

**Representation on behalf of the Licensing Authority, York
Mittel River Terrace, York Guildhall Restaurant, Lendal**

I write to make representation on behalf of the Licensing Authority in relation to the grant of a premises licence for the above premises.

This application relates to the grant of a premises licence for a self-styled Gastro Brew-pub. The application requests licensable activities to take place seven days a week.

Requested activities and hours as follows:

- Late Night Refreshment indoors and outdoors 23:00 until 01:00
- Supply of alcohol on and off the premises from 08:00 until 01:00
- Opening hours 08:00 until 01:30

The proposed licensed premises is located over the lower ground and ground floors of a newly built premises next door and adjoining to the Guildhall complex. Both floors have external terraces which face the riverfront. The lower ground floor will contain a customer reception area, the kitchen, dining area and bar and house a microbrewery enabling the operator to produce their own beer on site. The ground floor will contain customer seating. The applicant would also like to provide seating and tables on both external terraces. The main customer entrance is through an archway on Lendal (next to the House of Trembling Madness). There is also an access/egress route via an alleyway past the Guildhall.

The premises is located within York's Cumulative Impact Assessment (CIA) area, this area has been identified by the Council within the Statement of Licensing Policy (the Policy) as being under the most stress from crime and disorder and public nuisance related issues due to the high concentration of licensed premises.

The Policy came into effect in March 2025, it states:

9.10 Applications for new premises licences or variations for premises situated within the cumulative impact area, that are likely to add to the cumulative impact already experienced, will normally be refused if relevant representations are received. The applicant will be expected to demonstrate through the operating schedule, the steps that they intend to take to promote the licensing objectives, so that the Council and responsible authorities can be satisfied that granting a new or varied licence will not add to the cumulative impact already being experienced.

9.11 The onus is on the applicant to demonstrate to the responsible authorities the suitability of how their proposal will not add to the cumulative impact. To assist this process the Council recommends early consultation with responsible authorities; this can be done directly with those authorities or through the Council's Licensing Section. Applicants should also have regard to the guidance issued by the Home Office under Section 182 of the Act.

9.14 Applications for the grant or variation of a premises licence in the cumulative impact area may be considered more favourably if the applicant can demonstrate through the operating schedule that if:

- the application relates to the 'on-sale' of alcohol, that the premises is going to be predominantly food led with:

- alcohol being sold/supplied ancillary to a meal, with substantial* food being served throughout the duration of the operating hours;
- no vertical drinking, all customers seated at tables;
- set number of table covers;
- table service only, no customers at the bar;
- no drinks promotion, unless they are in line with a food promotion.

*something more substantial than a bag of crisps or a bowl of olives or nuts.

The Policy and CIA can be found at: [York's licensing policy – City of York Council](#)

Within the proposed operating schedule, the applicant has offered conditions relating to the provision of door supervisors, prevention of public nuisance and a condition regarding the provision of substantial food from 12 noon until 21:00 hours which are welcomed; however, they are not considered robust enough for a premises located within the CIA.

As detailed above this premises is in an area identified by the Council as being under the most stress due to crime and disorder and public nuisance, already having a high level of licensed premises. We do not believe that the applicant has demonstrated through the hours applied for and the operating schedule how the granting of a licence for this premises will not negatively impact those licensing objectives in this area.

The Licensing Authority do not believe the applicant has fully considered the Policy and CIA and there is clearly no mention of the Policy, I submit therefore they have not demonstrated through the application and proposed operating schedule how the granting of this licence will not add to the cumulative impact already being experienced.

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