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**Licensing Act 2003 Sub Committee**

**Date 13 April 2026**

Report from the Director – Environment & Regulatory Services

**Section 18(3) (a) Application for a premises licence for Mittel River Terrace, York Guildhall Restaurant, Lendal, York, YO1 8AA**

**Summary**

1. This report seeks Members determination of an application for the grant of a premises licence, which has been made under the Licensing Act 2003.
2. Application reference number: CYC 083733
3. Name of applicant: Leeds Tap Limited
4. Type of authorisation applied for: Grant of Premises Licence
5. Summary of application:

The proposal is to allow for the provision of the following activities at new build gastro-brewpub in York City Centre.

<b>Proposed Activity</b>	<b>Timings</b>
Late Night Refreshment – indoors & outdoors	23:00 to 01:00 - everyday
Supply of Alcohol – on & off the premises	08:00 to 01:00 everyday
Opening Hours	08:00 to 01:30 everyday

**Background**

6. A copy of the application can be found at Annex 1, including a plan(s) of the premises.
7. The premises is described in the application as Gastro Brew-pub.

8. An overview of the circumstances in which entertainment activities are not licensable can be found at Annex 2.

### **Promotion of Licensing Objectives**

9. The operating schedule submitted by the applicant shows that the licensing objectives would be met as follows:

10. **General**

10.1. A documented staff training programme shall be provided to all members of staff at the premises in respect of the:

- retail sale of alcohol;
- age verification policy;
- conditions attached to the premises licence;
- the licensing objectives;
- opening times for the venue;

With such records being kept for a minimum of one year. For the avoidance of doubt the one year period relates to each entry in the log book and runs from the date of the particular entry.

10.2. As a minimum, in all parts of the premises where alcohol is sold or supplied for consumption on the premises substantial food and non-intoxicating beverages including water shall be available to order between midday and 21:00 hours. For the avoidance of doubt, a substantial food menu shall be available to order between these hours each day.

11. **The Prevention of Crime and Disorder**

11.1. On days when race meetings are held at York Racecourse (save for the family meeting held in September and the first meeting in May) a minimum of 2 door supervisors shall be provided at the premises from 19.00 hours to the close of business. At all other times the need for SIA licensed door staff shall be determined in accordance with a risk assessment, to be carried out by the Designated Premises Supervisor and / or the Premises Licence Holder. When employed, door staff will wear high visibility arm bands.

11.2. Customers shall not be permitted to take drinks outside the premises or away from any external areas licensed by way of tables and chairs permission, with the exception of sealed off-sales.

11.3 A colour digital CCTV system shall be installed within the premises and be operational and recording at all times when licensable activities take place.

11.4 The CCTV equipment shall have constant time / date general which must be checked on a daily basis for accuracy.

11.5 CCTV cameras shall be installed to provide adequate cover of all public areas in the premises and entrances / exits and outside designated smoking areas (excluding toilets).

11.6 The CCTV system recordings must be kept for a minimum of 28 days.

11.7 North Yorkshire Police or a Responsible Authority (as defined in the Licensing Act 2003) may at any times request a recording. This should be complied with within 24 hours of the request being made.

11.8 It is the responsibility of the management to ensure that there are sufficient members of staff available during the hours of operation to be able to download evidence from the CCTV system at the request of the police or responsible authority.

11.9 All CCTV recordings will have sufficient clarity / quality / definition to allow facial recognition.

11.10 Where door supervisors are on duty they shall sign in and out of the premises logbook, providing full details of their name and SIA number.

11.11 The premises shall possess and use the local nighttime economy radio system (where this system is in operation). The radio shall be turned on and always used by staff at the premises when the venue is open for licensable activities.

11.12 A refusal register / incident report record shall be maintained for the premises. Such registers, electric or otherwise stored, will record incidents of staff refusals of underage or drunk people as well as incidents of any anti-social behaviour and ejections from the premises. Such registers shall be kept for a minimum of one year. (For the avoidance of doubt the one-year period relates to each entry in the logbook and runs from the date of the particular entry.)

11.13 Alcoholic drinks purchased on the premises may only be taken off the premises in sealed containers

## **12. Public Safety**

12.1. The DPS/ manager will undertake a weekly inspection of the public areas of the premises to identify anything might present an identifiable risk to public safety. Any risks identified that are deemed to be unreasonable must be rectified at the earliest possible opportunity.

12.2 Staff will be trained in first aid.

12.3 Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place for staff.

12.4 Public Areas will be maintained free from obstruction and trip hazards.

12.5 All exit routes will be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.

12.6 Appropriate fire safety measures will be installed and maintained as shown on the plan reference LN\_PV\_1240/01

## **13. The Prevention of Public Nuisance**

13.1 All doors and windows shall be closed between 23:00 and 08:00 each day other than for ingress and egress.

13.2 Signs shall be displayed near the exits reminding customers to respect the needs of those living nearby and to leave the premises as quietly as possible.

13.3 All highway and public spaces in the vicinity of the premises will be kept free from litter to the satisfaction of the council.

13.4 Refuse such as bottles will be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.

## **14. The Protection of Children from Harm**

14.1 The venue shall operate a Challenge 25 Age verification police and display posters confirming such in prominent locations throughout the venue.

### **Special Policy Consideration**

15. This premises is located within the cumulative impact assessment area which was approved by full council on 27 March 2025. The assessment can be found at Annex 3. Section 9 of the Statement of Licensing Policy which deals with Cumulative Impact can be found at Annex 4.

### **Consultation**

16. Consultation was carried out by the applicant in accordance with s13, and s17 (5) of the Act and Regulation 42, Parts 2 and 4 of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, which concern the displaying of a notice on the premises and an advertisement in a local paper giving details of the application and serving a copy of the application on all responsible authorities. The applicant complied with all statutory requirements. In addition, the relevant ward councillors and/or parish council were notified by way of register.
17. All procedural aspects of this application have been complied with.

### **Summary of Representations made by Responsible Authorities**

18. North Yorkshire Police have made representation based on the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance, and public safety. Their representation can be found at Annex 5.
19. City of York Council Public Protection (Environmental Protection) have made representation based on the licensing objectives of the prevention of public nuisance. Their representation can be found at Annex 6.
20. The Licensing Authority has made a representation on the grounds that the granting of this application would undermine the licensing objectives of both prevention of crime and disorder and prevention of public nuisance. Furthermore, the applicant fails to demonstrate how this application would not add to the cumulative impact of licensed premises already experienced within the CIA. The representation is attached at Annex 7.

## **Summary of Representations made by Other Parties**

21. There have been 5 relevant representations received from other persons. The list of representors is attached at Annex 8
22. The representations are based on the grounds of the prevention of crime and disorder, public safety and the prevention of public nuisance objectives. They state that these objectives will be undermined if the application is granted.
23. A copy of all the representations is attached at Annex 9.
24. A map showing the general area around the venue is attached at Annex 10.
25. The mandatory conditions that will be attached to this licence if granted (if they apply) can be found at Annex 11. The Legislation and Policy considerations can be found at Annex 12.

## **Options**

26. By virtue of s18(4) of the Act, the Committee have the following options available to them in making their decision: -
27. Option 1: Grant the licence in the terms applied for.
28. Option 2: Grant the licence with modified/additional conditions imposed by the licensing committee.
29. Option 3: Grant the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
30. Option 4: Refuse to specify a person on the licence as premises supervisor.
31. Option 5: Reject the application.

## **Analysis**

32. The following could be the result of any decision made this Sub Committee:-
33. Option 1: This decision could be appealed at Magistrates Court by any of the representors.

34. Option 2: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
35. Option 3: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
36. Option 4: This decision could be appealed at Magistrates Court by the applicant.
37. Option 5: This decision could be appealed at Magistrates Court by the applicant.

### **Council Plan**

38. The Licensing Act 2003 has four objectives the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.
39. By taking the statutory requirements of the Licensing Act into consideration, as well as the four licensing objectives when determining licensing applications, the Council are supporting the new and existing licence trade, as well as local residents and businesses. The functions support the Council's Plan commitments to make York a healthier, fairer, more accessible place, where everyone feels valued, creating more regional opportunities to help today's residents and benefit future generations. It supports the priority for a fair, thriving, green economy for all.

### **Implications**

40.

- **Financial** - N/A
- **Human Resources (HR)** – N/A

**Equalities** – The Council recognises, and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in

the exercise of a public authority's functions) when setting its Statement of Licensing Policy.

- **Legal** – This decision could be appealed at Magistrates Court by the applicant or any of the representors.
- **Crime and Disorder** - The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the city.
- **Information Technology (IT)** – N/A
- **Property** – N/A
- **Other** – none

### **Risk Management**

41. All Members of the Licensing Act 2003 Committee have received full training on the Act and the regulations governing hearings. They are aware that any decision made which is unreasonable or unlawful could be open to challenge resulting in loss of image, reputation and potential financial penalty.
42. The report details the options available to the panel in determining the application and recommends that a decision be reached. There are no risks involved with this recommendation.

### **Recommendations**

43. Members determine the application.  
Reason: To address the representations received as required by the Licensing Act 2003.

### ***Contact Details***

**Author:**

**Chief Officer Responsible for the report:**

Lesley Cooke  
Licensing Manager

Dave Atkinson  
Director Environment & Regulatory Services

Tel No. 01904 551515

**Report  
Approved**



**Date** 24.03.2026

**Specialist Implications Officer(s)**  
Head of Legal & Democratic Services  
Ext: 1004

**Wards Affected: Guildhall**



**For further information please contact the author of the report**

**Background Papers:**

- Annex 1** - Application form and plan
- Annex 2** - Overview of circumstances in which entertainment activities are not licensable
- Annex 3** - Cumulative impact area (CIA) assessment
- Annex 4** - Policy extract on the CIA
- Annex 5** - Representation from North Yorkshire Police
- Annex 6** - Representation from Public Protection
- Annex 7** - Representation from the Licensing Authority
- Annex 8** - List of representors
- Annex 9** - Representations
- Annex 10** - Map of area
- Annex 11** - Mandatory conditions
- Annex 12** – Legislation and policy