



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: Moxy Hotel Black Horse Lane	
Post town: York	Post code (if known): YO1 7NE

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"/>

GROUNDINGS 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 contemporary modern Hotel, part of the International Marriott Hotel chain at a prominent City centre location, Hungate, offering accommodation for guests and bar/restaurant/entertainment facilities for non-residents.

Hungate is a brownfield site located on the banks of the River Foss on the south-east edge of the city. The area is subject to a major regeneration scheme and has planning approval for a mix of high quality office, retail and residential uses. When fully completed the development will provide nearly 1,000 new city centre apartments, alongside commercial outlets in a new urban quarter. The Moxy Hotel site is set amongst the new residential apartments.

The Moxy chain of hotels has a number of sites around the world, and in the UK there are three located in London, and one in Glasgow, with further proposed locations set to open in 2019. All three sites in London have been issued a Premises Licence in accordance with the Licensing Act 2003 however none have licensable activities until 3am for non-residents.

North Yorkshire Police are asking the Licencing Committee to consider the implications of allowing non-residents to use the venue until 3am, with patrons then dispersing directly onto the streets in a residential area and the potential for disorder.

The plans attached to the application refer to an external Licensed area and there are concerns that licensable activities can take place in this area until 3am which could cause Public Nuisance to nearby residents. The applicant has failed to provide information as to how this outside area is to be managed, whether it has a Smoking Policy which would incorporate this external area and how it would mitigate the affect the use of this area would have on local residents.

Should committee members be minded to grant this application North Yorkshire Police would seek robust and enforceable conditions, in addition to what the applicant has offered, 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:-

North Yorkshire Police would suggest that all licensable hours for non-residents be drawn back to 23:00 hours Sunday-Thursday and 0100hrs on a Friday and Saturday Night. (The 0100hrs for non-residents is consistent with the London sites).

1. Request to replace the CCTV condition offered in the operating schedule, with the following which is consistent with the conditions at other Moxy Hotel locations (Great Eastern Road Stratford and Dockside Road West Beckton).

a)The CCTV system shall be maintained in working condition and record the premises 24 hours every day. Recordings shall be retained for a minimum of 31 days and be made available to the Police or officers of the Council upon request and shall be of evidential quality in any light conditions.

b)The equipment MUST have a suitable export method i.e. CD/DVD/USB facility so that the Police and officers of the Council can make an evidential copy of the data they require. This data should be in the native file format to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturers proprietary), then the licence holder shall within 14 days of being requested supply the replay software to ensure that the video on the CD can be replayed by the Police and officers of the Council on a standard computer. Copies shall be made available to the police and officers of the Council upon request.

c)Staff working at the premises shall be trained in the use of the equipment and a log will be kept to verify this. At all times when the premises is open to non-residents a trained member of staff shall be present at the premises who is capable of downloading the CCTV when requested to do so by a Police or Local Authority officer.

d)Cameras on the entrances must capture full frame shots of the heads and shoulders of ALL people entering the premises, i.e. capable of identification in any light conditions.

e)There shall be signs displayed in the customer area to advise that CCTV is in operation.

f)Should the CCTV become non-functional this will be reported immediately to the Licensing Authority and the fault repaired as soon as practicable.

g)CCTV cameras shall monitor all areas used by premises patrons including any external area to monitor numbers and prevent crime and disorder

2. Where appropriate prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.

3. The External licensed area shall not be used between the hours of 2300- 0700hours (with the exception of any designated smoking area).

4. A designated smoking area shall be provided by the Premises Licence holder as hatched red on the "Landscape General Arrangement Plan" attached to the premises Licence. A maximum of 15 persons will be allowed in the area at

any one time

If the applicant is agreeable to the suggested amendments North Yorkshire Police would formally withdraw its representation.

Signature:

Date: 18/03/19

Contact name: PS 133 Jackie Booth

Address for correspondence: Alcohol Licensing Department Fulford Road Police Station

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