

Sefton, Helen

From: Woodhead, Nigel
Sent: 08 January 2020 11:40
To: licensing@york.gov.uk
Subject: representation to Application for a Premise Licence, Secret Square Ltd, Unit 4, Stonegate Walk, Hornby Passage, York

I am the Licence Enforcement officer for the City of York Council and I am authorised to make representations on behalf of the Licensing Authority

This representation is with regard for the grant of a Premise Licence to the application made by Secret Square Ltd, at Unit 4, Stonegate Walk, Hornby Passage, York, with regard to the provision of live music from 11.30hrs to 23.00hrs each day, recorded music from 11.30hrs to 23.30 on Sunday to Thursday extending to 01.00hrs on Friday and Saturday, performance of dance from 11.30hrs to 23.30hrs on Sunday to Thursday extending to 01.00hrs on Friday and Saturday, late Night Refreshment from 23.00hrs to 23.30hrs on Sunday to Thursday extending to 01.00hrs on Friday and Saturday, the Supply of alcohol from 11.30hrs to 23.00hrs on Sunday to Thursday extending to 00.30hrs on Friday and Saturday. The application states the premises open from 11.00hrs to 23.30hrs on Sunday to Thursday extending to 01.00hrs on Friday and Saturday.

I make this representation in relation to the following two licensing objectives:

1. The Prevention of crime and disorder
2. Prevention of Public Nuisance

The application relates to a new Premise Licence in respect of a Café/Bar within York's Cumulative Impact Area (CIA)

The Council's current Statement of Licensing Policy, which was adopted in March 2019 and is effective till March 2024 undertook a review of the CIA which has resulted in a Red Zone being identified. Paragraph 9.14 of the Policy refers to this Red Zone and states that :

'The Council should refuse all applications within the red zone where relevant representations are received, unless the applicant can show how their application would not lead to an increase in the impact of Licensed Premises in this zone'

Secret Square Ltd premises sits within this red zone.

The CIA also states that:

'This CIA has been identified because evidence shows that the cumulative impact of the number and concentration of licensed premises in this area continue to

adversely affect residents, visitors and other businesses and therefore adversely affecting the promotion of the licensing objectives:

1. The Prevention of crime and disorder
2. Prevention of Public Nuisance

The Licensing Authority along with North Yorkshire Police have provided information that this area is such that the problems and cumulative impact directly relates to the type of businesses operating in the area and their customers due to the concentration of pubs, bars, nightclubs and restaurants especially late night into the early hours of the morning and I believe that by granting this application it will have a negative impact as it is adding another drinking establishment to the CIA.

The applicant has applied for a Premise Licence with the sale of alcohol from 11.30hrs to 00.30hrs on a Friday and Saturday with sale of food till 23.00hrs stopping two hours before close of business and Sunday to Thursday 11.30hrs to 22.00hrs with closure of 23.30hrs This would mean the premises would act as a vertical drinking establishment for a period of 1.5hrs – 2hrs seven days a week in a residential area which is already saturated with licensed premises.

The applicant has also stated that the outside area accessed by proposed bi-folding doors from the premises will seat at least ten persons but has room for more based on the licensed area applied for. The applicant wishes to use this area until 23.00hrs on weekdays and until midnight on Fridays and Saturdays. This area is overlooked by residential properties.

The Licensing Authority believe the adding of a further café/bar with a limited mezze style menu and a full bar will further add to crime and disorder in the area and will lead to an increase in public nuisance.

We ask members of the committee that this application be refused. The applicant has not followed the Council's own Statement of Licensing Policy and have not taken into account that the premises sit within the CIA. The business model being suggested alludes to a vertical drinking establishment with an outside area in a residential area of Stonegate, with a small food menu meaning the main Licensable activity will be the sale of alcohol.

Date: 8th January 2020

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Please be aware of the new contact details for the Licensing Section (including Taxis):

Telephone: 01904 552422

Email: licensing@york.gov.uk

City of York Council |

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