



## NOTICE OF RELEVANT REPRESENTATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003

North Yorkshire Police hereby give notice of objection to the Premises Licence as listed below:

### Postal Address of premises or club premises:

Try Market Halls, Market Hall Unit,  
(comprising of ground and part basement as shown on plans),  
Stonebow House,  
The Stonebow

Post town: York

Post code (if known): YO1 7NP

Notice of Objection relates to the following licensing objective: *(Please tick one or more boxes)*

1. The prevention of crime and disorder	<input checked="" type="checkbox"/>
2. Public safety	<input type="checkbox"/>
3. Prevention of Public Nuisance	<input checked="" type="checkbox"/>
4. The protection of children from harm	<input type="checkbox"/>

### GROUND'S FOR RELEVANT REPRESENTATION

Please provide as much information as possible to support this relevant representation:  
(e.g. please list any additional information, e.g. dates of problems which are included in the grounds for review)

This application relates to a new contemporary Food Hall/Market at a prominent city centre location which directly borders York's Cumulative Impact Zone (CIZ), an area which the Full Council at City of York Council has identified as being under stress from crime and disorder and public nuisance in its Statement of Licensing Policy. The council adopted the current policy in 2005 and the current version is effective until 26th March 2019. Cumulative Impact is an important licensing concept which, unusually, arises entirely outside of primary legislation. Large concentrations of people are of concern in Cumulative Impact Zones (CIZ) because they may also increase the incidence of disorder or criminal activities in the street.

The premises themselves located on The Stonebow (are classed outside the CIZ, please see Maps of CIZ from York's Statement of Licensing Policy headed Appendix C and D), however the applicant repeatedly refers in their Operational Management Statement submitted to be considered in support of the Premises Licence Application, of entering and exiting the premises via Whip- Ma-Whop-Ma-Gate, which is included in the CIZ. The below are excerpts from the Operational Management Statement:-

"The kitchens immediately at the Whip-ma-whap-ma-gate entrance"

"The main customer entrance is from Whip-ma-whap-ma-gate"

"the main Whip-ma-whap-ma-gate entrance"

"It is intended that seating will be fixed and remain outside permanently to the external area fronting Whip-ma-whap-ma-gate."

"The retractable glass wall fronting Whip-ma-whap-ma-gate will be closed from 23.00."

"Customers will gradually disperse from the main entrance onto Whip-ma-whap-ma-gate"

"The website and notices inside the building and toilets will provide GPS coordinates for taxi and minicab drop off and pick up will be provided for the junction of Stonebow and Whip-ma-whap-ma-gate. "

"Staff and security staff will politely remind customers that they are also not to congregate in the front of the premises in Whip-ma-whap-ma-gate"

"Smokers will be directed to either side of the main entrance on Whip-ma-whap-ma Gate,"

North Yorkshire Police are asking the Licencing Committee to consider the implications such a large capacity venue will have with patrons dispersing directly onto streets already experiencing huge difficulties in terms of the stress of the cumulative impact of premises being concerned in the sale and/or consumption of alcohol and the impact this has on residents, visitors and other businesses.

The concern with the premise if the licence is granted as it stands is that the venue could operate as a large vertical drinking establishment/entertainment venue. The rear of the premises sits on St Saviourgate, which has a high number of residential properties and the premise itself will also have a number of luxury apartments built above. North Yorkshire Police believe that the proposed 00:00 hours Thursday to Sunday for the supply of alcohol, with a further hour that the premises are open to the Public will allow patrons to have an additional hour to consume any quantity of alcohol purchased, and would be detrimental to the standard of living (Public Nuisance and low level anti-social behaviour) to residents living above and to the rear of the property. The hours proposed are more in line with a bar/entertainment venue and not in keeping with a Food hall/market as this premises purports to be. In fact the Fulham site in London (which the applicant refers to in the documentation supported with the application) is located within a CIZ and is open to the public only till 2300hrs.

The plans attached to the application also show an outside licensed area. Although the Operational Management Statement provides information regarding how this area is to be managed, there are no conditions offered by the applicant, in support of this which if not conditioned appropriately will directly affect local residents on St Saviourgate and in the luxury apartments located above this premise.

North Yorkshire Police have consulted with the North Yorkshire Fire and Rescue regarding concerns relating to the capacity of the premises. Please see Appendix B (email from Kevin Caulfield) regarding numbers for the ground floor and basement area, based on the plans submitted with this application. To mitigate the premises becoming a large vertical drinking establishment, minimum table covers on both levels would be sought by Police at all times the Premises is open to the Public.

Should committee members be minded to grant this application North Yorkshire Police would seek robust and enforceable conditions, to promote the Licensing objectives of Prevention of Crime and Disorder and The Prevention of Public Nuisance, listed below and would ask the committee members to also consider their obligation under Section 17 of the Crime and Disorder Act 1998 which states "it shall be the duty of each authority to which this section applies to do all it reasonably can to prevent crime and disorder in its area".

Suggested conditions/amendments: (in addition to those offered with the Premises Licence Application).

North Yorkshire Police would suggest that all licensable hours be drawn back to 23:00 hours Sunday – Thursday and Midnight on a Friday & Saturday night, with the premise closing at 23:30 and 00:30 respectively.

1. The premises shall primarily operate as a food hall/market, providing food and non-alcoholic drinks, not as a bar or vertical drinking establishment, with substantial food being available at all times the premises is open to the public.
2. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell

alcohol.

3. A minimum of 350 table covers shall be provided on the ground floor and a minimum of 200 table covers shall be provided on the basement floor at all times the venue is open to negate the need for vertical drinking. (The exception will be for the Basement level any change to minimum table covers must be agreed in writing with North Yorkshire Police and the Licensing Authority, 28 days before any changes).

4. Only non-glass vessels or toughened glasses shall be used in the outside designated area.

5. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.

6. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage.

7. The footprint of the outside area shall be clearly defined by semi-permanent removal barriers.

8. Tables, chairs and barriers/other outside furniture shall only be placed outside the premises, as defined on the plans, between 09:00 and 21:00 hours daily.

9. Door Supervisors shall be employed as follows:-

Sun- Thurs there shall be a minimum of two SIA licensed door supervisors for up to 300 capacity on duty at the premises while it is open for licensable activities from 2000hrs. Thereafter there shall be 1 SIA door supervisor per 100 additional people or part thereof.

On Fridays and Saturdays there shall be a minimum number of five SIA door supervisors from 2000hrs until 30 minutes past closing time. When employed, door staff will wear high visibility arm bands.

10) Doors and windows at the premises are to remain closed after 23:00hrs save for access and egress and to remain closed during the playing of all amplified music and other entertainment (save for entry and egress).

Signature:

Date: 15/11/18

Contact name: PS 133 Jackie Booth

Address for correspondence: **Alcohol Licensing Department Fulford Road Police Station**

Post town: **York**

Post code: **YO10 4BY**

Tel. number (if any): **01609 643273**

Email address if preferred option of contact: **NYPLicensing@northyorkshire.pnn.police.uk**

## **APPENDIX B**

**From:** Kevin Caulfield [mailto:Kevin.Caulfield@northyorksfire.gov.uk]  
**Sent:** 08 November 2018 10:23  
**To:** Booth, Jackie  
**Subject:** RE: New Application - Try Market Halls

Hi Jackie,

Thank you for the plans for the Try Market Halls, I have looked at the plan (25)20B and (25)200 with regards to occupancy of each floor, when NYFRA receive a building consultation, we would expect to have all the information such as a fire strategy and detailed plans, this allows us to make comments as to the compliance level with regards to the fire safety arrangements. The occupancy calculations for Try Market Halls have been based only on the plans (25)20B and (25)200, however it unlikely these plans would change if submitted as a formal consultation.

I have calculated the occupancy based on the minimum exit widths of each floor.

Basement: 330 people  
Ground 440 people

Total for the premises 770

Thank you

Kevin.

Kevin Caulfield  
Watch Manager  
Technical Fire Safety

Telephone: 01904 625272  
Mobile: 07786 703058  
Secure email: kevin.caulfield@northyorksfire.gov.uk.cjism.net



**NORTH YORKSHIRE**  
**FIRE & RESCUE SERVICE**

Please consider the environment before printing this email

**From:** Booth, Jackie [mailto:Jacqueline.Booth@northyorkshire.pnn.police.uk]  
**Sent:** 07 November 2018 11:25  
**To:** Kevin Caulfield  
**Subject:** FW: New Application - Try Market Halls

Hi Kevin,  
This is what I have received from CYC.

Regards  
Jackie

PS133 Booth  
Force Licensing Manager  
Partnership Hub  
Tel 101 Ext 30133  
Mobile: 07710977979  
Email:- [Jacqueline.booth@northyorkshire.pnn.police.uk](mailto:Jacqueline.booth@northyorkshire.pnn.police.uk)

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CODE OF ETHICS: THE POLICING PRINCIPLES: Accountability, Fairness, Honesty, Integrity, Leadership, Objectivity, Openness, Respect, Selflessness

CODE OF ETHICS: THE STANDARDS OF PROFESSIONAL BEHAVIOUR: Honesty and Integrity, Authority, Respect and Courtesy, Equality and Diversity, Use of Force, Orders and Instructions, Duties and Responsibilities, Confidentiality, Fitness for Work, Conduct, Challenging and Reporting Improper Behaviour

**From:** Cockerill, Janice [<mailto:Janice.Cockerill@york.gov.uk>]  
**Sent:** 19 October 2018 10:47  
**To:** Bell, Leigh; Bielby, Angela (Democratic Services); Blain, Andy; Chelton, Rachael; Coupland, Penny; Fire Service; Glazier, Simon; Golightly, Michael; Gray, Ian; Kumar, Rachael; NYP Licensing; Sefton, Helen; Tillett, Lynn; Wetherall, Paul  
**Cc:** Wilson, Jacque  
**Subject:** New Application - Try Market Halls ( Co House check clear, copies saved, added to caseload - 4085

Please see attached received yesterday. Last date for reps is 15 November.

Regards

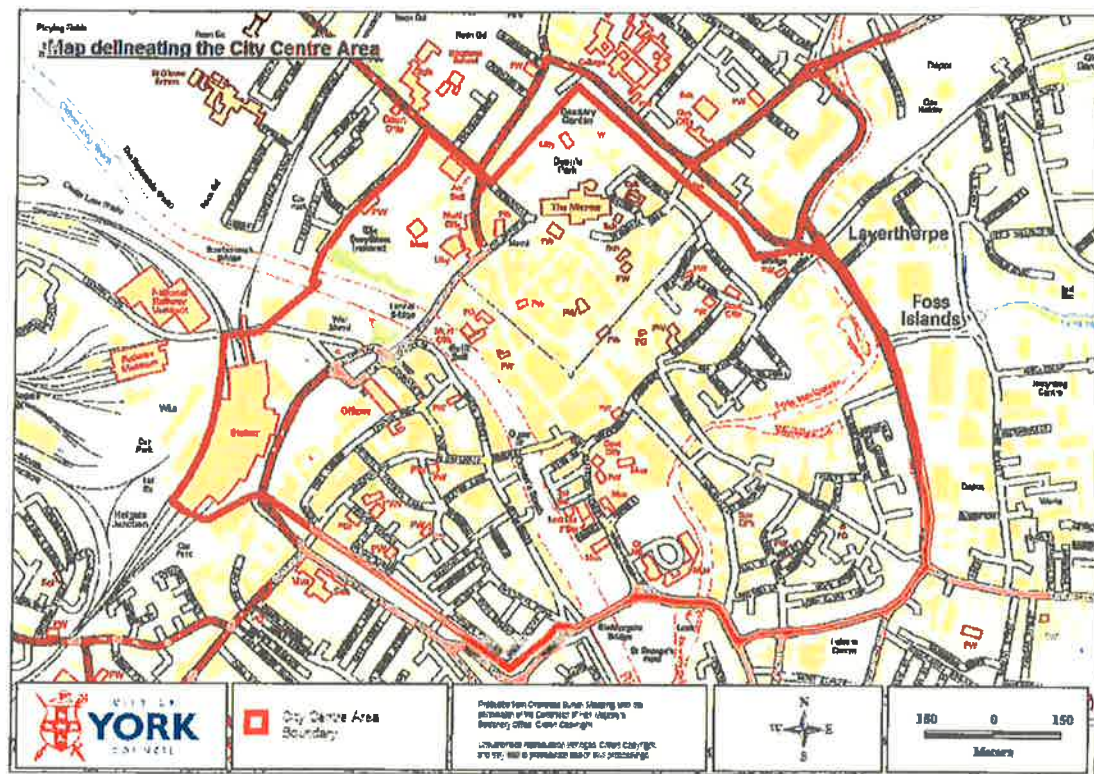
Janice Cockerill | Senior Licensing Officer  
t: 01904 551526 | e: [janice.cockerill@york.gov.uk](mailto:janice.cockerill@york.gov.uk)

**City of York Council** | The Licensing Service | Economy & Place Directorate  
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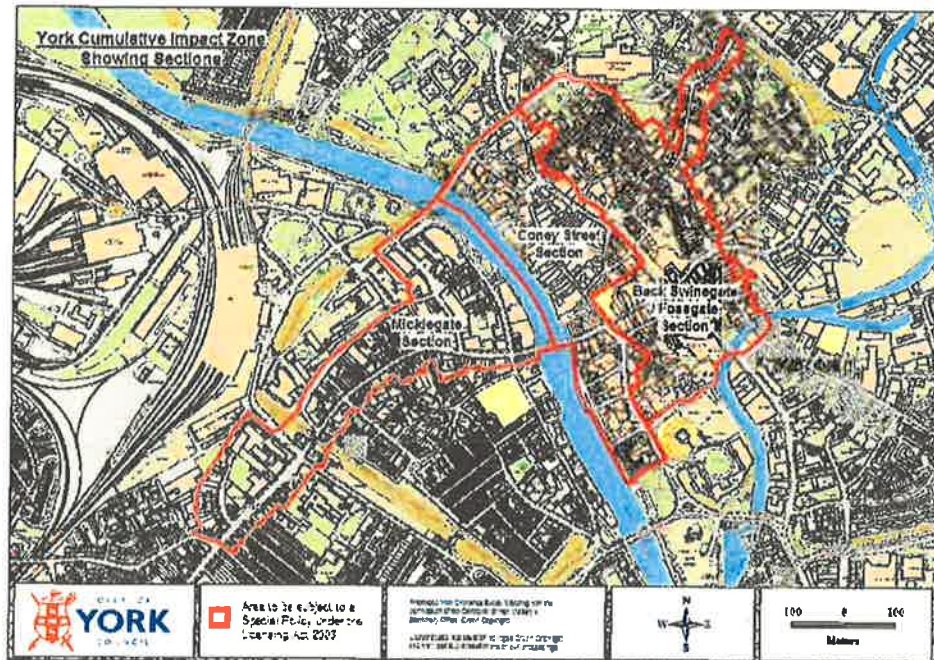
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## APPENDIX C - MAP DELINEATING THE CITY CENTRE AREA





## APPENDIX D - MAPS OF THE SPECIAL POLICY AREA



Micklegate Area Map

