
MEETING	LICENSING/GAMBLING HEARING
DATE	19 NOVEMBER 2007
PRESENT	COUNCILLORS MOORE, HORTON AND B WATSON

57. Chair

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

58. Declarations of Interest

Members were invited to declare any personal or prejudicial interests in any of the business on the agenda. None were declared.

59. Exclusion of Press and Public

RESOLVED: That the press and public be excluded prior to consideration of the personal data contained in annexes 2 & 4 to Agenda Item 5 as provided by the Data Protection Act 1998.

60. The Determination of an Application by City of York Council's Learning Culture and Children's Services Directorate for a Premises Licence [Section 18(3)(a)] in respect of Rufforth Primary School, Wetherby Road, Rufforth, York. (CYC-013536)

At the start of the meeting the Chair clarified that all parties would be happy for Councillor Ayre to stay for the duration of the proceedings for training purposes. It was noted that he would not take part in any discussions. All parties were in agreement that he could stay.

Members considered an application by City of York Council's Learning, Culture and Children's Services Directorate for a premises licence in respect of Rufforth Primary School, Wetherby Road, Rufforth, York.

In coming to their decision the Sub-Committee took into consideration all of the evidence and submissions that were presented and determined their relevance to the issues raised and the licensing objective; the prevention of public nuisance including:

1. The application form and the additional steps agreed to be taken by the applicant to promote the four licensing objectives.
2. The Licensing Officer's report and his comments made at the Hearing, including the fact that the representation from the North Yorkshire Fire and Rescue Service had been mediated and the Applicant had agreed to the conditions requested.

3. The Applicant's representations at the Hearing, including the fact that the school wished to promote its facilities and allow the whole community to use them. The Applicant confirmed that they were not applying for 'Section H' and an error had been made when completing the application form.
4. Written representations made during the consultation period.

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.

RESOLVED: That in line with the above Option 2 the premises licence be granted with the following conditions.

1. The maximum occupancy figure for the hall should not exceed 276 persons when used for dancing with a group, disco and other similar activities.
2. When a performance takes place before a seated audience, no seating should be more than 7 seats from a gangway; any temporary seating should be secured in lengths no fewer than 4 seats and no more than 12. The minimum width of any gangway should be 1.05m.
3. An occupancy figure for a seated audience should be reduced accordingly, dependent on the size of any stage and the layout of the seating taking into account any gangways.
4. All external licensable activities to cease by 19:00 hours on each and every day.
5. The premises to be closed to the public by 23:30 hours on each and every day.
6. That management arrangements for all non-school licensable activities be subject to the approval of the City of York Council Learning, Culture and Children's Services Directorate.
7. Mandatory conditions 20 and 22 apply

All conditions offered by the Applicant in the application, including the operating schedule, for granting the premises licence under the Licensing Act 2003, shall be included in the licence, unless contradictory to the above conditions.

REASON: To address the representations made in respect of the prevention of public nuisance.

Councillor Horton; Chair
The meeting started at 2.00 pm and finished at 2.55 pm.