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MEETING	LICENSING/GAMBLING HEARING
DATE	10 MAY 2010
PRESENT	COUNCILLORS HORTON, MERRETT AND RUNCIMAN

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**41. CHAIR**

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

**42. DECLARATIONS OF INTEREST****43. MINUTES**

RESOLVED: That the minutes of the Licensing Hearing held on 25 January 2010, be approved and signed by the Chair as a correct record.

**44. THE DETERMINATION OF AN APPLICATION BY INNER SPACE STATIONS TO VARY A PREMISES LICENCE SECTION 35(3)(A) IN RESPECT OF HULL ROAD SERVICE STATION, 339 HULL ROAD, YORK, YO10 3LE. CYC-009573**

Members considered an application by Inner Space Stations Ltd for the variation of a premises licence in respect of Hull Road Service Station, 339 Hull Road, York.

In coming to their decision the Sub Committee took into consideration all of the evidence and submissions that were presented to them and determined their relevance to the issues raised and the licensing objectives. The following were taken into account:

- (i) The application form, in particular the existing licence conditions and the additional steps agreed to be taken by the applicant to promote the 4 licensing objectives.
- (ii) The Licensing Officers report and his comments made at the hearing. He advised that the application related to the extension of hours for the sale of alcohol 24 hours a day and for late night refreshment,
- (iii) The applicants representation at the hearing including the fact that the application is required to extend the business as

most petrol forecourts are now 24 hour operations. A staff training manual was tabled which highlighted the responsible approach the applicant takes towards running his business.

- (iv) The representations made in writing by local residents and a resident at the hearing who advised he had concerns about youths loitering in the area and potential increase in noise nuisance in the area.
- (v) Written representations made during the consultation period.

Members were presented with the following options:

- Option 1 Grant the licence in the terms applied for.
- Option 2 Grant the licence with modified/additional conditions.
- Option 3 Grant the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
- Option 4 Reject the application.

Members chose Option 2 and added the following conditions:

1. The premises will continue to be used as a petrol forecourt.
2. CCTV will be installed to cover the premises and will include all areas (including outside areas) to where the public have access to purchase alcohol. It will be maintained, working and recording at all times when the premises are open for licensable activities. The recordings should be of sufficient quality to be produced in Court or other such Hearing. Copies of the recordings will be kept available for any Responsible Authority for 7 days.
3. Documented staff training will be given regarding the retail sale of alcohol and such records kept for at least three years.
4. The only acceptable proof of age identification shall be a current passport, photo card driving licence or identification carrying the PASS logo (until other effective identification technology, e.g. thumb print or pupil recognition is adopted by the Premises Licence Holder).
5. At the conclusion of the licensed hours for late night refreshment, staff shall undertake a litter pick and general tidy up in the vicinity of the venue.
6. Telephone contact details for the duty manager shall be provided to residents in the vicinity i.e. those residents who made representations and the homes adjacent to them.

7. Existing embedded condition 2 shall apply as follows – Alcohol shall not be sold in an open container and shall not be consumed on the licensed premises.

Mandatory condition 19 shall apply.

RESOLVED: That in line with Option 2 the licence be granted.

RAESON: To address the representations made.

Councillor Merrett, Chair

[The meeting started at 10.00 am and finished at 11.00 am].