

Meeting	Licensing/Gambling Hearing
Date	13 November 2025
Present	Councillors Hook, Nicholls, and Rose
Officers in Attendance	Matthew Boxall – Head of Public Protection Jodi Ingram – Legal Advisor

39. Chair (10:27am)

Resolved: That Councillor Rose be elected to act as Chair of the hearing.

40. Apologies for Absence (10:27am)

No apologies for absence were received.

41. Introductions (10:27am)

Introductions were made.

42. Declarations of Interest (10:29am)

Members were invited to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda if they had not already done so in advance on the Register of Interests. None were declared.

43. Exclusion of Press and Public (10:29am)

Resolved: That the press and public be excluded from the meeting during the sub-committee's deliberations and decision making at the end of the hearing, on the grounds that the public interest in excluding the public outweighs the public interest in that part of the meeting taking place in public, under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005.

44. Minutes (10:29am)

Resolved: That approval of the minutes from the Licensing Hearings held on held on 26 June, 28 August, 8 September, and 29 September 2025 would be deferred to the next meeting of the Sub-Committee.

45. The Determination of an Application by Little Jay Limited for a Premises Licence (Section 18(3) (a) in respect of Little J, Chapel House, North Street, York, YO1 6JD (CYC-082555) (10:30am)

Members considered an application by Little Jay Ltd. for a Determination of Application for Premises Licence in respect of Little J, Chapel House, North Street, York, YO1 6JD. In considering the application and the representations made, the Sub-Committee concluded that the following licensing objectives were relevant to the Hearing:

1. Prevention of Crime and Disorder.
2. Public Safety.
3. Prevention of Public Nuisance.
4. Protection of Children from Harm.

In coming to their decision, the Sub-Committee took into consideration all the evidence and submissions that were presented, and determined their relevance to the issues raised and the above licensing objectives, including:

1. The application form.
2. The papers before it including the written representations received from local residents, and the additional information provided by the Applicant, and North Yorkshire Police and Public Protection as Responsible Authorities, as seen in the agenda supplements.

3. The Report of the Director of Environment & Regulatory Services, and the Head of Public Protection's comments at the Hearing.

The Head of Public Protection outlined the report and annexes noting that the maximum capacity of the premises was 120, dedicating a safe space for the LGBTQIA+ Community.

The Head of Public Protection confirmed that the premises was located within the Cumulative Impact Area (CIA) and directed members to the representations made at Annexes 4, 5, 6, and 8, the additional information provided by the Applicant and Responsible Authorities as seen within the agenda. He then advised the Sub-Committee of the options open to them in determining the application.

4. The Applicant's representation at the hearing.

Leo Charalambides, Barrister acting on behalf of the Applicant, outlined their case.

He stated that high passions had been engaged throughout the application process and that the nominated Designated Premises Supervisor (DPS), Graham Dykes, understood strongly about activism and discrimination, and North Yorkshire Police understood regulation and law and order.

Mr. Charalambides discussed Cumulative Impact Area regulations which set out key aims of encouraging greater community involvement and listening to residents' views on licensing decisions; he also highlighted City of York Council's (CYC) policies regarding of having a safe city centre which is welcoming for all and the lack of a safe space for the Queer Community in York. Mr. Charalambides suggested that it was rude to impose that Queer people in York must leave Queer safe venues by 11pm, earlier than other venues.

In respect of the conditions proposed by North Yorkshire Police within their representation, Mr. Charalambides confirmed that the Applicant disagreed to condition numbers: 3, 4, and 5, but were in agreement with the remaining conditions suggested.

It was proposed that the Applicant could share with North Yorkshire Police weekly risk assessments and an event diary for both advice and for working together.

In respect of the conditions proposed by Public Protection within their representation, Mr. Charalambides confirmed that they were in agreement with most of the conditions but that there were outstanding conditions, as outlined within the representation, that they did not agree with.

Mr. Charalambides suggested that outstanding issues 1-3 were not necessary as the Applicant had now commissioned a noise impact assessment which had found that there would be minimal impact on noise from licensable activities within the premises.

Mr. Charalambides concluded by stating that the premises was small and tested and was to be a safe venue for queer people in York, and that granting of the licence would restore confidence in CYC.

In response to questions from the Sub-Committee, the Applicant confirmed that:

- Police were invited in to view the front gate – the front door opened to the right and could not be kept closed due to fire safety. The door inside could be kept closed to make acoustic lobby but was currently kept open. The rear door needed to be closed as per noise reports that had been undertaken and was consistent with Public Protection's conditions as shown within their representation.
- They were happy to adhere to Challenge 25; for films, there would be someone on the door to check ages.
- The capacity of the premises was 120 unseated based upon their fire risk assessment. Capacity would be reduced through seating to around 80. The outside courtyard would be limited as a smoking area of which the capacity was unknown.
- A licence until 0400 hours would bring the premises in line with other LGBTQIA+ venues across the country while allowing flexibility for timings and allowing a break in times from other premises dispersing.

- When the premises was opened for alcohol licensable activities there would be a minimum of 2 SIA door staff on duty, if there were no alcohol licensable activities then there would be no need for SIA door staff. Little J was a multi-use business, pub, club, and community space and so flexibility was needed to undertake different events. Two door staff were not required for some events.
- Their noise assessment, as seen in the agenda supplement Further Additional Information from Applicant, showed there would be minimal impact to noise levels.
- The onus was on the Applicant to evidence how they would support the licensing objectives, but other policies were also important - the CYC Vision, as an example, was also important to consider. Public Sector Equality Duty was an overarching duty that applied to all policies and should have an aspect within all policies and working. This Application needed to be assessed on a 'Each case on its own merits' basis.
- Point 9.14 seen in Annex 2 of the Report of the Director of Environment & Regulatory Services had not been incorporated within the Application as the premises was not a restaurant so the condition would not work. The intention was for late night refreshment to be added to the licence in future. Mr. Charalambides stated however that assurance can be offered through the diary of events which showed the type of events hosted to ensure the premises was not just for vertical drinking.
- Homophobia was an element of many police forces in the UK and although it was not inherent of North Yorkshire Police officers it was understandable to see the Applicant's attitude towards the Police through previous experiences of discrimination.
- Other venues, such as Popworld, were open in the near vicinity overnight.
- There would likely be no off-sales and so the licence could be for on the premises only.

- Some events hosted during 2025 using TENs were as follows:
 - i. Pride Event, 7 July 1600 hours to 0400 hours;
 - ii. Trans & Non-Binary Open Mic Night, 27 July 1600 hours to 0200 hours;
 - iii. Ebor Festival, 1600 hours to 0200 hours;
 - iv. Event on 25 September, until 0200 until reduced to 2300 hours following mediation with Public Protection;
 - v. Halloween event of which the TEN was withdrawn following objections made.
- North Yorkshire Police did not have any issues with the Applicant and DPS other than through personal interactions, factual experience showed their suitability in operational arrangements. Mr. Charalambides suggested that the Police consider the effect of operation rather than personality. The proposed DPS, as is known by the Police would allow the Police to foster good relationships with him, rather than selecting someone unknown as DPS.
- 5. The representation of North Yorkshire Police, Responsible Authority, at the hearing.

Paul Clarke, Solicitor on behalf of North Yorkshire Police, outlined their case.

Mr. Clarke told the Sub-Committee that the onus was on the Applicant to show how they would not impact the Cumulative Impact Area, which was the main focus and issue of the application. He highlighted that there had been no effort from the Applicant to work with Responsible Authorities such as the Police, and untruths regarding the application process had been shared on social media by the Applicant; Mr. Clarke informed the Sub-Committee that the Applicant had told their supporters that the previous hearing on 29 September 2025 had been adjourned before the adjournment had been confirmed by the Sub-Committee.

Mr. Clarke reported that if this was an ordinary vertical drinking application within the CIA it would have been refused without mediation, however due to the nature of the premises to become a safe venue for the queer community, the Police wished to permit the licence with conditions as proposed. He continued to state that Little J was already a safe venue for the queer community without a licence, but that proof was needed that the DPS (Designated Premises Supervisor) was suitable to hold the licence; he stated that North Yorkshire Police did not have confidence in the proposed DPS.

In respect of the Licensing Objectives Mr. Clarke confirmed that the Police was not prejudice against the community, but that they needed to ensure safety for the community. There was no provision within the application for children being on the premises until 04:00 hours, and there was a reluctance to impose Challenge 25 checks, and as such the Police needed to ensure the Protection of Children from Harm; Mr. Clarke stated that North Yorkshire Police was sympathetic to concerns from the LGBTQIA+ Community regarding identification, but that safety must be ensured. Mr. Clarke noted that the Police had had concerns regarding the lack of risk assessment for the premises and with the iron gate being closed upon entry. Regarding Prevention of Public Nuisance, Mr Clarke indicated that more people within the CIA both late at night and in the early hours of the morning would increase noise from taxis and pedestrians; and regarding Prevention of Crime and Disorder, Mr Clarke indicated that increased alcohol consumption could lead to increased disorder and attitude changes.

Mr Clarke concluded by reporting that the Police only object to applications through real concerns and always try and work with applicants on issues raised; he indicated that the application fell short on the licensing objectives and that North Yorkshire Police had no confidence in DPS.

In response to questions from the Applicant, the representatives from North Yorkshire Police confirmed that:

- The Police considered the application subject to CYC's licensing policies and have liaised with Public Protection.
- As there was no LGBTQIA+ venue in York there was a desire to work with the Applicant to support this. The Police Understood need for diversity and as such have not refused application out right, as would have in other circumstances.
- There was agreement with the Police and Applicant in protecting the LGBTQIA+ Community by ringfencing the premises to only be used as an LGBTQIA+ venue.
- Without additional conditions the premises could be used as a vertical drinking establishment, regardless of intent, and so conditions were needed to prevent this.
- There was not a legal duty for the Applicant to liaise with the Police, but the onus was on the Applicant to evidence their actions towards to licensing objectives and concerns raised.

In response to questions from Representors, North Yorkshire Police confirmed that:

- North Yorkshire Police visited the premises during a Halloween event and were not openly invited in, as happened with other venues, however they also did not ask to enter the premises.

In response to questions from the Sub-Committee, North Yorkshire Police confirmed that:

- North Yorkshire Police had concerns with the DPS, not necessarily with the application.
- To improve safety of children there are conditions as suggested within the representation in order to not allow unsupervised children on the premises up to 04:00 hours.
- No concerns had been previously received at the premises to the Police.

- The Pride Event in York went through the Safety Advisory Group and no concerns had been raised from a Temporary Event Notice (TEN) during this event at the premises. The only option with TENs is to approve or reject and so as there was no option for the Police to object with conditions, they were forced to object outright to the previous TEN application from the Applicant.
 - Equalities needed to be taken into account along with other necessities such as safety and law enforcement. The Police needed to be able to trust the management of the premises and the Police had worked hard to work with the Applicant and to suggest conditions.
 - There were concerns with the Applicant's wording that they accepted some conditions "Under protest" because the Police wanted transparency throughout the application process and comments like this suggested the Applicant being forced into conditions that they cannot adhere to and also over-emphasised the Police's role in the hearing process.
6. The representation of Public Protection, Responsible Authority, at the hearing.

Sandra Branigan, Solicitor on behalf of Public Protection, outlined their case.

Ms. Branigan highlighted that the premises was located within the CIA and noted that the application would allow live and recorded music including amplified live music within the CIA until 0300 hours from Sunday-Wednesday and until 0400 hours from Thursday-Saturday, inside a small building of which noise levels had not been assessed by Public Protection. She continued to report that the application was contrary to CYC's Cumulative Impact policy.

Due to the Noise Impact Assessment and Noise Management Plan, contained within the agenda supplement 'Further Additional Information from Applicant', being received late, Public Protection was not able to assess the plans undertaken by the Applicant and therefore maintained that the outstanding conditions, as outlined within their representation, still stood as it was

unknown whether building was suitable for suggested events and potential noise levels.

In response to questions from the Applicant the representatives from Public Protection confirmed that:

- The suggested outstanding conditions had been added to other premises' licences when no noise consultation from Public Protection had happened. The noise reports which had been requested previously were submitted late, and no noise report had yet been undertaken by Public Protection.
- The cost implementation of suggested conditions had been assessed, and Public Protection were trying to work with the Applicant to ensure no extra costs were incurred if not necessary.

In response to questions from the Sub-Committee the representatives from Public Protection confirmed that:

- As the premises was an old historic building noise levels were unknown and without the outstanding conditions there would be possibility of increased nuisance. With the conditions added Public Protection could work with the Applicant and the condition could be superseded.
- If the front door was to be locked, then there was a danger of not adhering to fire regulations but leaving it open would increase nuisance through noise.
- Nearest accommodation was near George Hudson Street and Micklegate.

[The meeting adjourned at 11:45am and reconvened at 11:55am]

In response to questions from the Sub-Committee the representatives from Public Protection confirmed that:

- There had been no issues raised with previous TENS for the premises.

7. The representation of the Licensing Authority, Responsible Authority, at the hearing.

Sandra Branigan, Solicitor on behalf of the Licensing Authority, outlined their case.

It was noted that the Licensing Authority agreed with North Yorkshire Police on the comments made regarding the lack of engagement from the Applicant, and that the application as requested would permit vertical drinking at the premises, which was contrary to CYC's Cumulative Impact policy.

Ms Branigan stated that the Applicant had offered conditions over door staffing and Challenge 25 but had so far made no improvement on Cumulative Impact. As there was no kitchen on site the premises could not be food led, and movable tables at the premises would not stop the premises from allowing vertical drinking.

Ms Branigan told the Sub-Committee that the CIA was cumulative and therefore not attributed to individual premises, and any increase in activity could lead to an increase in cumulative impact; the Sub-Committee must use Responsible Authorities as respective experts, and the Applicant had not highlighted how the licence would not add to the cumulative impact.

In response to questions from the Applicant, representatives from the Licensing Authority confirmed that:

- There was no designation in legal terms of an LGBTQIA+ community venue and therefore designation of this within the licence would not mean the licence could not also be a vertical drinking establishment. In order to prevent vertical drinking, the minimum number of seats required when alcohol is sold could be conditioned.
- Any premises would be expected to have a robust operating schedule, and granting the licence would have impact on the CIA. Other policies were not being ignored, but all relevant policies must be considered, and the CIA must not be overlooked.

Equality Sector Duty had been considered but duty was to have due regard rather than to bring about a certain outcome.

- The Diary of Events that had been offered to be shared would be welcomed but would need to be in depth and go into the confirmation of timings. This information could be used to determine when SIA door staff should be present; door staff were needed to protect those in the premises and not only to stop people from entering.

8. The representation of York LGBT Forum at the hearing.

Joe McKenzie and Phil Grosset, on behalf of the York LGBT Forum, outlined their case.

They indicated that there were other queer friendly venues in York but was important to have both a queer-friendly and safe space for the community; discrimination and hate crime was on the rise and York LGBT Forum had experienced this and offered support.

They stated that the Applicant had created good networks with the queer community and had offered support. They detailed how community events were at risk without the licence applied for being granted, and indicated how Moral Panic events were the only of their type in York allowing many people to perform for first time, especially when they hadn't felt comfortable before. They concluded by saying how these events and community support would not exist without the proposed DPS.

In response to questions from the Sub-Committee, the representatives for York LGBT Forum confirmed that:

- The only issues experienced at Little J's dry events were regarding accessibility, no issues were experienced with the Police.
- Dry events were useful but alcohol events with extended hours would offer the queer community parity with other venues.

9. The representation of Queer Arts at the hearing.

Leo Charalambides, Barrister on behalf of Queer Arts, directed the Sub-Committee to their representation submitted within the agenda.

10. The representation of Dr. Andrew Malcom-Neale at the hearing.

Mr. Malcom-Neale confirmed that he lived within CIA and indicated at the difficulty of bringing new LGBTQ people to the LGBT rugby team he was part of without a safe space for the queer community. The community space would be used by members of the rugby club and by those visiting the city for away matches – many potential visitors did not visit the city due to the lack of a safe, queer venue in York. Many other cities in the UK had queer community dedicated spaces and York needed to provide a dedicated competitive venue for visitors. He stated that other than Pride events, there were minimal locations and venues to advertise the rugby group to others with there being no cohesive community space. Mr Malcom-Neale concluded by stating that Pride Events, which needed lots of organisation and policing, had been described as easy to police due to the lack of issues that result.

Mr Malcom-Neale confirmed that he did not represent the rugby club and that his views and representation was his own.

In response to questions from the Sub-Committee Andrew Malcolm-Neale confirmed that:

- The flexibility of extended hours would allow for a variety of events to be held and groups to use the community space.

11. The representation of Generate at the hearing.

Leo Charalambides, Barrister, and Bigby Eris Waterson, on behalf of Generate, outlined their case.

Mr Charalambides reported that the Generate charity had commended York's aim to become a human rights city, but that York had not done enough to limit the rise in hate crimes, and support trans rights. Transphobic commentary and hate crime were on the rise in York and made it unsafe for trans people. Little J offered events that supported and empowered the queer community, and a licence would empower Little J to offer a more consistent programme of events. Mr Charalambides continued to say that reduced licensing hours would directly affect dispersal and as such dispersal would mean big groups leaving at the busiest times, making it more likely to encounter issues on the streets - at a time when people were experiencing a rise in hate crimes. Later dispersal would allow for a buffer between different groups leaving. Mr Charalambides commented that York was one of the only cities without an LGBTQIA+ community venue.

Bigby Eris Waterson detailed their support for queer community cohesion and support for Little J as a community venue. They stated that they supported the Applicant and proposed DPS who had been very supporting, welcoming, and helpful. An increase in hate crimes and discrimination effected participation and inclusivity, which worsened without a safe community space; Little J played a pivotal role in eliminating barriers and promoting inclusion and was a welcoming, friendly queer space.

They concluded that a late night notice was needed because many in the community had to travel far for queer late night culture at sometimes non-queer safe venues, dispersal at 0400 hours would allow dispersal in small, safe groups without immediately coming into contact with dispersing groups of non-queer safe venues.

[The meeting adjourned at 1:43pm and reconvened at 2:00pm]

12. The representation of The Family Shambles at the hearing.

Jake Craggs, on behalf of The Family Shambles, outlined their case.

They stated that they had been a drag act for seven years with no clear queer venue to enter queer night life and safe spaces. There was difficulty in getting many venues to host drag events and this led to an increased personal experience of hate speech and sexual harassment. Every queer venue that had invited them outside of York offered a much more positive experience than that that was experienced in many York non-queer venues. Little J had the opportunity to host a consistent stream of events for the queer community and Jake indicated how the community needed a safe space due to increasing demonisation and negative views of the queer community held by some. There was no location in York where many openly queer people felt safe and there needed to be a community space to feel safe in York. Little J would allow for a wider connection to the queer community in York and elsewhere - and vice versa.

In response to questions from the Sub-Committee Jake Craggs, on behalf of The Family Shambles, confirmed that:

- Personal drag acts were late night themed and didn't usually take place during rowdy nights, as the focus was on people being entertained.
- Flexibility was important to allow for different acts to partake and for the changeover of some acts in order to allow entertainment at all times of the night while open.

Mr. Clarke, on behalf of North Yorkshire Police, was then given the opportunity to sum-up.

He commented that the Little J premises was the right thing for York but that the Police had not heard enough evidence to approve of its location within CIA without the proposed conditions, and with the proposed DPS. In the proposed format, the venue would be a vertical drinking establishment; and if the venue was hired out then under 18s would be able to be in attendance throughout the night, showing a lack of provision for the safety of children. Mr Clarke concluded by indicating that due to the late submittal of noise evidence, and a lack of remorse and admittance of error in their behaviour, North Yorkshire Police believed that the proposed DPS was unsuitable.

The representatives on behalf of Public Protection were then given the opportunity to sum-up.

They indicated that not enough had been done to show events can run without nuisance issues. Evidence for previous events that have happened curtailed at around 2330 hours, and so not the proposed hours. They argued that the late submittal of the noise report did not give enough time for Public Protection to provide a professional opinion on the information within the report and stated that the proposed conditions protect the public and applicant in terms of preventing nuisance, and conditions would be superseded following adherence to noise management.

Ms Branigan concluded by stating that if the Sub-Committee took the view as suggested by Mr Charalambides that the outstanding conditions proposed by Public Protection were unlawful then they would have to instead recommend to the Sub-Committee that the licence is refused outright.

The representatives on behalf of the Licensing Authority were then given the opportunity to sum-up.

They suggested that they were supportive of an application that adhered to the CIA policy and outlined that a community safe space was not a formal premises type, and that the venue must show how it would uphold the licensing objectives. They concluded that the overriding factor for the Sub-Committee was to question the impact on the CIA from the premises.

Joe McKenzie, on behalf of York LGBT Forum, was then given the opportunity to sum-up.

He confirmed that he was keen to see a safe space for the LGBT Community and would support facilitation of this.

Queer Arts declined the opportunity to sum-up.

Dr. Andrew Malcolm-Neale was then given the opportunity to sum-up.

He concluded that it was important to have a central safe space for the queer community and evidence showed the need for this.

Mr. Charalambides and Bigby Eris Waterson, on behalf of Generate, were then given the opportunity to sum-up.

Bigby Eris Waterson concluded that the increase in discrimination highlights the need of public participation opportunities for trans people in York. The central location of Little J meant that people did not need to risk travelling distances and to areas that could be dangerous to queer people outside of York.

Jake Craggs, on behalf of The Family Shambles, was then given the opportunity to sum-up and he concluded by highlighting the importance of the premises to the queer community.

The Applicant was then given the opportunity to sum-up.

Mr Charalambides highlighted the duty CYC had for safety and to eliminate discrimination and foster good relations with York residents. He argued that listening to the advice from the Responsible Authorities at the hearing would lead to discrimination.

He concluded by stating that CYC policies show that diversification of premises was important, and CYC's approach should not ignore other important policies; the Public Sector Equality Duty, for example, was essential. Little J would promote the elimination of discrimination and would foster good relations.

In response to questions from the Sub-Committee, Leo Charalambides, on behalf of the Applicant, confirmed that:

- Further discussions with the Applicant were required in order to understand fire safety capacity; he understood roughly that around 2/3 of the premises would be seating.
- There was a Fire Safety Report that had been held from February 2025, but this was not submitted to, or requested by, CYC.
- The proposed DPS had agreed to some conditions proposed by Responsible Authorities and had worked with representors; they were proud of their activism and actions taken during the application process.
- The Premises would operate as an LGBTQIA+ bar and at times would look to operate as a vertical drinking establishment, but for many events, such as cabaret nights, tables would be used, and the capacity would be reduced to 70-80 people.
- The Applicant could provide and maintain an events diary for the Police and CYC at least one month before events scheduled showing hours of bar use, hours of the event, expected numbers of seated and standing guests, and other relevant information. The Event Diary would evidence proper use of the premises as a queer space rather than a vertical drinking establishment.
- The front door to the venue would create a hazard and fire risk if kept open, the rear and internal door could remain closed and create an acoustic lobby. Doors could be open and closed for egress.
- Through hiring out the premises the Protection of Children from Harm would be done by requiring an appropriate Risk assessment to be done.
- SIA door staff were agreed for race days, but there may have been many days in which licensable activities happened without alcohol, and it would not have been feasible to have two SIA door staff on duty for these.
- An extra internal door had been discussed in order to create acoustic lobby, and a door could be installed near the rear door and restrooms for this.
- The flexibility of having a licence such as applied for supported the use of the premises by different groups, in different ways, as a community venue.

In response to questions from the Sub-Committee, representatives from North Yorkshire Police confirmed that:

- Many venues had door staff start earlier due to race days and Little J could follow suit for similar days. The condition for door staff from 1900 hours was based on information from the Applicant. 2200 hours would be an unusual late start for a condition requiring door staff.
- A fire safety assessment would not usually be conditioned but would be beneficial due to the individuality of the building.

[The meeting adjourned at 3:15pm and reconvened in private session at 3:30pm]

In respect of the proposed licence, the Sub-Committee had to determine whether the licence application demonstrated that the premises would not undermine the licensing objectives. Having regard to the above evidence and representations received, the Sub-Committee considered the steps which were available to them to take under Section 18(3) (a) of the Licensing Act 2003 as it considered necessary for the promotion of the Licensing Objectives:

Option 1: Grant the licence in the terms applied for. This option was rejected.

Option 2: Grant the licence with modified/additional conditions imposed by the licensing committee. This option was rejected.

Option 3: Grant the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly. This option was approved.

Option 4: Refuse to specify a person on the licence as premises supervisor. This option was rejected.

Option 5: Reject the application. This option was rejected.

In approving Option 3, the Sub-Committee resolved to grant and exclude licensable activities and to modify conditions as applied for, as follows:

Activity	Timings
Plays – indoors	23:00 to 01:00 Sunday to Wednesday 23:00 to 03:00 Thursday to Saturday Non-standard timings: 23:00 to 03:00: Halloween and Bank Holiday Sundays 23:00 to 04:00: New Years Eve and Pride Event
Films – indoors	23:00 to 01:00 Sunday to Wednesday 23:00 to 03:00 Thursday to Saturday Non-standard timings: 23:00 to 03:00: Halloween and Bank Holiday Sundays 23:00 to 04:00: New Years Eve and Pride Event

Indoor sporting events	23:00 to 01:00 Sunday to Wednesday 23:00 to 03:00 Thursday to Saturday Non-standard timings: 23:00 to 03:00: Halloween and Bank Holiday Sundays 23:00 to 04:00: New Years Eve and Pride Event
Live music – indoors	23:00 to 01:00 Sunday to Wednesday 23:00 to 03:00 Thursday to Saturday Non-standard timings: 23:00 to 03:00: Halloween and Bank Holiday Sundays 23:00 to 04:00: New Years Eve and Pride Event
Recorded music - indoors	23:00 to 01:00 Sunday to Wednesday 23:00 to 03:00 Thursday to Saturday Non-standard timings: 23:00 to 03:00: Halloween and Bank Holiday Sundays 23:00 to 04:00: New Years Eve and Pride Event
Performance of dance – indoors	23:00 to 01:00 Sunday to Wednesday 23:00 to 03:00 Thursday to Saturday Non-standard timings: 23:00 to 03:00: Halloween and Bank Holiday Sundays 23:00 to 04:00: New Years Eve and Pride Event
Other forms of entertainment – indoors	23:00 to 01:00 Sunday to Wednesday 23:00 to 03:00 Thursday to Saturday Non-standard timings: 23:00 to 03:00: Halloween and Bank Holiday Sundays 23:00 to 04:00: New Years Eve and Pride Event

Supply of alcohol – on the premises only	11:00 to 01:00 Sunday to Wednesday 11:00 to 03:00 Thursday to Saturday Non-standard timings: 11:00 to 03:00: Halloween and Bank Holiday Sundays 11:00 to 04:00: New Years Eve and Pride Event
Opening hours	07:00 to 02:00 Sunday to Wednesday 07:00 to 04:00 Thursday to Saturday Non-standard timings: 07:00 to 04:00 Halloween and Bank Holiday Sundays 07:00 to 04:30 New Years Eve and Pride Event

‘Pride Event’ is defined as the Saturday closest to the Pride Parade held in York City Centre.

Additional conditions:

1. The premises will operate as an LGBTQI+ community events venue and bar.

Events include but are not limited to: dance and live performance, social gatherings, film showings, exercise classes, support groups, arts and craft groups and markets.

2. The sale of alcohol shall cease 30 minutes before close of business on any given day to allow for ‘drinking up’ time. (Reinstated, this leaves 30mins on any early closing. 30mins on New Year’s Eve and pride event and 1 hour where the full hours of the licence are utilised).
3. When the venue is open and operating for licensable activities a min of 2 SIA registered door staff shall be provided at the premises from 19:00 hours to the close of business at the following times:
 - Fridays and Saturdays or any Sunday leading into a bank holiday Monday.

- Any days where race meetings are held at York Racecourse (save for the family meeting held in September and the first meeting in May).
4. At all other times the need for SIA registered 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.
 5. 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 should the need arise at other times. When employed, a register of those door supervisors employed shall be maintained at the premises and shall include:
 - i. The number of door staff on duty;
 - ii. The SIA badge number and name of each member of door staff;
 - iii. The times the door staff are on duty;
 - iv. Any incidents.
 6. The licence holder will operate a Challenge 25 Age Verification Policy at the premises. Identification which is accepted as proof of age must bear the holder's photograph, date of birth, and either a holographic mark or ultraviolet feature. Examples of acceptable ID include photo card driving licences, passports, military identification or proof of age cards bearing the PASS hologram, although other forms of ID which meet the criteria laid out above are also acceptable.
 7. Customers shall not be permitted to take glass outside (including the designated outside area).
 8. An incident log shall be kept at the premises, and made available upon immediate request to an authorised officer from any responsible authority, which will record the following:
 - All crimes reported to the venue;
 - All ejections of patrons;
 - Any complaints received;
 - Any incidents of disorder;
 - Seizures of drugs or offensive weapons;
 - Any faults in the CCTV system or searching equipment or scanning equipment;
 - Any refusal of the sale of alcohol;

- Any visit by a relevant authority or emergency service
Details of which shall be retained for a period of 12 months
from the date recorded.
9. Any entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 shall not be provided.
 10. The premises will take part in and comply with any crime reduction initiatives, when requested to do so by a responsible authority.
 11. A noise management plan shall be submitted to and approved by the Environmental Protection Team of City of York Council within 2 months of the premises licence being granted. The Noise Management Plan shall include a procedure for investigating noise complaints received from the premises and controlling smokers in the outside area. Once agreed the Premises Management shall ensure compliance with all aspects of the approved Noise Management Plan.
 12. A documented dispersal policy shall be submitted and approved to the City of York Council's Public Protection team within 2 months of the licence being granted. Once approved the policy shall be implemented.
 13. The footprint of the outside area shall be clearly defined by semi-permanent removal barriers.
 14. Patrons shall not use the external area other than for ingress and egress, queueing and smoking between the following hours 22:00 hours and 8:00 hours.
 15. All tables and chairs in the outside licensed area shall be removed by 22:30 hours each day and stored away securely within the premises until 8:00 hours the following day.
 16. All doors save for the outer front door exiting on to North Street (except for immediate ingress or egress), and windows shall remain closed when regulated entertainment is taking place.

17. No regulated entertainment shall take place at the premises until either the Environmental Protection team of the City of York Council are satisfied that the sound insulation performance of the building envelope of the premises is satisfactory at preventing noise break out of sound from regulated entertainment or until a detailed scheme of noise insulation measures have been submitted to and agreed with the Environmental Protection team of the City of York Council and then implemented, at which time this condition shall be removed from the licence by the licensing authority.
18. If deemed appropriate by Environmental Protection, within 2 months of a written request by the City of York Council's Environmental Protection team, a tamper-proof noise-limiting device shall be fitted to the sound system within the premises and all music played at the premises must pass through this sound limiter at a level first agreed in writing by the City of York Council's Environmental Protection Team. Thereafter the device shall not be altered or modified without prior agreement with the City of York Council's Environmental Protection team. The device must be of a type and in a location approved in writing by the City of York Council's Environmental Protection team.
19. A door along the passageway between the bar and the rear door shall be installed to create an acoustic lobby.
20. The applicant shall maintain a Calendar of Events which shall include:
 - i. An indication of the licensable activities taking place;
 - ii. An indication of the hours of the sale of alcohol;
 - iii. An indication of the opening and closing hours;
 - iv. And any other relevant matters.
21. The Calendar of Events shall be provided to the North Yorkshire Police and the Licensing Authority regularly to ensure that a minimum of 1 months' notice prior to an event is given where possible.
22. Where the venue is hired out for a private event children under the age of 18 will be permitted to remain until close of

the premises subject to the supervision of a responsible adult.

Reasons for the decision

The Sub-Committee must promote the licensing objectives and must have regard to the Guidance issued under section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy.

The Sub-Committee noted that the premises was located within an area where a cumulative impact policy applies. The Sub-Committee had regard to the Cumulative Impact Assessment 2022-2025.

The Sub-Committee must also have regard to other overarching legislation including the Equalities Act 2010 and the Crime and Disorder Act 1998.

The Sub-Committee noted that the application is for a LGBTQI+ community venue and bar. The Sub-Committee considered the representations supporting the application and acknowledged that there is a lack of provision for a dedicated LGBTQI+ late night licensed venue.

The Sub-Committee had regard to the Statement of Licensing Policy 2025-2030 (SLP) and noted that paragraph 1.5 states that through the licensing process the Council seek to ensure [they] offer a wide choice of high quality and well managed entertainment and cultural values within a safe, orderly and attractive environment'. The Sub-Committee also considered paragraph 6.1 of the SLP and noted that the application would progress the Councils objectives by 'improving quality of life by bringing greater choice to residents, consumers, tourists and businesses about where, when and how they spend their leisure time', 'further developing rich culture of live music, dancing and theatre in our area' and 'encouraging a variety and mix of high quality licensed premises that will appeal to a broad spectrum of people, including a well-used city centre, day and night, that is safe and accessible to all'. The Sub-Committee gave weight to the paragraphs headed 'diversity' and 'use of public space' in paragraph 6.4 of the SLP.

The Sub-Committee had regard to the public sector equality duty (PSED) under S149 of the Equality Act 2010 which provides that in that exercise of its function a public authority must have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act 2010;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Sub-Committee considered the evidence provided by the applicant and in the relevant representations of support. The Sub-Committee noted with concern the evidence regarding the discrimination, harassment and victimisation experienced by the LGBTQIA+ community. The Sub-Committee considered that the granting of the application for the premises licence would assist to eliminate discrimination, harassment, victimisation by providing a safe space for the LGBTQI+ community to be their authentic selves. The Sub-Committee also took into account the evidence from the applicant and the representations of support noting that there is no dedicated space for the LGBTQI+ community and that those with a protected characteristic do not have the same equality of opportunity as people without those protected characteristics in that they are unable to participate in late night entertainment and drinking in a dedicated safe space. The Sub-Committee considered that granting the licence would advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

The Sub-Committee had regard to the Cumulative Impact Assessment 2024 (CIA) and noted that an application for a premises situated in the cumulative impact area that is likely to add to the cumulative impact already experienced will normally be refused if relevant representations are received (paragraph 8) and that the onus is on the applicant to demonstrate to the responsible authorities how their proposal will not add to the cumulative impact (paragraph 9). The Sub-Committee also had regard to paragraph 9.14 of the SLP which indicates that food led, seated, table service only premises will be considered more favourably.

It was noted by the Sub-Committee that the premises licence applied for does not fall within the criteria to be considered more favourably for the grant of a premises licence in the cumulative impact area under paragraph 9.14. The Sub-Committee gave great weight to paragraph 6 of the CIA and noted that each application will be considered on its own merits and that it is open for the Council to grant an application where it is considered appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact. Members considered that whilst the style of venue did not meet the criteria to be considered more favourably under paragraph 9.14 it was appropriate to depart from this policy given that the application is for a LGBTQI+ community venue and bar and having regard to the assessment made under the PSED, the representations made regarding the need for this style and type of venue in York and the policy considerations set out in the SLP at paragraphs 6.1 and 6.4.

The Sub-Committee noted that the onus was on the applicant to demonstrate how their proposal would not add to the cumulative impact. The Sub-Committee also gave considerable weight to S18 of the Licensing Act 2003 and the S182 Guidance which requires that members take such steps as it considers appropriate for the promotion of the licensing objectives when making a determination. Members acknowledged the operating schedule provided and noted the applicant's agreement to the majority of the conditions proposed by Public Protection and the majority of the conditions previously proposed by the police.

The Sub-Committee considered the SLP and the CIA and noted that nature of the Cumulative Impact Area is such that the problems and cumulative impact directly relates to the style of business operating in the area and their clientele, due to the concentration of pubs, bars, nightclubs, restaurants, cafes, hotels, late night refreshment and off-sale licensed premises especially in the night time economy; and especially at weekends.

The Sub-Committee had regard to the S182 Guidance and noted that the Police are the main source of advice on matters relating to crime and disorder. They also play a key role in managing the night-time economy.

The Sub-Committee considered the condition proposed by the police in relating to the use of the venue as an LGBTQI+ community venue and bar. Members noted the applicant's representations and acknowledged that due to the breadth and variety of events that are held at the venue flexibility for the applicant is required. Members were concerned that the granting of the licence may enable the venue to become a vertical drinking establishment with the capacity for 120 people which they felt would undermine the licensing objectives of the prevention of crime and disorder and public nuisance. Members felt it was proportionate and appropriate to add a condition that the premises remain a LGBTQI+ community events venue and bar. The Sub-Committee had regard to the applicant's suggestion that an events diary be provided monthly, for the purpose of allowing the police to provide advice on any events that may be difficult and to ensure the premises remains an LGBTQI+ community event venue whilst retaining the flexibility to hold events more akin to events provided in a vertical drinking establishment. The Sub-Committee felt it was appropriate and proportionate to add the condition regarding the use of the venue in conjunction with the condition to provide a calendar of events to ensure that the venue's use remains as it is proposed, and it is able to meet the licensing objectives of public nuisance and the prevention of crime and disorder.

The Sub-Committee considered the condition previously proposed by the police regarding the requirement for SIA registered door staff on Friday and Saturday nights from 19:00hrs when licensable activities are taking place. The Sub-Committee considered the suggestion by the applicant that the SIA registered door staff are only required when the sale of alcohol is taking place. The Sub-Committee noted that the premises is located in the cumulative impact area and considered that it was appropriate and proportionate that 2 door staff be required even where the sale of alcohol is not offered by the premises as the premise is in the cumulative impact area and the grant of the licence will allow up to 120 patrons to be ejected into the cumulative impact area in the early hours of the morning and patrons from nearby establishments may seek to access the premises. The Sub-Committee felt that an LGBTQIA+ community events venue and bar did not have reduced need for door staff than other venues in the cumulative impact area.

The Sub-Committee therefore felt that it was appropriate and proportionate to impose the condition requiring 2 SIA door staff for the promotion of the licensing objectives of preventing crime and disorder and public nuisance.

The Sub-Committee had regard to the location of the premises and the character of the area and noted its city centre location in the cumulative impact area and its proximity to residents' flats and a hotel. The Sub-Committee gave great weight to the representation of Public Protection in accordance with paragraph 9.12 of the S182 guidance which states that each responsible authority will be an expert in their respective field. The Sub-Committee acknowledged the applicants' representations regarding the Noise Impact Assessment. The Sub-Committee noted that the Noise Impact Assessment was only available to Public Protection 1 working day before the hearing and therefore they were not in a position to be able to sufficiently review and comment on the report. Members considered that the report is of a very technical nature, and in lieu of comments on the report from Public Protection they could not be satisfied that unreasonable sound escape would not emanate from the premises when undertaking any amplified licensable activities. Therefore, the Sub-Committee felt it was proportionate and appropriate to impose the additional conditions proposed by Public Protection as this would ensure that nearby residents and hotel customers would not be unreasonably disturbed during sensitive hours and to ensure the promotion of the public nuisance licensing objective.

The Sub-Committee gave great weight to the representation of the police regarding the request that the operating hours be reduced to mitigate the risk of further crime and disorder in an area which is already under the highest strain. The Sub-Committee considered that the hours requested for licensable activities and operating hours would have an unreasonable impact on the cumulative impact area in the early hours of the morning and that this would undermine the prevention of crime and public nuisance objectives, therefore they considered it was appropriate and proportionate to reduce the hours applied for.

The Sub-Committee noted the applicant's representation and the representations of support regarding the requirement for slow and safe dispersal in the early hours of the morning and considered it was appropriate and proportionate to promote the licensing objectives of the prevention of crime and disorder and public nuisance to provide 1 hour drinking up to time where the premises is open for the full operating hours granted and 30 minutes drinking up to time where it is closed early.

The Sub-Committee felt that given the late-night hours granted it was appropriate and proportionate for the protection of children from harm to add a condition that children be supervised by a responsible adult when they are on the premises and the venue is booked out for private events.

The Sub-Committee acknowledged the police representations regarding the suitability of the proposed Designated Premises Supervisor (DPS). It was noted that in their original representation the Police had not made a representation or statement in accordance with S18(9) of the Licensing Act 2003 nevertheless it was open to Members as part of the options available to them to refuse to specify a person on the licence as a DPS. The Sub-Committee gave weight to the proposed DPS's experience and noted that the DPS had a track record of successfully managing, without complaint, many licensed events at the premises which had been operated under a Temporary Event Notice. Whilst it has been noted that there had been some disagreement between the applicant and the responsible authorities, the Sub-Committee were satisfied that the appointment of the proposed DPS would not undermine the licensing objectives. The Sub-Committee want to encourage the applicant and the responsible authorities to work together towards the promotion of the licensing objectives.

The Sub-Committee welcomed the application and strongly supports the use of the premises as an LGBTQI+ community events venue and bar as it adds diversity to the city centre offering, provides a broader range of choice for local residents and tourists and will improve the ambience of the city.

The Sub-Committee were satisfied that the grant of the licence with reduced hours and the imposition of the additional conditions would not have an impact on the cumulative impact being experienced and would not undermine the licensing objectives. It felt that, based on the evidence before it, the additional conditions were appropriate and proportionate to promote the licensing objectives.

Cllr Rose, Chair

[The meeting started at 10.27 am and finished at 5.15 pm].