

Licensing Sub Committee

held at Ryedale House, Malton
at 10.00am on Friday 22 February 2008

Present

Councillors: Mrs V Arnold (in the Chair), Mrs De Wend Fenton and Maud.

Mr T Chen	- Applicant
Mrs A Wardale	- Resident of Commercial Street, Norton.
Mr R McClure	- Licensing Officer (Ryedale District Council)
Mrs F Brown	- Assistant Solicitor (Ryedale District Council)
Miss C Gaynor	- Committee Administrator

LS.75 **Declarations of Interest**

No declarations of interests were made.

LS.76 **To determine an application for a new Premises Licence for the premises at 39-41 Commercial Street, Norton, Malton**

The Chairman welcomed all representatives to the meeting and appropriate introductions were made.

The Chairman explained that the hearing was subject to the prescribed procedure, copies of which had been circulated with the agenda. Representatives were reminded that opening statements were to be brief as all parties had had the opportunity to make detailed written submissions and to consider the submissions of other parties. The Chairman also advised those present that additional information produced at the hearing without prior disclosure may not be heard if, following objections to its submission, the Sub-Committee so determined.

The Chairman also reminded those present that their representations should be relevant to the licensing objectives under the Licensing Act 2003, namely:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The Council's Licensing Officer then presented the report which had been circulated with the agenda and referred to the relevant points contained in the guidance.

An application had been received for a new Chinese restaurant from 39-41

Commercial Street, Norton, Malton YO17 9HX. As this was a new premises (in terms of licensing) no previous licensing restrictions were currently in force at these premises.

Details of the Proposal

- The provision of late night refreshment each day between the hours of 23:00 and 23:30 hours. On Christmas Eve and New Years Eve between the hours of 23:00 and 01:30 hours.
- The supply of alcohol each day between the hours of 12:00 and 23:30 hours. On Christmas Eve and New Years Eve between the hours of 12:00 and 01:30 hours. (Nb alcohol will only be sold where accompanied with food).
- The hours premises are open to the public each day between the hours of 12:00 and 00:00 hours. On Christmas Eve and New Years Eve between the hours of 12:00 and 02:00 hours.

All responsible Authorities had been consulted and the Licensing Authority had received relevant representations from:

- One interested party on the Prevention of Public Nuisance Licensing Objective

The interested party appeared to be mainly concerned with potential noise disturbance and additional lighting.

Representatives put their respective cases to the Sub Committee Members.

Following questions from Members the representatives summed up their cases prior to the Committee retiring to consider the application, after which the following decision was announced:

Resolved

That the licence as applied be agreed.

Although this was not part of the licensing function, the Committee asked that the applicant considered the external lighting of the premises and how this could affect the surrounding properties.

The Chair informed Mrs Wardale of the review procedure within the Licensing Act that may be carried out if any complaints were to arise.