
MEETING	LICENSING HEARING
DATE	22 SEPTEMBER 2008
PRESENT	COUNCILLORS HORTON, MOORE AND RUNCIMAN

5. CHAIR

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

6. DECLARATIONS OF INTEREST

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

7. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and public be excluded prior to consideration of the personal data contained in annexes 3 & 5 to Agenda Item 5 as provided by the Data Protection Act 1998.

8. THE DETERMINATION OF AN APPLICATION BY PC952 MICK WILKINSON FOR A REVIEW OF A PREMISES LICENCE [SECTION 52(2)] IN RESPECT OF THE JUNCTION, LEEMAN ROAD, YORK. (CYC-008929)

Members considered an application by PC Mick Wilkinson for a review of a premises licence in respect of The Junction, Leeman Road, 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 objectives; public safety, prevention of crime and disorder, the prevention of public nuisance, the protection of children from harm.

- 1) The application form, in particular the existing licensing conditions and the steps taken by the applicant to promote the four licensing objectives.
- 2) The Licensing Officers report and his comments made at the hearing.
- 3) The applicants representations at the hearing including the fact that North Yorkshire Police have dealt with a high

number of incidents in the past 12 months including 3 more since the review was called.

- 4) The representations of the holder of the premises licence, including the fact that the premises supervisor did not contest that any of the incidents reported to the Police had taken place and acknowledged that changes needed to be implemented to allow the premises to run in an orderly manner. It was stated that this review had been taken seriously and that any conditions placed on the licence would be acted upon in order to improve the situation.
- 5) Written representations made during the consultation period.

Members were presented with the following options:

- Option 1** To modify the conditions of the licence.
- Option 2** To exclude any licensable activity from the scope of the licence
- Option 3** To remove the designated premises supervisor
- Option 4** To suspend the licence for a period not exceeding 3 months
- Option 5** To revoke the licence.

RESOLVED: Members decided to modify the licence (in line with Option 1) and added the following conditions:

- 1) At all times that the venue operates after 19:00 there shall be a personal licence holder at the premises until the venue closes.
- 2) CCTV will be installed to cover the premises. It will be maintained and working and recording at all times when the premises are open. The recordings should be of sufficient quality to be produced in Court or other such hearing. Copies of recordings will be kept available for any responsible authority for 14 days.
- 3) The Challenge 21 procedure shall be actively used. The only acceptable proof of age identification being a current passport, photo card driving licence or identification carrying the PASS logo.
- 4) On nights when live music is being provided, such identification checks will take place on entrance prior to entry. Persons who produce such identification and are over the age of eighteen years will then be required to

wear an identifiable, non removable wrist band for use inside the premises.

- 5) Should a part of the premises operate an underage night aimed at persons under the age of eighteen years, alcohol will not be served to anyone or consumed by anyone whether persons over the age of eighteen years are allowed or not.
- 6) At anytime when live music is played at the venue there shall be no less than 3 door supervisors present until close of business unless there is written agreement from North Yorkshire Police to the contrary. Door supervisors will be provided until the venue closes. If the venue chooses to open earlier than such a time when the amplified music starts then door supervisors will be deployed at the venue no later than 19:00 or earlier if the live music starts earlier than 19:00.
- 7) When deployed, door supervisors will wear high visibility tabards or coats and their SIA Licences will be displayed in high visibility armbands.
- 8) Documented records will be kept of all door supervisors deployed. These records will be available upon request and will include the following detail:
 - i. Full SIA Licence number of each door supervisor deployed
 - ii. Full name and date of birth of each door supervisor deployed
 - iii. Full details of the security company providing the door supervisors.
 - iv. The times the door supervisors were deployed
- 9) The management of the venue will comply with any written reasonable and justified request made by North Yorkshire Police regarding the provision of door supervisors at other times should the need arise
- 10) Live music shall only be held on Friday, Saturday and Sunday evenings and the evening preceding a Bank Holiday (in the event a statutory bank holiday falls on a Tuesday).
- 11) The venue will close for business at Midnight on nights when live music is operated.
- 12) The exceptions to 10 and 11 shall be New Years Eve when live music shall only be licensed to 01:00 on New

Years Day. Normal New Years Eve licensed opening hours apply.

- 13) Documented patrols by members of staff shall be undertaken at no less than hourly intervals outside the premises to check for noise issues and any other issues associated with customers standing outside the venue.
- 14) In the function room, one pint capacity, half pint capacity and high ball tumbler drinking glasses will be strengthened glass (tempered glassware) in a design whereby, in the event of breakage the glass will fragment and no sharp edges are left.
- 15) Drinking glasses of any type shall not be allowed to enter or leave the premises whilst under the customers care.
- 16) Staff training shall be given and documented regarding all matters relating to the licence and its conditions. Records of such training shall be kept for 3 years.
- 17) The venue shall operate a random (at least 1 in 30) search policy for patrons using the function room (whether for live music or not). Notices should be displayed informing patrons of this fact.
- 18) Documented records shall be made of the searches undertaken.
- 19) A refusals register and incident report register will be kept. Such documents will record incidents of staff refusals to underage or drunk people as well as incidents of any anti-social behaviour and ejections from the premises. Both documents will be made available upon reasonable request from any responsible authority.
- 20) Prominent clear and legible notices will be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
- 21) Mandatory condition 21 shall apply.

REASON: To address the representations made in respect of public safety, prevention of crime and disorder, prevention of public nuisance and the protection of children from harm.

Councillor Horton, Chair

[The meeting started at 10.00 am and finished at 11.55 am].