
MEETING	LICENSING HEARING
DATE	29 OCTOBER 2012
PRESENT	COUNCILLORS BOYCE, GILLIES AND LOOKER

23. CHAIR

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

24. INTRODUCTIONS**25. DECLARATIONS OF INTEREST**

At this point in the meeting, Members are asked to declare any personal, prejudicial or pecuniary interests they may have in the business on the agenda. None were declared.

26. MINUTES

RESOLVED: That the minutes of the Licensing Hearings held on 19th January 2012 and 1st March 2012 be approved and signed by the Chair as a correct record.

27. THE DETERMINATION OF AN APPLICATION BY 99P STORES LIMITED TO VARY A PREMISES LICENCE SECTION 35 (3)(A) IN RESPECT OF FAMILY BARGAINS, STIRLING ROAD, CLIFTON MOOR, YORK. (CYC-019933)

Members considered an application by 99p Stores Ltd for the Variation of a Premises Licence in respect of Family Bargains, Stirling Road, Clifton Moor, York.

In coming to their decision, the sub-committee took into consideration all of the evidence that was presented to them and determined their relevance to the issues raised and the licensing objectives.

The following were taken into account:

1. The licence application form.
2. The Licensing Manager's report and her comments made at the Hearing. She advised that the application was to vary the hours of operation on Sundays from 10:00 until 17:00 to 08:00 to 23:00 and to remove Condition 1 from the licence which referred to alcohol not being sold for 99p. The premises are located outside of the Special Policy Area and consultation had been carried out successfully.
3. The representations made by the applicant at the hearing. He advised that there is no intention to operate the store outside of Sunday trading hours and he was happy to remove the request for longer hours on Sundays from the application. He stated that the main reason for the application was for the removal of Condition 1 and he was happy to proceed with the hearing on that basis. The removal of the condition was in order for the store to compete against other nearby stores and to provide customers with a wider range of goods. The companies Health and Safety adviser outlined the measures in place for staff training and the CCTV system.
4. The representations made by the Ward Councillor in writing and at the hearing. She advised that a number of residents had contacted her raising concerns about the availability of cheap alcohol and the associated impact on the area but accepted that it was outside of the Sub-Committees remit to set alcohol prices.
5. Written representations made by the Parish Council 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 imposed by the licensing committee

Option 3 Grant the licence to exclude any of the licensable activities to which the application related and modify/add conditions accordingly.

Option 4 Reject the application.

Members agreed Option 1 and approved the application in the terms applied for.

The Sub-Committee concluded that the application was acceptable and agreed that condition 1 could be removed from the licence.

Councillor Boyce, Chair

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