

City of York Council	Committee Minutes
MEETING	LICENSING/GAMBLING HEARING
DATE	27 JULY 2009
PRESENT	COUNCILLORS SUE GALLOWAY, MOORE AND WISEMAN

**1. CHAIR**

RESOLVED: That Councillor Moore be elected as Chair of the meeting.

**2. DECLARATIONS OF INTEREST**

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

**3. MINUTES**

RESOLVED: That the minutes of the Licensing Hearings held on 30 March 2009 and 9 April 2009.

The minutes of the 9 April were approved subject to an amendment under declarations of interest. The word 'survey' should be 'scrutiny'.

**4. THE DETERMINATION OF AN APPLICATION BY EBOR FOODMARKETS LTD FOR THE VARIATION OF A PREMISES LICENCE SECTION 35(3)(A) IN RESPECT OF COSTCUTTER, 29 YORK STREET, DUNNINGTON, YORK, YO19 5QT. (CYC-009487)**

Members considered an application by Ebor Foodmarkets Ltd for a variation to a premises licence in respect of Costcutter, York Street, Dunnington, York, YO19 5QT.

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; the prevention of public nuisance, the prevention of crime and disorder, public safety and the protection of children from harm.

- 1) The application form in particular the operating schedule and the additional steps agreed to be taken by the applicant to promote the four licensing objectives.

- 2) The Licensing Officers report and his comments made at the hearing including the fact that the licensing objectives are upheld by the store concerned due to the existence of CCTV, fire regulations, discouragement of gatherings outside the premises and a proof of age scheme.
- 3) The representations made by the applicants legal representative including the fact that the store is well run and the extra half an hour in the morning was being applied for to enable the store to benefit from the morning passing trade.
- 4) The representations made in writing by local residents.

Members were presented with the following options:

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| Option 1 | Grant the licence in the terms applied for.  |
| Option 2 | Grant the licence with modified/additional conditions imposed by the licensing committee.  |
| Option 3 | Grant the licence to exclude any of the licensable activities to which the licence relates |

RESOLVED: That in line with Option 1 the Licence be granted.

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

Members advised the applicant that the required planning permission should be sought to match the Licensing hours.

Councillor Moore, Chair

[The meeting started at 10.00 am and finished at 10.30 am].