

Report from the Director – Environment & Regulatory Services

Section 35 (3) (a) Application for the variation of a premises licence for 61 Lawrence Street, York, YO10 3BU

Summary

1. This report seeks Members determination of an application for the variation of a premises licence, which has been made under the Licensing Act 2003.
2. Application reference number: CYC 060231
3. Name of applicant: Mr Ze He
4. Type of authorisation applied for: Variation of a Premises Licence
5. Summary of application:

The proposal is to add live music as a regulated activity onto an existing licence and to update the plans attached to the licence to take account of changes already made to the premises.

Licensable Activity	Existing	Variation requested
Live Music - indoors	None	09:00 to 02:00 everyday An additional hour on Bank Holidays and New Year's Eve
Recorded music - indoors	09:00 to 02:00 everyday An additional hour for change to British Summertime, New Year's Eve and Bank Holidays.	No change
Late night refreshment – indoors	23:00 to 02:00 everyday An additional hour for change to British Summertime, New Year's Eve and Bank Holidays.	No change

Supply of alcohol – on and off the premises	09:00 to 01:30 everyday An additional hour for change to British Summertime, New Year's Eve and Bank Holidays.	No change
Opening hours	09:00 to 02:00 everyday An additional hour for change to British Summertime, New Year's Eve and Bank Holidays.	No change

Background

6. A copy of the application can be found at Annex 1, including a plan of the premises.
7. A copy of the current licence and current plans are attached at Annex 2. The licence was first granted on 19 February 2018.
8. The premises is described in the application as a ground floor Asian restaurant with karaoke bar.
9. An overview of the circumstances in which entertainment activities are not licensable can be found at Annex 3.
10. The changes to the plans have already been undertaken and were identified during a routine inspection by Licensing Officers.

Promotion of Licensing Objectives

11. The operating schedule submitted by the applicant shows that the licensing objectives would be met as follows:
12. **General**
 - 12.1 The premises is a small Asian restaurant with Karaoke bars to the rear of the property.
 - 12.2 All individual Karaoke booths are professionally soundproofed.

13. The Prevention of Crime and Disorder

13.1 CCTV is installed which covers the internal areas which include the entry/exit and alcohol display areas

13.2 All recordings will be kept for 31 days and will be made available to Police or Council upon request.

13.3 An incident logbook is available

14. Public Safety

14.1 A fire risk assessment has been carried out in March 2026, with safe occupancy given calculated on means of escape

15. The Prevention of Public Nuisance

15.1 All karaoke rooms are professionally soundproofed

15.2 'Please leave the premises quietly' notices are provided

16. The Protection of Children from Harm

16.1 Challenge 25 is in operation and notices prominently displayed

16.2 A refusal logbook is available for staff to complete.

16.3 Children must be always supervised by a responsible adult.

Special Policy Consideration

17. This premises is not located within the cumulative impact area.

Consultation

18. 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.

All procedural aspects of this application have been complied with.

Summary of Representations made by Responsible Authorities

19. There have been no representations from any of the Responsible Authorities.

Summary of Representations made by Other Parties

20. There have been 3 relevant representations received from other persons. The list of representors is attached at Annex 4.
21. The representations are predominantly based on the grounds of the prevention of public nuisance and the prevention of crime and disorder objectives. They state that these objectives will be undermined if the application is granted.
22. A copy of all the representations are attached at Annex 5.
23. A map showing the general area around the venue is attached at Annex 6.
24. The mandatory conditions that will be attached to this licence if granted (if they apply) can be found at Annex 7. The Legislation and Policy considerations can be found at Annex 8.

Options

25. By virtue of s35(4) of the Act, the Committee have the following options available to them in making their decision: -
26. Option 1: Modify the conditions of the licence
27. Option 2: Reject the whole or part of the application.

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

Analysis

28. The following could be the result of any decision made this Sub Committee: -
29. Option 1: This decision could be appealed at Magistrates Court by any of the representors.
30. Option 2: This decision could be appealed at Magistrates Court by the applicant or any of the representors.

Council Plan

31. 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.
32. 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 particular priority for a fair, thriving, green economy for all.

Implications

33.

- **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

34. 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.
35. 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

36. Members determine the application.

Reason: To address the representations received as required by the Licensing Act 2003.

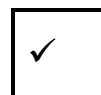
Contact Details

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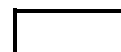
**Report
Approved**



Date 11 May 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 updated plan
- Annex 2** - Current licence and plan
- Annex 3** - Overview of Circumstances in which Entertainment Activities are not Licensable
- Annex 4** - List of representors (**CONFIDENTIAL**)
- Annex 5** - Representations
- Annex 6** - Map
- Annex 7** - Mandatory conditions
- Annex 8** - Legislation & Policy