- paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)
- paragraph 26(3)(a) of Schedule 8 (determination of application by holder of a justices' licence for grant of personal licence)

the Sub-Committee will make a decision on conclusion of the hearing and only the Democracy Officer and the Legal Advisor to the Sub-Committee (*if present*) will remain in the room with the Committee Members. These officers will not comment on the merits of the application, but will be present to provide advice on legal and procedural points and to record the decision.

21. If the decision has been made, all the parties will be invited back into the committee room by the Democracy Officer. The Chair will announce the decision including reasons together with, if appropriate, details of any conditions to be attached to the grant of the licence. This decision will then be communicated in writing to the Applicant and Representors within 3 working days of the hearing. There can be no further questions or statements.
22. For all other hearings not listed above, if the Sub-Committee is unable to make a decision on the day of the hearing, the decision will be made within 5 working days beginning with the day or the last day on which the hearing was held. The Democracy Officer will inform the parties that they are no longer required and the decision will be communicated in writing to the Applicant and Representors within 3 working days of the decision being made.
23. The notification will include information about the rights of appeal against the determination made.

City of York Council

Committee Minutes

Meeting	Licensing/Gambling Hearing
Date	14 September 2015
Present	Councillors Boyce, Mason and Richardson

18. Chair

Resolved: That Councillor Boyce be elected to Chair the meeting.

19. Introductions

Introductions were carried out.

20. Declarations of Interest

Members were asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests. None were declared.

21. The Determination of an Application by The Ragged Trousered Philanthropists Ltd for a Premises Licence Section 18(3)(a) in respect of Cycle Heaven, 2, 2A & 4 Bishopthorpe Road, York, YO23 1JJ (CYC-053764)

Members considered an application by The Ragged Trousered Philanthropists Ltd for a Premises Licence Section 18(3)(a) in respect of Cycle Heaven, 2 2A and 4 Bishopthorpe Road, 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. The following were taken into account:

1. The application form. The Sub-Committee also noted that since the application had been submitted the applicant had agreed not to play recorded music after 11.00pm at 2, 2A and 4 Bishopthorpe Road, York and that this was no longer part of the application. Further, that the revised plan showed a reduced licensed area comprising only the ground floor of part of 2 and 2A Bishopthorpe Road, and

part of the outside patio area in front of the Darnborough Street elevation.

2. The Licensing Officer's report and her comments made at the Hearing. She stated that the premises were not located within the special policy area and that consultations had been carried out correctly. Representations made by the EPU and North Yorkshire Police had been addressed. She also stated that prior to the hearing the applicants had stated that they were willing to reduce the capacity of the venue by between 60% and 40%. With the agreement of all parties, this additional information was accepted and a revised plan was tabled. The Representors confirmed that they had been consulted regarding the plan.
3. The representations made at the hearing by the applicant and those of his witness who is the landlord of the premises and who explained the rationale for the change of use of the premises. The applicant was looking to offer an alternative to the pubs and cafes in the area and was keen to work with neighbours to address their concerns. The revised plan would mean that a buffer zone would be in place to minimise noise and disruption to neighbours adjoining and nearby. Details were also given of other proposed actions to address the representations that had been made including, relocating the bin store, ensuring deliveries caused minimum disruption, strategies to encourage customers leaving the premises to do so quietly, ensuring windows were kept closed, minimising noise from air con unit, and working with the Police and relevant agencies to address any adverse issues in respect of alcohol or drugs. If it became necessary to do so, the premises would be closed for periods of time on race days. The first floor of the building would not be used for licensable activities. Appropriate arrangements would be in place in respect of fire risk and the provision of first aid facilities.

The applicant stated that:

- it was not the intention to serve food after 23:00 hours and hence the application for a premises licence no longer included an application for late night refreshment.

- he did not consider door supervisors to be appropriate at the venue even on race days as he considered their presence would change the perception of the style of venue he was promoting. In the event that door supervisors became necessary, he would not wish to continue to open the premises.
 - he would prefer flexibility within the licence to enable the proposed Licensed Area to be used until midnight both inside and outside the premises, and that any public nuisance could be prevented by good management.
 - the staff would receive up to date training.
 - the occupancy of the new proposed layout is likely to be 60 people at any one time.
 - the two doors on the Darnborough Street elevation would not be used to access the Outside Patio Area, it would be accessed from the main door at the corner of Bishopthorpe Road and Darnborough Street.
4. The representations made in writing and at the hearing by local residents. The Representors who spoke at the meeting stated that the revised plan addressed some of the issues raised regarding privacy but they remained concerned regarding other matters. They believed that the proposed hours were excessive and not in line with other premises in the area and they asked that these be restricted. They had particular concerns about noise, disruption and anti-social behaviour particularly in respect of the outside area and when customers left the premises. They were also concerned about disturbance, litter, road safety and parking. The Representors called a witness who lived opposite the outside area of the premises and he stated that he was concerned about noise disturbance late at night if he were sitting in his garden, particularly in the summer months.

Members were presented with the following options:

Option 1: Grant the licence in the terms applied for and including any applicable mandatory conditions of the Licensing Act 2003 as amended.

Option 2: Grant the licence with modified/additional conditions imposed by the licensing committee including any applicable mandatory conditions of the Licensing Act 2003 as amended.

Option 3: Grant the licence to which the application relates and modify/add conditions accordingly to include any applicable mandatory conditions of the Licensing Act 2003 as amended.

Option 4: Reject the application.

In coming to their decision the Sub Committee chose Option 2 and granted the application with modified/additional conditions as follows:

1. The supply of alcohol inside the venue for consumption on and off the premises to be from 11:00 to 23:00 hours only on all days.
2. No licensable activity shall take place in the Outside Patio Area after 20:00 hours on all days to prevent public nuisance being caused to nearby local residents
3. A barrier/screening shall be installed around the Outside Patio Area to delineate this from the highway, and such barrier/screening shall be in place at all times when the Outside Patio Area is in use.
4. The "Licensed Area" is shown indicatively on the plan dated 14 September 2015, ("Plan") (which is not to scale) and shall be that internal area within the front of the ground floor of No.2a and No.2 Bishopthorpe Road that faces Bishopthorpe Road, extending only to the rear internal walls of these areas shown as cafe and bar space on the Plan, together with the Outside Patio Area which shall extend only from the Bishopthorpe Road frontage of the Premises to the far door frame of the recessed door on the Darnborough Street frontage, thus excluding the retail entrance and the outside area in front of the cycle workshop shown on the Plan. To prevent overcrowding likely to lead to disorder or violence and to prevent public

nuisance the maximum number of customers in the Licensed Area shall not exceed 60 at any one time.

5. CCTV

- a. A colour digital CCTV system shall be installed within the premises and be operational and recording at all times when licensable activities take place.
- b. The CCTV equipment shall have constant time/date generation which must be checked on a daily basis for accuracy.
- c. CCTV cameras shall be installed to provide adequate cover of all public areas in the premises and entrances/exits & outside designated smoking areas (excluding toilets).
- d. All CCTV recorded images will have sufficient clarity/quality/definition to enable facial recognition. Recordings must be kept for a minimum of 28 days.
- e. North Yorkshire Police or a Responsible Authority (as defined in the Licensing Act 2003) may at any time request a recording. This should be complied with within 24 hours of the request being made.
- f. It is the responsibility of the management to ensure that there are sufficient members of staff available during the hours of operation to be able to download evidence from the CCTV system at the request of the police or responsible authority.

6. A documented staff training programme shall be provided to all members of staff at the premises in respect of the:-

- (i) retail sale of alcohol;
- (ii) age verification policy;
- (iii) conditions attached to the premises licence;
- (iv) permitted licensable activities;
- (v) the licensing objectives;
- (vi) opening times for the venue,

with such records being kept for a minimum of one year. (For the avoidance of doubt the one year period relates to each entry in the log book and runs from the date of the particular entry).

7. Strengthened glassware will be used for the consumption of alcohol within the venue.
8. The venue shall operate a Challenge 25 age verification policy for the sale of alcohol.
9. Alcoholic drinks purchased on the premises may only be taken off the premises (i.e. outside the Licensed Area) in sealed containers.
10. 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 the area quietly.
11. The placing of refuse such as glass bottles into bins outside the premises where it is likely to be noisy, shall only take place between the hours of 09:00 and 21:00.
12. An incident book/refusals register will be kept at the premises and made available on request to an authorised officer or the police which will record the following:
 - a) All alcohol related crimes reported to the venue
 - b) Any complaints received regarding alcohol related crime and disorder
 - c) Any faults in the CCTV system
 - d) Any refusal of the sale of alcohol
 - e) Any visit by a relevant authority or emergency service.
13. The two doors within the Darnborough Street elevation shall not be used to access the Outside Patio Area during the operating hours of the Licensed Area. During this time the only access to the Outside Patio Area shall be the main entrance door at the corner of the premises.

Reasons for the Decision:

The Sub-Committee carefully considered the application and the representations submitted in writing and orally at the hearing by those making representations and the Applicant. In reaching their decision, the Sub-Committee took into consideration the provisions of the Licensing Act 2003, in particular the statutory Licensing Objectives, together with 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.

The Sub-Committee had regard to the potential impact of noise and disturbance on local residents and the representations that had been made. They were mindful that the premises were in a residential area, in close proximity to a number of terraced residential properties and that this was an application for a new licensed premises. Having regard to licensing policy, and the presumption in favour of granting the licence, the Sub – Committee considered that the licensing objectives could be met, and the licence be granted, provided that conditions were attached to meet the licensing objectives of preventing public nuisance and crime and disorder.

In attaching the conditions to the licence the Sub-Committee had regard to the Statutory Guidance and gave particular consideration to whether the imposition of conditions restricting the sale of alcohol to between 11am and 11pm and use of the Outside Patio Area for licensable activities to 8pm were proportionate in the circumstances .

The Sub-Committee had regard to the Applicant's preference for flexibility in seeking a licence until midnight, and were mindful that there was no objection from the Environmental Protection Unit, provided recorded music after 11pm was not being applied for. However, the Sub Committee were persuaded by the evidence from the nearby residents that public nuisance in the form of unacceptable noise and disturbance was likely to be caused by patrons leaving the premises late at night, as the residential properties were close by, and that unacceptable disturbance was likely particularly on summer evenings when residents were in their gardens. The time restrictions imposed were therefore considered to be proportionate and appropriate to meet the licensing objectives having regard to the particular circumstances.

The Sub-Committee therefore agreed to grant the licence with the additional conditions referred to above which were appropriate and proportionate to meet the licensing objectives. They reminded the applicant of the necessity of complying with all of the conditions, and the Representatives of the opportunity to apply for a review of the premises licence should they have concerns.

Councillor Boyce, Chair

[The meeting started at 10.00 am and finished at 12.25 pm].

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Meeting	Licensing Hearing
Date	24 September 2015
Present	Councillors Boyce, Gillies and Richardson

22. Chair

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

23. Introductions**24. 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.

Councillor Gillies declared a personal non prejudicial interest as he had met the representor Mr Smart at a Licensing Hearing in the past.

25. Minutes

Resolved: That the minutes of the Licensing Hearings held on 27th July 2015 and 3rd August 2015 be approved and signed by the Chair as a correct record.

26. The Determination of an Application by White Rose Ltd for a Premises Licence Section 18(3)(a) in respect of Unit 2 & 4, 6 Grape Lane, York YO1 7HU. (CYC-053898)

Members considered an application by White Rose Ltd for a premises licence in respect of Units 2 & 4, 6 Grape Lane, 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. The following were taken into account:

1. The application form.
2. The Licensing Officer's report and her comments made at the hearing. She advised that the premises were located within the special policy area. Consultations had been carried out correctly. Representations made by the EPU and North Yorkshire Police had been mediated by way of conditions.
3. The representations made at the hearing by the applicant's agent and those of the applicant who explained the rationale for the change of use of the premises. They advised that some of the points raised in the representations referred to planning matters which were not relevant to the licence application. The applicant intends to offer a deli and restaurant style operation with a minimum of 30 covers and it was not the intention for the premises to be drink led, although flexibility to serve alcohol on its own was being applied for. In response to concerns by the representors the applicant withdrew category F (recorded music) and category H (anything of a similar description to that falling within e, f or g) as only background music would be played.
4. The representations made in writing by local residents and at the hearing by one of residents and Councillor Denise Craghill at the hearing on his behalf. Concerns were raised about the concentration of licensed premises in the area and the potential for an increase in noise nuisance which impacts upon residents. They queried why a deli would require a licence until midnight and felt that the application appeared to be an extension of the existing bar located upstairs at the premises. They considered that a deli style operation would be a welcome addition to Grape Lane but raised concerns about alcohol being served at tables until midnight without the need for customers to purchase a meal.

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.
- Option 3 Grant the licence to exclude any of the licensable activities to which the application relates.
- Option 4 Reject the application

In coming to their decision the Sub Committee chose Option 2 and granted the application with modified/additional conditions as follows:

1. CCTV
 - a. A colour CCTV system shall be installed to cover the licensable area and be operational and recording at all times when licensable activities take place.
 - b. The CCTV equipment shall have date/time generation which must be checked on a weekly basis for accuracy.
 - c. The CCTV system must be capable of providing quality images of good evidential value. Recordings must be kept for a minimum of 28 days.
 - d. North Yorkshire Police or a Responsible Authority (as defined in the Licensing Act 2003) may at any time request a recording. This should be complied with within 24 hours of the request being made.
 - e. It is the responsibility of the management to ensure that there are sufficient members of staff available during the hours of operation to be able to download evidence from the CCTV system at the request of the police or responsible authority.
2. A documented staff training programme shall be provided to all members of staff at the premises in respect of the:-
 - (i) retail sale of alcohol;
 - (ii) age verification policy;
 - (iii) conditions attached to the premises licence;
 - (iv) permitted licensable activities;

- (v) the licensing objectives;
- (vi) opening times for the venue,

with such records being kept for a minimum of one year. (For the avoidance of doubt the one year period relates to each entry in the log book and runs from the date of the particular entry).

3. The venue shall operate a Challenge 25 age verification policy for the sale of alcohol.
4. An incident book/refusals register will be kept at the premises and made available on request to an authorised officer or the police which will record the following:
 - a) All alcohol related crimes reported to the venue
 - b) Any complaints received regarding alcohol related crime and disorder
 - c) Any faults in the CCTV system
 - d) Any refusal of the sale of alcohol
 - e) Any visit by a relevant authority or emergency service.
5. Alcoholic drinks purchased on the premises may only be taken off the premises in sealed containers.
6. The sale and supply of alcohol for consumption on the premises shall be by waiter or waitress service, served only to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.
7. Prominent, clear and legible notices shall be displayed on all fire exits stating that fire exits are for emergency use only.
8. Music or amplified sound shall be inaudible at 1 metre from the facade of the nearest residential premises.
9. Signs shall be displayed near the exits reminding customers to respect the needs of those living nearby and to leave the premises as quietly as possible.

10. Bottle and glass collections shall take place between 08:00 and 20:00 hours Monday-Friday.

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

Reason: To address the issues raised.

Reason for the Decision

The Sub-Committee carefully considered the application and the representations submitted in writing and orally at the hearing by those making representations and the Applicant. In reaching their decision, the Sub-Committee took into consideration the provisions of the Licensing Act 2003, in particular the statutory Licensing Objectives, together with 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.

The Sub-Committee had regard to the impact of noise and disturbance on local residents in the area and the representations that had been made. They were mindful that the premises were in a mixed commercial and residential area which had a considerable number of other licensed premises in close proximity and that this was an application for a new licensed premise. They also noted that the premises are located within the cumulative impact zone. Having regard to licensing policy, the Sub –Committee considered that the licensing objectives could be met, and the licence be granted, provided that conditions were attached to meet the licensing objectives of preventing public nuisance and crime and disorder.

The Sub-Committee had regard to the Applicant's preference for flexibility in seeking the ability to serve alcohol without food until midnight, and took into account the conditions agreed with the Police and the Public Protection Unit to control crime and disorder and disturbance to local residents. However, the Sub-Committee considered that it was necessary and proportionate to impose a condition to ensure that the assurances given by the applicant that the emphasis will be on dining as opposed to drinking will be adhered to. It therefore imposed a condition to

prevent future use as a wine bar only in order to prevent public nuisance in the form of unacceptable noise and disturbance likely to be caused by patrons of a drinking establishment late at night.

The Sub-Committee therefore agreed to grant the licence with the additional conditions referred to above which were appropriate and proportionate to meet the licensing objectives. With these restrictions and because the business is to be food-led, the Sub-Committee was satisfied that there would be no negative impact on the promotion of the licensing objectives nor would it add to the cumulative impact.

Councillor Boyce, Chair

[The meeting started at 10.00 am and finished at 12.15 pm].

Meeting	Licensing Hearing
Date	12 November 2015
Present	Councillors Gillies, Mercer and Richardson

27. Chair

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

28. Introductions**29. 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.

30. Minutes

Resolved: That the minutes of the Licensing Hearings held on 27th January 2015 and 3rd August 2015 be approved and signed by the Chair as a correct record.

31. The Determination of an Application by Brewdog Bars Ltd for a Premises Licence Section 18(3)(a) in respect of Brewdog, 130/134 Micklegate, York, YO1 6JX (CYC-054231)

Members considered an application by Brewdog Bars Ltd for a premises licence in respect of 130/134 Micklegate, 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. The following were taken into account:

1. The application form.

2. The Licensing Managers report and her comments made at the hearing. She outlined the application and advised that the premises were located within the Cumulative Impact Zone and that consultation had been carried out correctly.
3. The representations made at the hearing on behalf of the applicant. Members were advised that prior to the hearing, following negotiations with North Yorkshire Police and the Licensing Authority; an agreement had been reached on licence conditions, should the application be granted. The nature of the Brewdog brand was described in detail, including the kind of beers and style of operation that would be on offer and it was confirmed that it would be a premium bar concept, offering craft beers and workshops. It was stated that it was the applicants intention to attract discerning customers who would appreciate the craft beer, not large groups looking for cheap drink promotions. Whilst the premises were within the CIZ, there was a big difference in character between Brewdog and other venues in Micklegate. The sub-committee were informed that Brewdog operate a number of other premises across the country, a number of which are located alongside residential premises and co-exist without any problems or complaints from people living nearby. A number of measures would be taken at the premises, including the installation of soundproofing and the management of the smoking area.
4. The representations made by North Yorkshire Police in writing and at the hearing. The Police's representative advised that as the applicant had agreed prior to the hearing to a condition requiring at least 2 door supervisors, this would make the application acceptable to them, alongside the other agreed conditions. The Police confirmed that they were satisfied that provided the agreed conditions were imposed the granting of a new premises licence, it would not unacceptably add to the cumulative impact nor undermine the licensing objective of crime and disorder. A representative from the City of York Council Licensing Authority also confirmed he was now satisfied with the application with the police conditions and withdrew the objection.

5. The representations made in writing and at the hearing by local residents who raised concerns about the addition of another premises on Micklegate which they felt had reached saturation point for licensed premises. They were particularly concerned about the noise impact upon residents living nearby and above the premises and about the proposed arrangements for smokers.

In coming to their decision, the Sub-Committee 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. |
| Option 3 | Grant the licence to exclude any of the licensable activities to which the application relates. |
| Option 4 | Reject the application. |

Members chose Option 2 and granted the application with the following conditions.

1. A colour CCTV system shall be maintained and operated at the premises with cameras both internally and externally. The CCTV coverage will include the external smoking area. The CCTV shall be operational at all times licensable activities are taking place at the premises.
2. Recorded CCTV images will be maintained and stored for a period of twenty eight days and shall be produced to the Police or Licensing Authority upon request. The CCTV equipment shall have constant time/date generation which must be checked on a daily basis for accuracy.
3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard DVD player.
4. Any person left in charge of the premises must be trained in the use of any such CCTV equipment and be able to

produce CCTV images to an officer from a responsible authority upon request.

5. Plans indicating the position of CCTV cameras to be submitted to and agreed with the Licensing Authority in consultation with the Police prior to the premises opening.
6. An adequate number of door supervisors (at least 2) shall be provided at the premises from 9pm to the close of business on the following occasions:
 - i. Every Friday and Saturday evening
 - ii. The evening before a Bank Holiday
 - iii. The evening of race meetings at York Racecourse (save for the family meeting held in September and the first meeting in May)

At all other times the need for SIA registered door staff shall be determined in accordance with a risk assessment, to be carried out by the Designated Premises Supervisor in conjunction with North Yorkshire Police. When employed, door staff will wear high visibility armbands.

7. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - i. The number of door staff on duty
 - ii. The identity of each member of door staff
 - iii. The times door staff are on duty.
 - iv.
8. Open containers of alcohol shall not be removed from the premises.
9. Staff will be trained in the laws relating to under age sales, and that training shall be documented and repeated at 6 monthly intervals.
10. A refusals book will be maintained at the premises and made available to an officer of a responsible authority upon request.
11. At least one personal licence holder shall be on the premises at all times it is open for licensable activities.
12. The premises shall possess and use the local night time economy radio system (where this system is in operation).

The radio shall be turned on and used by staff at all times the premises is open for licensable activities.

13. The telephone number of the premises and of the Designated Premises Supervisor shall be made available to residents living in the vicinity upon request.
 14. A first aid box will be available at the premises at all times.
 15. Regular safety checks will be carried out by staff.
 16. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
 17. An incident log will be kept at the premises and made available on request to an authorised officer or the police and will record the following:
 - All crimes reported at the venue
 - Any complaints received regarding anti-social behaviour
 - Any incidents of disorder
 - Any faults in the CCTV system
 - Any refusal of the sale of alcohol.
- With such records being kept for a minimum of one year (For the avoidance of doubt, the one year period relates to each respective entry in the log book and runs from the date of that particular entry).
18. Noise from amplified music or voices shall not be such as to cause a noise nuisance to the occupants of nearby premises.
 19. The exterior of the building shall be cleared of litter at regular intervals
 20. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
 21. Doors and windows at the premises are to remain closed after 11pm save for access and egress
 22. A dispersal and smoking policy will be implemented and adhered to.

23. The emptying of bins into skips and refuse collections will not take place between 11pm and 7am.
24. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
25. The smoking area shall be monitored by staff or door staff (when employed) when it is in use.
26. The area shall be cleaned regularly.
27. Suitable receptacles shall be provided for smokers to dispose of cigarette butts.
28. Signs will be displayed in the area asking customers to keep noise to a minimum.
29. Patrons who disregard signage and verbal instructions regarding noise will be asked to move inside and/or leave the premises.
30. The number of smokers allowed in the external smoking area after 22:00 on a daily basis will be limited to a maximum number of 10 people at any one time.
31. The smoking area will be cleaned daily and positioned to the right of the main entrance.
32. A "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.
33. Staff Training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.

34. Notices advising what forms of ID are acceptable must be displayed.
35. Notices must be displayed in prominent positions indicating that the Challenge 25 policy is in force.
36. There shall be a maximum capacity of 150 people.
37. There will be an additional hour for licensable activities on Fridays, Saturdays and Sundays prior to a Bank Holiday Monday.

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

Reason: To address the issues raised in the representations.

Reasons for the Decision

The Sub-Committee carefully considered the application and the representations submitted in writing and orally at the hearing by those making representations and the Applicant. In reaching their decision, the Sub-Committee took into consideration the provisions of the Licensing Act 2003, in particular the statutory Licensing Objectives, together with 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.

Representations were made by local residents, who were primarily concerned about public nuisance due to the increase in cumulative impact of an additional licensed premise on Micklegate. Residents were also concerned about the potential for public nuisance from customers smoking at the front of the premises. Of the 13 flats above the premises, one resident had made a representation. Members had regard to these representations and were mindful of the Special Policy and that there is a presumption against the grant of such a licence unless the applicant can rebut the presumption that the granting of such a licence would unacceptably add to the cumulative impact and thereby undermine the licensing objectives. The Sub-Committee had regard to the fact that North Yorkshire

Police and the Licensing Authority were satisfied that although the premises are within the Cumulative Impact Zone and in a busy location, conditions could be imposed so that the proposal would not give rise to unacceptable additional cumulative impact or undermine the licensing objectives of crime and disorder or public nuisance. Conditions were suggested by the Environmental Protection Unit in order to adequately mitigate any potential for public nuisance. Members attached significant weight to the police representations in accordance with the Licensing Act Guidance Para 2.1. The Sub-Committee were also satisfied that the evidence put forward at the Hearing by the applicant was sufficient to rebut the presumption against granting a licence having regard to the premium bar concept, offering craft beers and workshops; the likelihood that the venue would attract discerning customers who would appreciate the craft beer, not large groups such as “stag and hen parties” looking for cheap drink promotions; the difference in character between Brewdog and other venues in Micklegate; the number of other examples of well run Brewdog premises across the country, a number of which are located alongside residential premises and co-exist without any problems or complaints; the installation of soundproofing and the management of the smoking area through imposition of conditions and the matters set out in the operating schedule.

The Sub-Committee considered that it had received sufficient assurances and evidence from the applicant in order to have a high level of confidence that the premises would be operated responsibly and that it could, with the imposition of suitable conditions, operate without unacceptably adding to the cumulative impact or undermining the licensing objectives of prevention of crime and disorder and public nuisance. They concluded that all four licensing objectives would be met in granting the application with the above mandatory and additional conditions.

The Sub-Committee therefore agreed to grant the licence with the additional conditions referred to above which were appropriate and proportionate to promote the licensing objectives. They reminded the applicant of the necessity of complying with all of the conditions.

Councillor Gillies, Chair

[The meeting started at 10.00 am and finished at 12.20 pm].

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Meeting	Licensing Hearing
Date	25 January 2016
Present	Councillors Douglas, Looker and Mason

32. Chair

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

33. Introductions**34. 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.

35. The Determination of an Application by Huntington WMC for a Premises Licence Section 18(3)(a) in respect of Huntington WMC, 1 North Moor Road, Huntington, York (CYC-054599)

Members considered an application by Huntington WMC for a premises licence in respect of Huntington WMC, 1 North Moor Road, Huntington, York, YO32 9QS.

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. The following were taken into account:

1. The application form.
2. The Licensing Managers report and her comments made at the hearing. She outlined the application and advised that the She advised that the application was for a premises licence for Huntington WMC which currently operated on a club premises licence. The nature of the

application was to increase the opening hours to 09:00 to 01:30 Monday to Sunday and to increase the timings for licensable activities to 09:00 to 01:00 Monday to Sunday. Consultation had been carried out correctly

3. The representations made by the applicant at the hearing. It was advised that the club currently operated using temporary events notices alongside its existing club licence but due to the popularity of the function room for use by charities for fundraising evenings, it had become necessary to apply for a premises licence which would enable the club to operate fully all year round, once the temporary events notices had ran out. The 1am finish time was not something that would be required on a regular basis. The Sub-Committee were advised how the club was operated in a responsible manner, and that the club does not accept 18th or 21st birthday party bookings.
4. The representations made in writing and at the hearing by Huntington Parish Council. The Chair of the Parish Council advised that she wished the WMC to be successful but had concerns about noise in the area late at night and was aware that residents in the village were currently being disturbed by noise. She raised concerns about the 1am finish time 7 days a week but was reassured that the club did not intend to operate past 11pm on a regular basis.
5. The representations made in writing and at the hearing by a local resident who advised that he can hear music coming from the club from the inside of his property and at present, although an inconvenience, it is something that he can live with as it mainly occurs on weekends. However he did not wish to see an extension to the finishing time for music and closing time to 1am 7 days a week, as the situation would become unacceptable. He also highlighted problems he had experienced with people accessing the driveway of his property late at night.

In coming to their decision, the Sub-Committee 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.
- Option 3 Grant the licence to exclude any of the licensable activities to which the application relates.
- Option 4 Reject the application

Members chose Option 2 and granted the application with the following timings and conditions:

Licensable Activity	Premises licence timings
Plays	To be indoors only Sun - Thurs 11:00 - 23:00 Fri-Sat 11:00 – Midnight
Films	To be indoors only Sun - Thurs 11:00 - 23:00 Fri-Sat 11:00 – Midnight
Indoor sporting events	Sun - Thurs 11:00 - 23:00 Fri-Sat 11:00 – Midnight
Boxing or wrestling entertainments	To be indoors only Sun - Thurs 11:00 - 23:00 Fri-Sat 11:00 – Midnight
Live music	To be indoors only Sun - Thurs 11:00 - 23:00 Fri-Sat 11:00 – Midnight

Recorded music	To be indoors only Sun - Thurs 11:00 - 23:00 Fri-Sat 11:00 – Midnight
Performance of dance	To be indoors only Sun - Thurs 11:00 - 23:00 Fri-Sat 11:00 – Midnight
Anything similar to the above	To be indoors only Sun - Thurs 11:00 - 23:00 Fri-Sat 11:00 – Midnight
Late night refreshment	To be indoors only Sun - Thurs 23:00 – midnight Fri-Sat 23:00-01:00
Supply of alcohol	Sun - Thurs 11:00 - 23:00 Fri-Sat 11:00 – 01:00
Opening times	Sun - Thurs 11:00 - Midnight Fri-Sat 11:00 – 01:30
Non Standard timings	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

Conditions:

1. An incident log will be kept at the premises and made available on request to an authorised officer or the police which will record:
 - (a) All crimes reported to the venue
 - (b) Any complaints received regarding crime and disorder
 - (c) Any incidents of disorder
 - (d) Any faults in the CCTV system
 - (e) Any refusal of the sale of alcohol
 - (f) Any visit by a relevant authority or emergency service

2. The only acceptable proof of age identification shall be a current passport, photo card 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)
3. 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 the area quietly.
4. Doors and windows should be kept closed during the playing of amplified music and other entertainment.
5. Only non-glass vessels or toughened glass shall be used in the outside designated area.
6. A documented staff training programme shall be provided to all members of staff at the premises in respect of the:
 - Operation of the CCTV system (including downloading of evidence)
 - Retail sale of alcohol
 - Age verification policy
 - Conditions attached to the premises licence
 - Permitted licensable activities
 - The licensing objectives and
 - Opening times of the venue
7. A colour digital CCTV system shall be installed within the premises and be operational and recording at all times when licensable activities take place
8. The CCTV equipment shall have constant time/date generation which must be checked on a weekly basis for accuracy.
9. CCTV cameras shall be installed to provide adequate cover of all public areas in the premises (excluding toilets)

10. The CCTV system must be capable of providing quality images of good evidential value. Recordings must be kept for a minimum of 28 days.
11. North Yorkshire Police or a Responsible Authority (as defined in the Licensing Act 2003) may at any time request a recording. This should be complied with within 48 hours of the request being made.
12. It is the responsibility of the management to ensure that there are sufficient members of staff available during the hours of operation to be able to download evidence from the CCTV system at the request of the police or responsible authority.
13. The following restrictions shall apply to the outside area:
 - (a) There shall be no drinking in the outside area after 23:00 every day;
 - (b) The outside area shall be cleared of drinking vessels by 23:00 every day;
 - (c) From 23:00 every day the outside area shall only be used as a smoking area.
14. The premises DPS is responsible for risk assessing the numbers of door personnel required at the venue. Special consideration should be given to the need for additional doorstaff on racedays, Fridays, Saturdays or bank holidays or other locally or nationally significant events and when boxing takes place at the premises.

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

Reason: To address the issues raised in the representations.

REASON FOR THE DECISION:

The Sub-Committee carefully considered the application and the representations submitted in writing and orally at the hearing by those making representations and the Applicant. In reaching their decision, the Sub-Committee took into consideration the provisions of the Licensing Act 2003, in particular the statutory

Licensing Objectives, together with 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.

The Sub-Committee noted the local residents' and Parish Council's concerns that there has been noise in the area late at night, particularly at weekends. They also noted that there had been no objection from the Responsible Authorities and that the Police had agreed a number of proposed conditions with the Applicant to address potential disorder and public nuisance issues. The Sub-Committee considered that the premises licence with the mandatory and above additional conditions would meet the concerns expressed by the interested parties as to anti-social behaviour and noise nuisance late at night and would be consistent with the licensing objectives.

The Sub-Committee therefore agreed to grant the licence with the amended timings and additional conditions referred to above which were appropriate and proportionate to promote the licensing objectives.

Councillor Looker, Chair

[The meeting started at 10.00 am and finished at 12.00 pm].

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Licensing Act 2003 Sub Committee**19 May 2016**

Report from the Assistant Director – Housing & Community Safety

Section 18(3) (a) Application for The Botanist, 15 Stonegate, York, YO1 8ZW**Summary**

1. This report seeks Members determination of an application for the grant of a premise licence, which has been made under the Licensing Act 2003.
2. Application reference number: CYC-055340
3. Name of applicant: New World Trading Company.
4. Type of authorisation applied for: Grant of Premise Licence
5. Summary of application: The nature of the application is to allow for:
 - a) The provision of live and recorded music between 10:00hrs and midnight Sunday to Thursday and between 10:00hrs and 01:00hrs Friday and Saturday.
 - b) The provision of late night refreshment between 23:00hrs and 00:30hrs Sunday – Thursday and between 23:00hrs and 01:30 Friday and Saturday.
 - c) The sale of alcohol between 10:00hrs and midnight Sunday to Thursday and between 10:00hrs and 01:00hrs Friday and Saturday.
 - d) Opening times from 10:00hrs to 00:30hrs Sunday to Thursday and from 10:00hrs to 01:30hrs Friday and Saturday.
 - e) Non standard timings relating to the above are from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Background

6. A copy of the application is attached at Annex 1.

Promotion of Licensing Objectives

7. The operating schedule submitted by the applicant showing how the licensing objectives would be met is attached at Annex 2.

Special Policy Consideration

8. This premise is located within the special policy area approved by full council on 27 March 2014. A copy of the policy is attached at Annex 3.

Consultation

9. Consultation was carried out by the applicant in accordance with s13, and s17 (5) of the Act and Regulation 42, Parts 2 and 4 of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, which concern the displaying of a notice on the premises and an advertisement in a local paper giving details of the application and serving a copy of the application on all responsible authorities. The applicant complied with all statutory requirements. In addition the relevant ward councillors and/or parish council were notified by way of register.
10. All procedural aspects of this application have been complied with.

Summary of Representations made by Responsible Authorities

11. Both the North Yorkshire Police and the council's Licensing Authority have made representations to the application on the grounds that as the venue is located within the city's cumulative impact zone, it is believed that the licensing objectives, the prevention of crime and disorder and public nuisance would be undermined on the granting of this application. Copies of these representations are attached at Annex 4 and 5 respectively.

Summary of Representations made by Parties other than Responsible Authorities

12. One relevant representations has been received from a local resident which is shown at Annex 6.

13. A map showing the general area around the venue is attached at Annex 7.

Planning Issues

14. There are no planning issues regarding this application.

Options

15. By virtue of s18(4) of the Act, the Committee have the following options available to them in making their decision: -
16. Option 1: Grant the licence in the terms applied for.
17. Option 2: Grant the licence with modified/additional conditions imposed by the licensing committee.
18. Option 3: Grant the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
19. Option 4: Reject the application.

Analysis

20. The following could be the result of any decision made this Sub Committee:-
21. Option 1: This decision could be appealed at Magistrates Court by any of the representors.
22. Option 2: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
23. Option 3: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
24. Option 4: This decision could be appealed at Magistrates Court by the applicant.

Council Plan

25. The Licensing Act 2003 has 4 objectives the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.

26. The promotion of the licensing objectives will support the Council's Plan for a prosperous city for all and a council that listens to residents.

Implications

27.

- **Financial** - N/A
 - **Human Resources (HR)** – N/A
 - **Equalities** – N/A
 - **Legal** – This decision could be appealed at Magistrates Court by the applicant or any of the representors.
 - **Crime and Disorder** - The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the city.
 - **Information Technology (IT)** – N/A
 - **Property** – N/A
- Other** – none

Risk Management

28. All Members of the Licensing Act 2003 Committee have received full training on the Act and the regulations governing hearings. They are aware that any decision made which is unreasonable or unlawful could be open to challenge resulting in loss of image, reputation and potential financial penalty.
29. The report details the options available to the panel in determining the application and recommends that a decision be reached. There are no risks involved with this recommendation.

Recommendations

30. Members determine the application.

Reason: To address the representations received as required by the Licensing Act 2003.

Contact Details

Author:

Lesley Cooke
Licensing Manager

Tel No. 01904 551515

Chief Officer Responsible for the report:

Steve Waddington
Assistant Director
Housing & Community Safety.

**Report
Approved**



Date 05/05/2016

Specialist Implications Officer(s)

Head of Legal & Democratic Services
Ext: 1004

Wards Affected: Guildhall



For further information please contact the author of the report

Background Papers:

- Annex 1** - Application Form
- Annex 2** - Operating Schedule
- Annex 3** - Special Policy
- Annex 4** - Police Representation
- Annex 5** - Licensing Authority Representation.
- Annex 6** - Local Resident Representation
- Annex 7** - Map of Area
- Annex 8** - Mandatory Conditions
- Annex 9** - Legislation and Policy Considerations

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