
Meeting	Licensing Hearing
Date	24 June 2015
Present	Councillors Boyce Mason and Mercer
In Attendance	Councillor Hayes

1. Chair

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

2. Introductions

3. Declarations of Interest

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

4. The Determination of an Application by BP Oil UK Limited for a Premises Licence Section 18 (3)(a) in respect of Poppleton SF Connect A59/A1237 Boroughbridge Road, York, YO26 6QD. (CYC-053164)

Members considered an application by BP Oil UK Limited in respect of Poppleton SF Connect, A59/A1237, York.

In coming to their decision, members 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:

1. The application form.
2. The Licensing Managers report and her comments made at the hearing. She advised that the application was for a premises licence for Poppleton SF Connect, A59/A1237, Boroughbridge Road, York. An operating schedule had been submitted by the applicant detailing how the

licensing objectives would be met. There had been two relevant representations received from local residents. There had been no representations from any of the responsible authorities. The consultation process had been carried out correctly.

3. The applicants Solicitors comments made at the Hearing. He advised that the application was for a premises licence for a joint venture between BP Oil Ltd and Marks and Spencer for a petrol station and convenience store. The site already had planning permission to operate 24 hours and this application related to the hours for the sale of alcohol and late night refreshment. Both parties were responsible operators who had in place rigorous policies such as Challenge 25 and the use of CCTV. In relation to the 24 hour operation of the premises, the sale of alcohol timings had been applied for to enable flexibility but it was anticipated that the hours for the sale of alcohol would be 8am to 11pm.
4. The representations made in writing by two local residents. They raised concerns about the potential for public nuisance and crime and disorder in the area should the premises operate and sell alcohol 24 hours a day.

The sub-committee 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.
- Option 4 Reject the application.

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

Reason for the Decision:

The Sub-Committee carefully considered the application and the representations submitted in writing by representors prior to the hearing and orally at the hearing by the Applicant. In reaching their decision, the Sub-Committee took into consideration the provisions of the Licensing Act 2003, in particular the statutory licensing objectives, together with the City of York Council's

Statement of Licensing Policy and the Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003.

The Sub-Committee noted the local residents' concerns. They also noted that there had been no objection to the application from the Responsible Authorities. Members attached weight to the fact that no representations had been received from Responsible Authorities, as it was an indication that they did not envisage issues arising in respect of the licensing objectives. The Sub-Committee considered that it had received sufficient assurances from the Applicant in order to have a high level of confidence that the premises would be operated responsibly. The Sub-Committee considered that the grant of the application with the mandatory conditions and measures outlined in the operating schedule would not undermine the promotion of the licensing objectives.

The Sub-Committee therefore agreed to grant the licence in the terms applied for. They reminded the Applicant of the possibility of the licence being reviewed if it was found that the licensing objectives were being undermined once the premises were operational.

Resolved: That in line with Option 1 the licence be granted.

Reason: To address the issues raised.

Councillor Boyce, Chair

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