

Wednesday, 6 September 2023

LICENSING SUB-COMMITTEE

A meeting of **Licensing Sub-Committee** will be held on

Thursday, 14 September 2023

commencing at **9.30 am**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,
Torquay, TQ1 3DR

Members of the Committee

Councillor Douglas-Dunbar

Councillor Barbara Lewis

Councillor Tolchard

Together Torbay will thrive

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Governance Support, Town Hall, Castle Circus, Torquay, TQ1 3DR

Email: governance.support@torbay.gov.uk - www.torbay.gov.uk

LICENSING SUB-COMMITTEE AGENDA

1. **Election of Chairman/woman**
To elect a Chairman/woman for the meeting.
2. **Apologies**
To receive apologies for absence, including notifications of any changes to the membership of the Sub-Committee.
3. **Minutes** (Pages 3 - 9)
To confirm as a correct record the Minutes of the meeting of a Sub-Committee held on 3 August 2023 and 17 August 2023.
4. **Declarations of interests**
 - (a) To receive declarations of non pecuniary interests in respect of items on this agenda
For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
 - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda
For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
5. **Urgent items**
To consider any other items that the Chairman decides are urgent.
6. **35 Fleet Street, Torquay** (Pages 10 - 70)
To consider an application for a Premises Licence in respect of 35 Fleet Street, Torquay.

Minutes of the Licensing Sub-Committee

3 August 2023

-: Present :-

Councillors Joyce, Tolchard and Virdee

3. Election of Chairman/woman

Councillor Joyce was elected as Chairman for the meeting.

4. Minutes

The Minutes of the meeting of the Sub-Committee held on 6 July 2023 were confirmed as a correct record and signed by the Chairman.

5. Determination of continuance of Personal Licence (PA0129), following notification of conviction of a relevant offence

The Licensing Sub-Committee considered a report on the determination of the continuance of Personal Licence (PA0129) held by Ms K Poulson, following notification of a conviction of a relevant offence under Schedule 4 of the Licensing Act 2003. Members noted that Ms Poulson had failed to inform the Licensing Authority of receipt of her conviction for a relevant offence, as required by her as a Personal Licence Holder. South Devon Magistrates Court notified the Licensing Authority of the offence on 10 May 2023.

Members noted that the conviction related to an offence committed under Section 5A(1)(a) and (2) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988 (driving etc a vehicle with drug concentration above prescribed limit). Ms Poulson was ordered to pay a fine of £120, costs of £85, a victim surcharge of £80 and was disqualified from driving for an obligatory period of 12 months (the conviction would be spent on 9 May 2024).

The Licensing Authority had written to Ms Poulson on 14 June 2023, at the address provided by her on her Personal Licence, to notify her that the Licensing Authority was considering suspending (for a maximum of six months) or revoking her licence and inviting her to make representations within 28 days of the date of the notice. Ms Poulson responded to this email and telephoned the Licensing Officer to discuss the matter. Ms Poulson was advised to make a written representation within 28 days from the date of the letter, i.e. 12 July 2023, but did not do so.

The Licensing Authority also wrote to Ms Poulson on 17 July 2023 advising her of the date of the hearing and inviting her to attend the hearing and submit further

information. This letter was sent to the email address and hand delivered to an address provided on her Personal Licence. No response was received to these letters and no written representation received until Ms Poulson sent an email on the evening of 2 August 2023 to the Licensing Officer stating that she had missed the previous email. Ms Poulson advised in the email that she would attend the meeting of the Licensing Sub-Committee on 3 August 2023. Also within the email, Ms Poulson provided a written statement and a character witness statement from a previous employer.

Members resolved to consider the continuance of a Personal Licence in the absence of Ms Poulson, as she had failed to respond to any communications from the Licensing Authority within the required timeframe and did not attend the meeting, having been satisfied in the circumstances, that it was in the public interest to determine this matter.

Decision:

That Ms Kate Poulson Personal Licence be revoked, in accordance with 132A of the Licensing Act 2003 and that this revocation shall have immediate effect.

Reasons for Decision:

Members resolved to revoke Ms Poulson's Personal Licence having voted unanimously that in the absence of evidence to the contrary, they could not be satisfied that she was a suitable person to hold a Personal Licence.

In coming to their decision, in the absence of Ms Poulson who failed to attend the hearing despite confirming her intention to do so, Members noted that Ms Poulson had additionally failed to respond in a timely manner, or at all, to the written communications sent by the Licensing Authority or to provide any written Representation within the 28 day timescale, only providing this late at 17.04 hours on 2 August 2023, the evening prior to the hearing.

Members were satisfied that all reasonable attempts were made to inform Ms Poulson of the hearing arrangements, including the personal service of the hearing notice at her last known address on 20 July 2023 and that she was aware of the hearing, having confirmed her intention to attend. Therefore, Members determined that it was in the public interest to hear the matter in her absence, as no further information had been received, as to why she was not in attendance.

Whilst Members were sympathetic to those circumstances as described by Ms Poulson in her written Representation, Members also had regard to the seriousness of the offence, to which Ms Poulson had pleaded guilty, and how she had failed to notify the Licensing Authority of her conviction as is her duty to do so. Members felt that Ms Poulson's actions were not those of a responsible Personal Licence holder. Further they could not be satisfied that she was a suitable person to promote the Licensing Objectives in respect of the sale of alcohol.

Whilst Ms Poulson had provided a reference in a separate email to her late Representation, this was received from Ms Poulson's own email address, unsigned, and could not be verified.

Members noted that Ms Poulson had the right to appeal their decision at the Magistrates' Court.

Chairman/woman

Minutes of the Licensing Sub-Committee

17 August 2023

-: Present :-

Councillors Douglas-Dunbar, Barbara Lewis and Johns

6. Election of Chairman/woman

Councillor Barbara Lewis was elected as Chairwoman for the meeting.

7. Apologies

It was reported that the membership of the Sub-Committee had been amended for this meeting by including Councillor Johns instead of Councillor Tolchard.

8. Minutes

The Minutes of the meeting of the Sub-Committee held on 27 July 2023 were confirmed as a correct record and signed by the Chairwoman.

9. Barton Acorn Youth, Community and Sports Centre, Lummaton Cross, Barton, Torquay

Members considered a report on an application for a Premises Licence in respect of Barton Acorn Youth, Community and Sports Centre, Lummaton Cross, Barton, Torquay.

Written Representations were received from:

Name	Details	Date of Representation
Divisional Director of Safeguarding, Torbay Council Childrens Services	Representation objecting to the application for a Premises Licence on the ground of the protection of children from harm.	28 July 2023

Oral Representations received from:

Name	Details
Applicant	The Applicant outlined the Application and responded to Member's questions.
Applicant's Representative	The Applicant's representative together with the Applicant responded to questions from Members.

Divisional Director of Safeguarding, Torbay Council Childrens Services	The Divisional Director of Safeguarding, Torbay Council Childrens Services outlined their representation and responded to Member's questions.
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Decision:

That the application for a Premises Licence in respect of Barton Acorn Youth, Community and Sports Centre, Lummaton Cross, Barton, Torquay be refused.

Reasons for Decision:

Having carefully considered all the written and oral Representations, Members resolved to unanimously refuse the application. Members considered the Applicant and the Chair of the Board of Trustees who attended the hearing to support the Applicant, to be naïve to the responsibility of holding a Premises Licence in the setting applied for, resultant in a broad application which in Members opinion, lacked the required detail and assurance, that the intended operation of the Premises Licence would uphold the Licensing Objective, 'The Protection of Children from Harm'.

In coming to their decision, Members noted that the Applicant and the Chair of the Board of Trustees in their oral submission, stated they were willing to learn and take advice from Children's Services. However, being granted a Premises Licence is of such a responsibility, that Members were of the unanimous opinion, any learning and advice should have been sought in advance of the application, taken on board, with a clear strategy of implementation which was reflective in the operating schedule, forming a critical part of the application to ensure the Protection of Children from Harm Licensing Objective was upheld. Especially where Members were advised by the Chair of the Board of Trustees, that the capacity of the Premises could hold around 900 persons. This re-enforced Members view that the Applicant did not understand the responsibilities of holding a Premises Licence in the setting applied for and gave them no assurance, should they have been mindful to grant the application, that children would not be harmed and that the Licensing Objective, The Protection of Children from Harm, would not be undermined.

Whilst Members noted that the Applicant, who was also the intended Designated Premises Supervisor, had previous experience as a bar manager, managing premises in Soho, London, these premises were frequented by adults only. This experience was evident, as it appeared to Members, very little consideration had been given to the wider harm children could and would be exposed to, where the application was to licence the whole of the premises, both indoors and outdoors, at times when it was possible that children and young people's activities were taking place and located in an area of high deprivation, vulnerability and predominantly residential.

Members recognised that the premises was a youth and community and sports centre, with activities for children and young people being one element of the centre's delivery but Members noted youth activity was a core element and this, presented a real risk of harm to those young people attending the Premises, with their being no separation within the application of licenced and unlicenced areas. Members noted the proposal of the Applicant and Chair of the Board of Trustees to control traffic flow throughout the premises, during licensable activities taking place, but Members were not satisfied that these were robust enough and had been given sufficient

consideration as to the practicalities of implementation, with children's safety as a primary concern.

Members noted that the Applicant was on the Board of Trustees, as a volunteer and whilst he said he would be present during events, he was employed elsewhere. Of concern, Members noted the absence of any detail as to the alternative arrangements, should he be absent through illness, holidays etc and the arrangement appeared to Members to be on a very ad hoc basis which filled them with no confidence that any of the Licensing Objectives would be promoted, or the proposed conditions understood or adhered to by other volunteers or employees, some of which would only be recruited through agency, to service events. Members also noted that the Applicant himself proposed to train other volunteers and staff, but no evidence was provided as to his qualification to deliver this training, or sight of a training manual which may have assured Members that children would have been protected from harm, given the Applicant's experience he referred to, being in an adult setting only.

Whilst Members understood the financial challenges in maintaining this and any other Premises, and that a Premises Licence may generate income to achieve this, this was not a factor which Members could consider in their determination. Members were however very concerned, that this appeared to be an apparent driver, as evident in the Applicant and Chair of Board of Trustees submissions, in wanting the flexibility to hold any event, hence the breadth of that applied for, with no relevant experience and contrary to any evidence of the considerations required, as set out in the Licensing Authority's Statement of Principles, and statutory guidance.

Members further noted the Chair of the Board of Trustees comparison submission in respect of other premises which permitted children to be present, but this sought to only compel Members determination of a refusal, rather than to grant, as it was without any submissions around control measures and further demonstrated a level of naivety of that required to operate such a premises in a responsible manner, which protected children from harm.

Inconsideration of the written and oral Representation put forward by the Divisional Director of Children's Services at Torbay Council, Members found this to be compelling, evidence based and highlighted further the naivety of the Applicant, the Chair of the Board of Trustees and the level of detail missing from the application to assure her and Members, that this application would keep children safe and promote the Licensing Objective, 'The Protection of Children from Harm'. Reference to harm was made not only in respect of children and young people attending the centre for specific activities but also those attending events where licensable activities would take place, and the potential exposure of harm this could present. Details of which had been overlooked by the Applicant.

In concluding, Members gave careful consideration as to whether there were conditions that they could impose, as an alternative to an outright refusal of the application. However, the breadth of the application, the lack of detail in the operating schedule to protect children from harm, the apparent naivety and absence of experience of the Applicant and the Chair of the Board of Trustees, and the compelling concerns put forward by the Divisional Director which were shared by Members unanimously, Members determined that this was too great for them to

overcome with conditions, and were hampered by the Applicants desire for flexibility, without recognising the need for control measures.

Chairman/woman

TORBAY COUNCIL

Public Agenda Item: **Yes**

Title: Licensing Act 2003 – 35 Fleet Street, Torquay, TQ2 5DJ

Wards Affected: **Tormohun**

To: **Licensing Sub Committee** **14th September 2023**

Contact Officer: **Carrie Cottell**
Telephone: **01803 207079**
Email: **licensing@torbay.gov.uk**

1. Key points and Summary

- 1.1 To consider and determine an application for a new Premises Licence, in respect of the Premise detailed above.
- 1.2 The application relates to all the Corporate Priorities within the Community Plan.
- 1.3 The matters raised relate to the Licensing Objectives the “Prevention of Crime and Disorder”, “Public Safety” and the “Prevention of Public Nuisance”.
- 1.4 The matter must be considered on its merits, having received details of the issues arising either at a hearing or by written Representation. A decision must be made, having considered the Representations, either:-
 - (a) to grant the licence subject to
 - (i) such conditions as are consistent with the submitted operating Schedule modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and
 - (ii) any condition which must under Section 19, 20 or 21 be included in the licence;

(Such conditions may differ in respect of different parts of the Premises and/or different activities).
 - (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - (c) to refuse to specify a person in the licence as the Premises Supervisor;
 - (d) to reject the application.

- 1.5 Reasons for the decision must be given for inclusion in the appropriate Notices required to be served on the Applicant, Responsible Authorities and all Interested Parties, following the determination of the matter.

2. Application

- 2.1 An application has been made under Section 17 of the Act for a Premises Licence to permit licensable activities at the Premise detailed above. Details of the relevant pages of the application are shown in Appendix 1.

A brief description of the application, as follows:-

The provision of Late Night Refreshment Indoors from 23:00 to 00:00 Monday to Sunday.

The Supply of Alcohol for consumption on and off the premises from 08:00 until 00:00 Monday to Sunday.

Premises opening hours from 08:00 until 00:30 Monday to Sunday.

The Applicant has given the following description of the premises: -

“Premises will be a bistro/restaurant premises, offering Italian food and alcoholic and soft drinks. Premises consist of ground floor and mezzanine area and application will be made for a Pavement Café Permit.”

The plan accompanying the application is shown in Appendix 2.

- 2.2 The Council as the Licensing Authority is satisfied that the Applicant has met the administrative requirements of Section 17(5) but is unable to issue the Licence, as a relevant Representations have been received. The Licensing Authority is also satisfied that the Representations have been received within the appropriate time scale and have not been subsequently withdrawn.

We have received 2 Representations from Interested Parties, in relation to the Licensing Objectives, the “Prevention of Crime & Disorder”, “Public Safety” and the “Prevention of Public Nuisance”. These are shown in Appendix 3.

There have been no other Representations received from any other Interested Party or any Responsible Authority, other than that mentioned above.

The applicant has provided a response to the Representations received and this is shown in Appendix 4.

- 2.3 The Authority is required to conduct a hearing under the provisions of Section 18(3) unless all parties agree that this is not necessary.
- 2.4 Appropriate Notices have been issued to all parties, as required by the Licensing Act 2003 (Hearing Regulations) 2005, including, where appropriate, details of the Representation and the procedure to be followed at the hearing.

- 2.5 If the application is refused, in whole or in part, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 1 of Schedule 5, to the Applicant.
- 2.6 If the application is granted, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 2(1) of Schedule 5 to :-
- (a) The holder of the licence against any decision
- (i) to impose conditions on the licence, or
 - (ii) to take any step to exclude a licensable activity or refuse to specify a person as Premises Supervisor.
- (b) Any person who made a relevant Representation who desires to contend
- (i) that the licence ought not to have been granted, or
 - (ii) that, on granting the licence, the Licensing Authority ought to have imposed different or additional conditions or taken any step to exclude a licensable activity or refuse to specify person as Premises Supervisor.
- 2.7 Following such Appeal, the Magistrates' Court may:-
- (a) dismiss the appeal,
 - (b) substitute for the decision appealed against any other decision which could have been made by the Licensing Authority, or
 - (c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the Court,
- and may make such order as to costs as it thinks fit.

Rachael Hind
Regulatory Services Manager

Appendices

- Appendix 1 Relevant sections of the application form
- Appendix 2 Plan of the Premises
- Appendix 3 Representations from 2 Interested Parties
- Appendix 4 Applicants response to Representations

Documents available in Members' rooms

None

Background Papers:

The following documents/files were used to compile this report:

Torbay Council Licensing Policy 2021-26



LICENSING ACT 2003
APPLICATION
FOR THE GRANT OF A
PREMISES LICENCE

NOTIFICATION

Information held by Torbay Council complies with and is held in accordance with the UK Data Protection Act 1998. The information that you provide on this form will only be used for this application form and will only be disclosed where necessary under any applicable legislation.

Information may also be shared for the prevention and detection of crime, for example with the police and other agencies as required by law, such as the Audit Commission under the National Fraud Initiative data matching exercise.

You have a right of access to your personal information. If you wish to access your personal information or exercise any of your rights under the legislation then please contact Torbay Council's Information Governance team on 01803 20 7467. Further information can be found on the Information Governance pages on Torbay Council's Internet site at, www.torbay.gov.uk

Completed forms should be returned to:

Environmental Health Manager (Commercial)
Torbay Council
Community Safety
C/O Torquay Town Hall
Castle Circus
Torquay
TQ1 3DR

Contact Details:

Tel: 01803 208025

Web: www.torbay.gov.uk

Email: licensing@torbay.gov.uk



**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Mr Cristoforo Cuinu and Mrs Lada Cuinu

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 35 Fleet Street			
(No decision made on premises name, but will be notified in due course)			
Post town	Torquay	Postcode	TQ2 5DJ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£21,250

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | | |
|----|---|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | i. as a limited company | | please complete section (B) |
| | ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| | iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) | a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname CUINU			First names Cristoforo Matteo		
Date of Birth [REDACTED] or over		I am 18 years old <input checked="" type="checkbox"/> Please tick yes			
Nationality Italian					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)	[REDACTED]				

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Cuinu			First names Lada		
Date of Birth over			I am 18 years old or		<input checked="" type="checkbox"/> Please tick yes
Nationality		British			
Current residential address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0	1	0 5 2 0 2 3

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Premises will be a bistro/restaurant premises, offering Italian food and alcoholic and soft drinks. Premises consist of ground floor and mezzanine area and application will be made for a Pavement Café Permit.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

X

Supply of alcohol (if ticking yes, fill in box J)

X

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	2300	0000	<u>Please give further details here</u> (please read guidance note 4)		
Tue	2300	0000			
Wed	2300	0000	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	2300	0000			
Fri	2300	0000	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	2300	0000			
Sun	2300	0000			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)		
Mon	0800	0000			
Tue	0800	0000			
Wed	0800	0000			
Thur	0800	0000			
Fri	0800	0000			
Sat	0800	0000			
Sun	0800	0000			
			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Mr Cristoforo CUINU	
Date of Birth	██████████
Address ██████████ ██████████ ██████████	
Postcode	██████████
Personal licence number (if known) ██████████	
Issuing licensing authority (if known) City of York Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	0800	0030	
Tue	0800	0030	
Wed	0800	0030	
Thur	0800	0030	
Fri	0800	0030	
Sat	0800	0030	
Sun	0800	0030	
<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)			

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

1. Customers shall only be served alcohol whilst seated by way of waiter / waitress service.
2. There shall be no vertical drinking at the bar.
3. All OFF sales shall be made in sealed containers.

b) The prevention of crime and disorder

1. Open containers of alcohol shall not be removed from the premises, except for consumption in any delineated external area as shown on the plan attached to the licence.
2. All staff engaged in licensable activity at the premises will receive training and information in relation to the following:
 - The challenge 25 scheme in operation at the premises including the forms of identification that are acceptable
 - The hours and activities permitted by the premises licence and the conditions attached to the licence
 - How to complete and maintain the refusals register in operation at the premises
 - Recognising the signs of drunkenness
 - The operating procedures for refusing service to any person who is drunk, underage or appears to be underage, or appears to be making a proxy purchase
 - Action to be taken in the event of an emergency, including reporting an incident to the emergency services

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12 monthly intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

Training records shall be retained for at least 12 months.

3. An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:
 - the date and time of refusal
 - the reason for refusal
 - details of the person refusing the sale
 - description of the customer
 - any other relevant observations.

The refusals register will be made available for inspection and copying on request of an authorised officer of a responsible authority.

All entries must be made within 24 hours of the refusal.

4. The premises shall install operate and maintain a comprehensive digital colour CCTV system to the satisfaction of the Police and local authority
 - (a) All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder.
 - (b) The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.

- (c) The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.
- (d) All equipment must have a constant and accurate time and date generation.
- (e) All recordings will be stored for a minimum period of 14 days with date and time stamping. (Offers on applications in excess of 14 days are acceptable).
- (f) Viewable copies of recordings will be provided on request to the Police and local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 1998 (or any replacement legislation)
- (g) The CCTV system will be capable of downloading images to a recognisable viewable format.
- (h) There will be security measures in place to ensure the integrity of the system to prevent the tampering with, and deletion of, images.

5. An Incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:

- Any incidents of disorder or of a violent or anti-social nature
- All crimes reported to the venue, or by the venue to the police
- All ejections of patrons
- Any complaints received
- Seizures of drugs or offensive weapons
- Any faults in the CCTV system
- Any visits by a responsible authority (under the Licensing Act 2003) or emergency services

Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.

The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorized officer of a responsible authority.

c) Public safety

Seating for no less than 25 persons ground floor and 15 mezzanine floor shall be provided in the premises at all times the premises are in operation.

Adequate procedures must be implemented to ensure overcrowding (such as that which may cause injury through crushing) does not occur in any part of the premises.

In the absence of adequate daylight, artificial lighting in any area accessible to the public shall be fully operational whilst the public are present.

No customers carrying open or sealed bottles cans or other receptacles containing alcoholic liquor shall be admitted to the premises at any time that the premises are open to the public.

The collection of glasses and bottles shall be undertaken at regular intervals to ensure there is no build-up of empties in and around the premises.

To have in place a food safety and hygiene management system with Torbay Food standards agency,

d) The prevention of public nuisance

Clear and legible notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible.

All internal speakers shall be attached to independent wall linings and not to the ceiling.

The handling of kegs, bottles cleaning equipment, bottle disposal and similar items shall not take place before 8.00 hours or after 23.00 hours.

The Premises Licence Holder or nominated person shall control the sound levels of the music/entertainment.

All external doors and windows shall be maintained in good order.

Steps shall be taken ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

All the rubbish produced by the premises shall be stored securely in a designated area or in a bin with a tight fitting and lockable lid.

Sufficient measures must be in place to remove litter or waste arising from customers and to prevent such litter/waste accumulating in the immediate vicinity of their premises. Where necessary adequate measures must be in place to provide customers with sufficient receptacles for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter etc.

Ventilation equipment will be regularly cleaned and maintained to control the levels of odour generated by the premises.

When issues/problems are identified an approach will be made by appropriately trained staff/SIA licensed door supervisors, who will defuse/de-escalate the situation and instruct customers to leave the vicinity as quickly and quietly as possible.

A designated and de-lined smoking area will be allocated outside the premises. Suitable receptacles will be provided for cigarette litter within the designated smoking area.

The smoking area shall be permanently monitored by appropriately trained staff/SIA licensed door supervisors during opening hours. The amount of patrons in this area will not exceed 12 persons.

The smoking area shall be regularly cleaned to ensure that all discarded smoking litter is removed and properly disposed.

The designated smoking area shall be for 'smoking only' from 23:00 until 00:30 and reasonable steps will be taken to prevent the consumption of any alcoholic drinks in this area.

e) The protection of children from harm

The premises shall operate a Challenge 25 Policy whereby any individual who appears to be under the age of 25 shall be required to produce an approved form of photographic identification as outlined in the Torbay Council Licensing Statement of Principles.

Challenge 25 notices will be prominently displayed in the premises.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.


- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

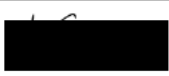
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	01/05/2023
Capacity	Proprietor

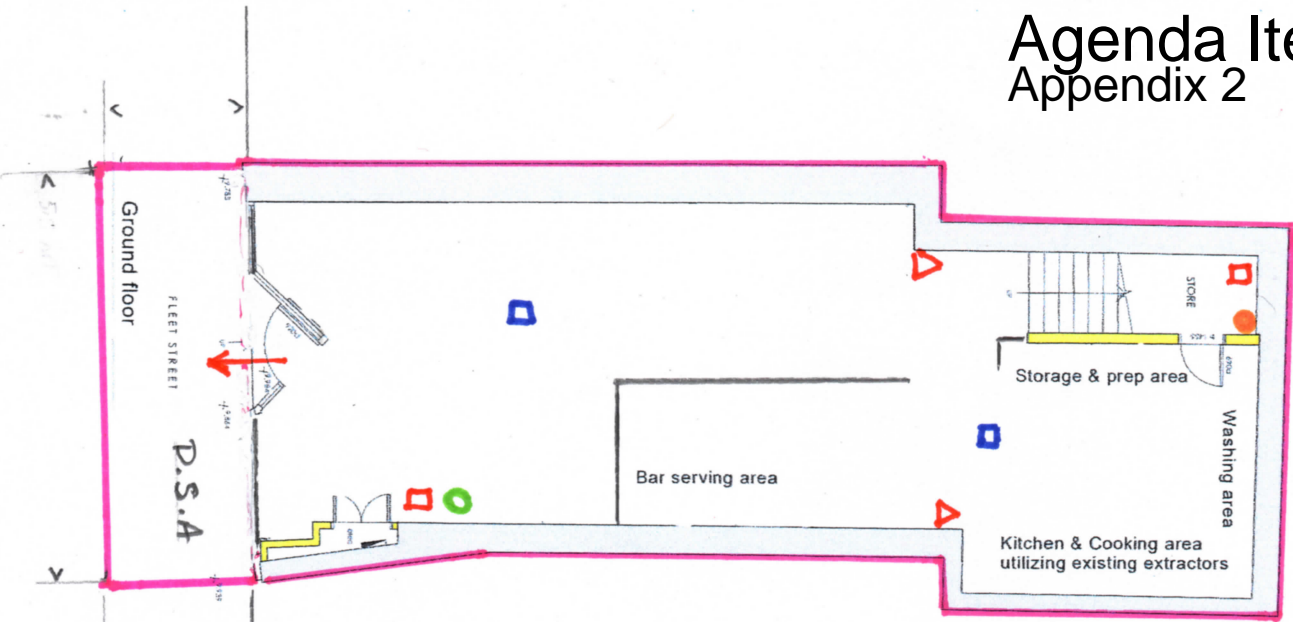
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	08/06/2023
Capacity	Proprietor

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

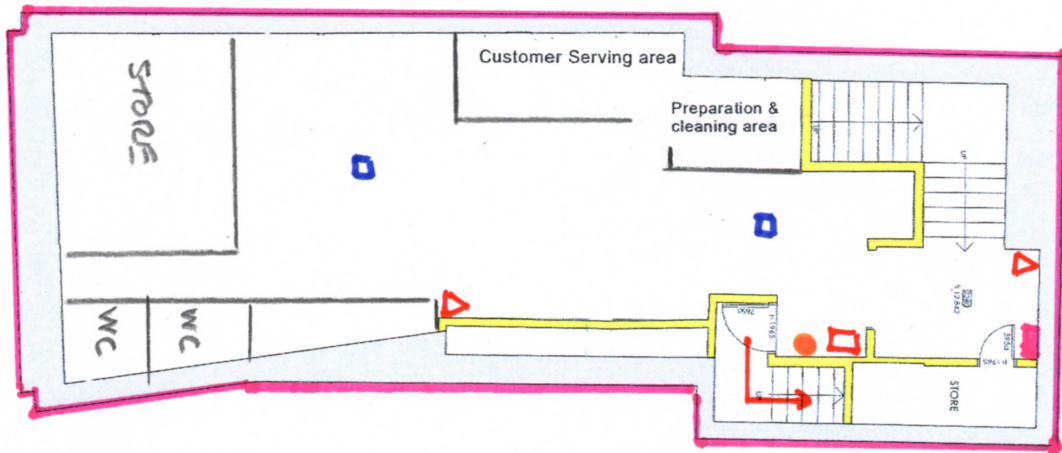
1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.



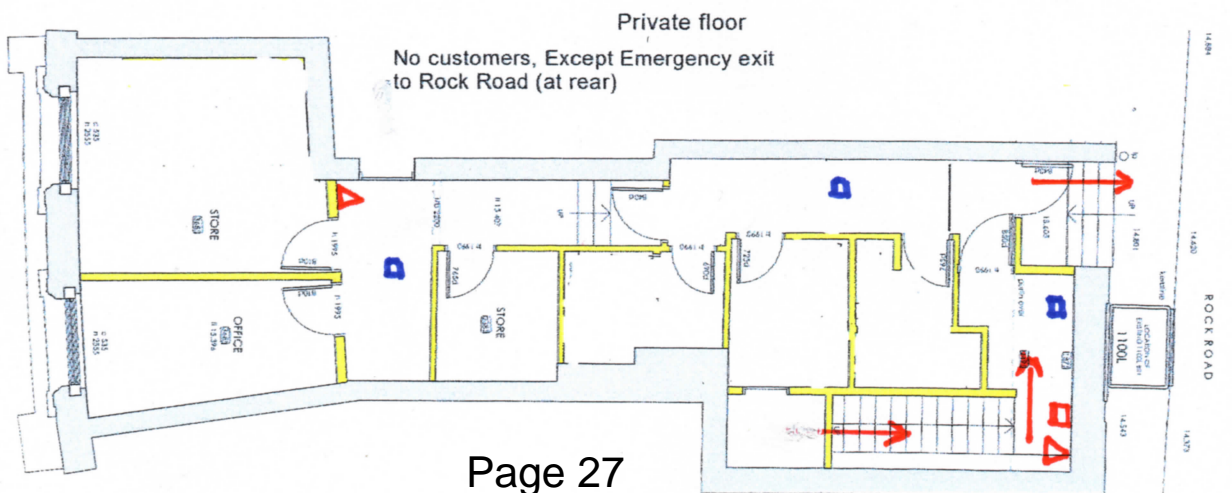
D.S.A - Designated smoking area

Footpath

Mezzanine floor



First floor



To: The Executive Head of Community Safety
Torbay Council
c/o Torquay Town Hall,
Castle Circus
Torquay
TQ1 3DR



15 August 2023

Re: Licence application 064818 regarding 35 Fleet Street Torquay

We are writing this representation with regard to 35 Fleet Street, Torquay, Devon. We wish to object to the licencing application 064818. Our objections relate to the prevention of crime and disorder, public safety, and prevention of public nuisance.

We are the directors of Tor Haven, Abbey Road, Torquay TQ2 5NB, a block of 50 flats for the over-60s, which is barely 50 yards from the premises, writing on behalf of ourselves and the residents. Contact person [REDACTED]

The proposed licence would allow the holder to trade from 8.00 a.m. till midnight, selling alcohol on *and* off the premises, seven days a week. We already suffer from the effects of drunkenness and drug taking in the immediate area and have to employ a private security firm to patrol our car park at night.

The effects of the licence being granted would be heightened noise level, public nuisance and general antisocial behaviour, including the increased use of our car park and outside steps as a public lavatory and site for drug abuse. This, quite apart from the disturbance and public safety aspect, will also increase the costs borne by Tor Haven residents for clearing up urine and faeces, broken glass, and drug paraphernalia from the car park. As this is a residential area, it would also have a negative effect on many people other than residents at Tor Haven.

By submitting this letter, we declare that we have read the representation guidance notes and agree that a copy of our representation will be given to the premises licence holder.

On behalf of the Tor Haven residents,

[REDACTED]
[REDACTED] (Director)

[REDACTED]
[REDACTED] (Director)

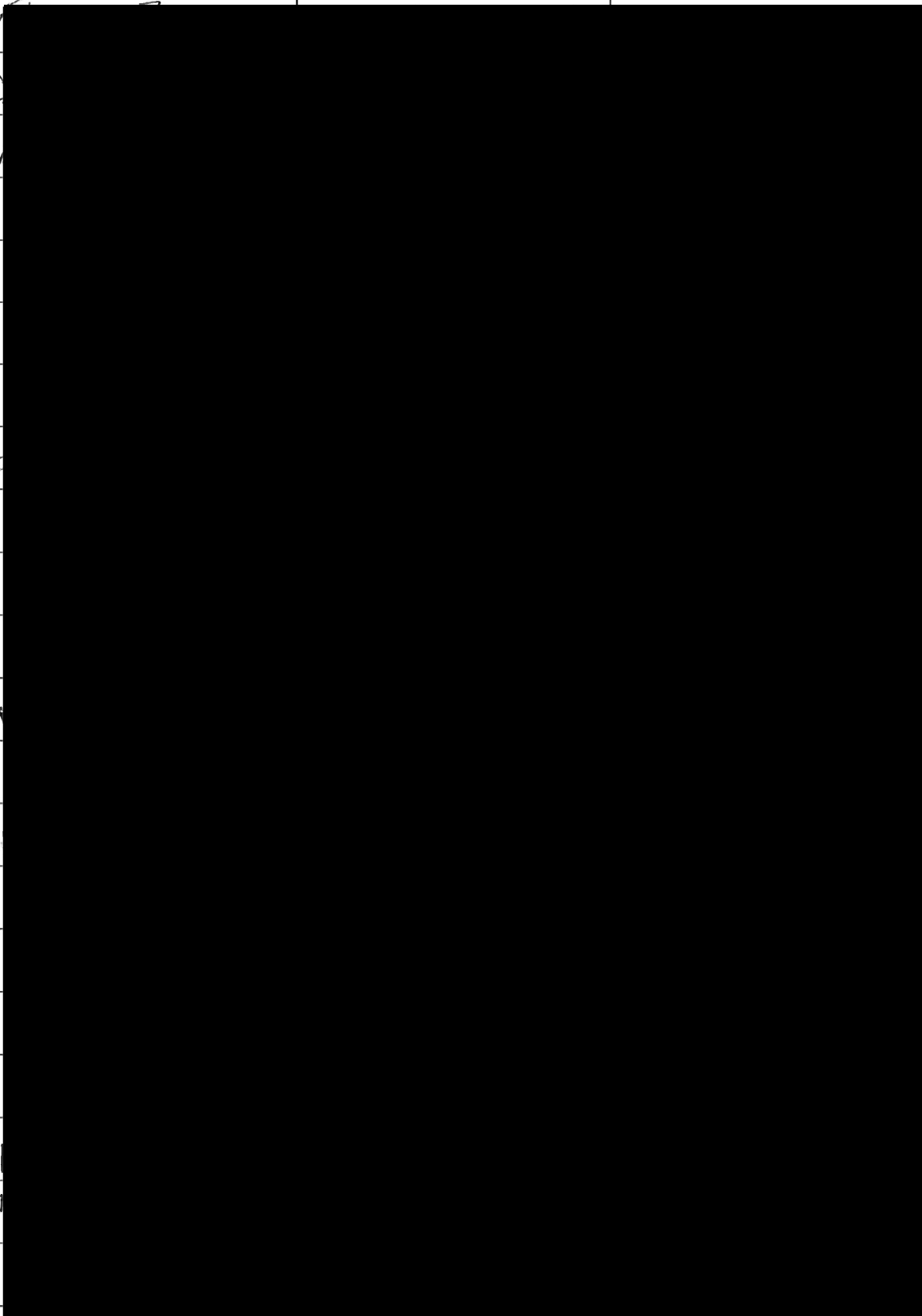
[REDACTED]
[REDACTED] (Director)

PETITION ref: PROPOSED LICENSED PREMISES.

An application for a licence is being sought for the premises of 35 Fleet Street (where *Papa's* diner was, next to leather shop opposite Tor Haven) to be able to sell alcohol (on and off the premises) from 8am to midnight, 7 days a week and to sell late night refreshments from 11pm to midnight (on the premises). The premises would seat up to 40 people and would not close at night until 12.30am.

Directors have brought this to my attention and they will be writing a letter to Council to go with this petition to object to this licence application on the basis of increased noise, Anti-Social Behaviour, potentially increased unauthorised parking in Tor Haven and Abbey Hall car park and an increase in using our car park as a late-night toilet. **If you would like to lodge your objections about this proposed licence application, please sign the sheet by 15th August.**

The Directors will then send it, with a covering letter, to the council to express the concerns of all the signatories. A full copy of the licence application is available online and I have printed a copy attached if you wish to read it, but please do not remove it, so others can also read it. Thank you.

ADDRESS	NAME	SIGNATURE			
					

[Handwritten mark]

PETITION ref: PROPOSED LICENSED PREMISES.

An application for a licence is being sought for the premises of 35 Fleet Street (where *Papa's* diner was, next to leather shop opposite Tor Haven) to be able to sell alcohol (on and off the premises) from 8am to midnight, 7 days a week and to sell late night refreshments from 11pm to midnight (on the premises). The premises would seat up to 40 people and would not close at night until 12.30am.

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ADDRESS	NAME	SIGNATURE

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ADDRESS	NAME	SIGNATURE
		

Licensing representation

Name of the premises:	35 Fleet Street
Support/Object to application	Object
Address of the premises:	35 Fleet Street , Torquay

Applicant Details

In what capacity are you applying?	body or group
First name:	[REDACTED]
Last name:	[REDACTED]
Contact number:	[REDACTED]
Email address:	[REDACTED]
Address:	Abbey Hall Rock Road Torquay TQ2 5SP TQ25SP {uprn: -1}

Representation

Which of the following Licensing Objectives is this representation relevant to?

This representation is relevant to the following Licensing Objectives	The prevention of public nuisance
The reason for your representation:	<p>The users of Abbey Hall have long suffered from the anti-social behaviour of people using our forecourt as a toilet. They seem to find it convenient to come into what is our parking area and relieve themselves without a thought as to how unpleasant and unhygienic it is to our users, many of whom are disabled or vulnerable. Drug users sometimes congregate also, when the building is unoccupied, and leave used needles. Having a late-night facility for drinking so close will almost inevitably lead to an increase in these anti-social behaviours both from the point of view of relieving themselves and from the point of view of it being a convenient place for them to congregate after leaving the licensed premises. I am Hon Sec of the charity that owns the Hall and enables disabled groups to use it. On behalf of all those users I would submit that there are quite sufficient licensed premises in Town and enabling 35 Fleet Street to cater for late night drinking would be a serious mistake.</p>
Is there any reason why you do not want your personal details to be passed on to the premises license holder?	No
Would you like to include any documentation in support of your representation	No
Uploaded Files	

Confirmation

I confirm I have read the representation guidance notes and agree that a copy of my representation will be given to the premises license holder.	1
Full name:	[REDACTED]

Re: Application for a Premises Licence - 35 Fleet Street, Torquay – received Thursday 17/08/2023 at 14:24

Hi Julie,

Thank you for phoning so promptly in response to my email, and I now include an addendum to my submission which I would be grateful if you could add or insert appropriately:-

"Further to my original submissions, I now understand that the applicant intends to operate the premises at 35 Fleet Street as a licensed Italian restaurant, providing such food up to midnight, which I understand is the standard timing for similar restaurant premises in Torbay. While this provides some reassurance, may I on behalf of the users of the Hall point out that the license as proposed does not limit the service of alcohol to patrons who are eating. It permits the sale of alcohol to visitors who are not eating, and also permits unlimited and unrestricted off-sales to anyone between 8 am and midnight.

So it could well be that the premises will end up being used in much the same way as a nightclub and be a general supplier of alcohol to drinkers in the area. This will increase the risk of there being more of the anti-social behaviour we experience at Abbey Hall.

May I suggest that the license only be issued if it incorporates suitable limitations to ensure the premises operate only as intended, namely an Italian restaurant."

Kind regards, [REDACTED]

[REDACTED] Trustee & Hon Sec,
Abbey Hall Centre
Rock Road, Torquay TQ2 5SP

Correspondence address:
[REDACTED]

To: Elected Members
Legal Advisor
Democratic Services Officer
Licensing Officer
Interested Parties

Application Reference: SRU/274890

We are, Chis and Lada Cuiu writing to provide more information to support the success of the application of the premisses licencing at 35 Fleet Street, Torquay, TQ2 5DJ, and to satisfy the interest of the residents, whose representation has been shared with us recently.

In the beginning of our statement, we would like to thank to all local licensing authorities and the regulators, supported our pre-licensing application and advised the final draft of the application since April 2023.

Part 1: Legal Requirements & Conditions

We understand that all parties could be familiar with the details of the application. However, once again, we would like to draw attention to the Part 3, Paragraph M, the general, and the sub-sections of the licencing objectives (b, c, d, and e) in the application. Please see the extract below:

a) General – all four licensing objectives (b, c, d and e)

1. Customers shall only be **served alcohol whilst seated** by way of waiter / waitress service.
2. There shall be **no vertical drinking at the bar.**
3. All OFF sales shall be made in sealed containers.

b) The prevention of crime and disorder

1. Open containers of alcohol shall not be removed from the premises, except for consumption in any delineated external area as shown on the plan attached to the licence.

2. All staff engaged in licensable activity at the premises will receive **training and information** in relation to the following:

- The challenge 25 scheme in operation at the premises including the forms of identification that are acceptable.
- The hours and activities permitted by the premises licence and the conditions attached to the licence.
- How to complete and maintain the refusals register in operation at the premises
- Recognising the signs of drunkenness
- The operating procedures for refusing service to any person who is drunk, underage or appears to be underage, or appears to be making a proxy purchase.
- Action to be taken in the event of an emergency, including reporting an incident to the emergency services Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12 monthly intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority. Training records shall be retained for at least 12 months.

3. An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:

- the date and time of refusal
- the reason for refusal
- details of the person refusing the sale
- description of the customer
- any other relevant observations.

The refusals register will be made available for inspection and copying on request of an authorised officer of a responsible authority. All entries must be made within 24 hours of the refusal.

4. The premises shall **install operate and maintain a comprehensive digital colour CCTV system to the satisfaction of the Police and local authority**

(a) All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder.

(b) The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.

(c) The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.

(d) All equipment must have a constant and accurate time and date generation.

(e) All recordings will be stored for a minimum period of 14 days with date and time stamping. (Offers on applications in excess of 14 days are acceptable).

(f) Viewable copies of recordings will be provided on request to the Police and local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 1998 (or any replacement legislation)

(g) The CCTV system will be capable of downloading images to a recognisable viewable format.

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5. An Incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:

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- Any faults in the CCTV system
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Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.

The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorized officer of a responsible authority.

c) Public safety.

Seating for no less than 25 persons ground floor and 15 mezzanine floor shall be provided in the premises at all times the premises are in operation. Adequate procedures must be implemented to ensure overcrowding (such

as that which may cause injury through crushing) does not occur in any part of the premises. In the absence of adequate daylight, artificial lighting in any area accessible to the public shall be fully operational whilst the public are present.

No customers carrying open or sealed bottles cans or other receptacles containing alcoholic liquor shall be admitted to the premises at any time that the premises are open to the public.

The collection of glasses and bottles shall be undertaken at regular intervals to ensure there is no build-up of empties in and around the premises. To have in place a food safety and hygiene management system with Torbay Food standards agency,

d) The prevention of public nuisance

Clear and legible notices shall be prominently displayed at all exits requesting **patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible**. All internal speakers shall be attached to independent wall linings and not to the ceiling. 19 The handling of kegs, bottles cleaning equipment, bottle disposal and similar items shall not take place before 8.00 hours or after 23.00 hours. The Premises Licence Holder or nominated person shall control the sound levels of the music/entertainment.

All external doors and windows shall be maintained in good order. Steps shall be taken ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway. All the rubbish produced by the premises shall be stored securely in a designated area or in a bin with a tight fitting and lockable lid. Sufficient measures must be in place to remove litter or waste arising from customers and to prevent such litter/waste accumulating in the immediate vicinity of their premises.

Where necessary adequate measures must be in place to provide customers with sufficient receptacles for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter etc.

Ventilation equipment will be regularly cleaned and maintained to control the levels of odour generated by the premises. When issues/problems are identified an approach will be made by appropriately trained staff/SIA licensed door supervisors, who will defuse/de-escalate the situation and

instruct customers to leave the vicinity as quickly and quietly as possible. A designated and de-lined smoking area will be allocated outside the premises.

Suitable receptacles will be provided for cigarette litter within the designated smoking area. The smoking area shall be permanently monitored by appropriately trained staff/SIA licensed door supervisors during opening hours. The amount of patrons in this area will not exceed 12 persons. The smoking area shall be regularly cleaned to ensure that all discarded smoking litter is removed and properly disposed. The designated smoking area shall be for 'smoking only' from 23:00 until 00:30 and reasonable steps will be taken to prevent the consumption of any alcoholic drinks in this area.

e) The protection of children from harm.

The premises shall operate a Challenge 25 Policy whereby any individual who appears to be under the age of 25 shall be required to produce an approved form of photographic identification as outlined in the Torbay Council Licensing Statement of Principles. Challenge 25 notices will be prominently displayed in the premises.

So, with respect to the objection of two representers, placed and described as: "the prevention of crime and disorder, public safety, and prevention of public nuisance" (page 1 on behalf of the Tor Haven residents' letter), and highlighted as potential areas of concern, however, it is clear that the license application was professionally advised and submitted based on already thoughtful **conditions and in the best interest of the residents, and of course to satisfy the legal grounds.**

The other concern raised by the Trustee of Abbey Hall Centre: "*It could be that the premises will end up being used in much the same way a night club...*" has no grounds also, firstly as we have no intention to, and moreover, technically **any change of the format or conditions of the current application of trading will require re-submission of the application (full variation), legal actions, including public consultation.**

The current premises license conditions have completely covered and satisfied the public safety requirements, preventing already the areas of potential concerns, and it is outlined our trading framework.

Part 2: Trading Standards

Our current business was established more than 10 years ago (licensed as Caffè La Tazzina – cafe/restaurant/bistro), and we operate in a very busy residential area in York, which is also classified as a Cumulative Impact Zone and as a reflection, our business is operating under a Cumulative Impact Assessment 2022 to 2025 Licensing Act 2003 by City of York Council (Please, see appendix 1).

The current format of our trading is relatively similar to the structural format of 35 Fleet Street, which is: the ground floor accommodates 30 seating places, the first floor has 25 seating places, a front outdoor area has 8 seating places, and the patio area has another 4 seating places. We are employing and training a team of 11-12 people.

There is a residential area directly linked to our current trading area, moreover, there are some flats right above and on the side of the trading area. Within that 10 years we never had any issues / complaints with the residents, as well as with any authorities. Moreover, over the number of years, we assisted the police with our outdoor CCTV to help investigate and address any other local issues.

We are operating in fully licensed premises, moreover, we were granted to extend our operation hours and seating capacity a little more than a year ago. One of the extensions has allowed us to trade in a large outdoor area, allocated near the building near the city Walls & Garden, which is clear evidence of the classification of our current business as a highly organised, successfully managed, and named one of the most ethically led dining & serving drinks businesses.

As you can imagine, the concurrence of trading in York is really high, there are 586 restaurants based on information from some sources. It would be completely impossible for us to get an outdoor extension if any issues.

If you would like to have a look at reviews of the business, you can have a look at Google and other review sources, as well as printed from a Table Agent booking system. (Appendix 2).

Recently (on 6 July 2023) we had been granted a 5-star food hygiene rating, which supersedes our previous 5-star hygiene rating.

Indeed, we are proud to run a family-friendly restaurant, we are proud to trade under higher-quality standards, and we are proud to welcome our regular customers – local people, like you, as well as people who are visiting York.

We love to cook and to serve quality drinks, including some great wines and craft beers. We developed a highly ethical consuming environment, although we are not posing ourselves as a fine dining, but as a casual restaurant, the restaurant for everyone.

The current business is run by myself, Chris Cuiu, with the support of my wife, Lada. I have a lifelong experience in the restaurant sector, as my experience began in early childhood when I was a small kid and learned how to cook fresh food and service people, supporting my mum and dad, and who successfully run their restaurant at that time.

Unfortunately, we could not keep running our business in a family building, as it will be under reprofiling, so after some consultations, we considered relocating our restaurant to Torquay.

Our conception for the restaurant in Torquay is the same – a family-run restaurant business, a family-friendly establishment, for people, who loves freshly-cooked tasty food, as well as for people socialising and ethically drinking only also, ensuring principles have been adhered.

This model of the development is balanced, and reflects to a consistency of the business, which we are starting in Torquay while the cost-of-living crisis time.

Our family is highly motivated to invest into premises at 35 Fleet Street to design, develop and keep our greatest standards of quality, as it is a key element of our trading reputation, and, moreover, crucially important as the family achievement and directly reflects to our values.

Part 3: Strong Local Connection

We noted, that in the text of the petition that had been provided to the residents, **is stated an inaccurate location of the premises**. It described the premises as: *"next to leather shop"*, and this is misinformed people signed the petition in terms of recognition as if the premises are located close to the corner of the building, when it is a bit away and has a generous distance between the premises, the residents of which were involved into the signing of the petition.

35 Fleet Street building is allocated next to a current cash converter business on the right side, then a jewellery shop, and only after this shop is located the leather shop.

The rear of the premises that backs onto Rock Road, will be residential only, and not a part of the licensed premises or not part of the trading area.

Moreover, **the fact that our family will reside there**, above the licensed premises, should be considered a natural motivator to keep our home and surroundings peaceful and respectful. We are your neighbours, and we will support communal interests.

The current issues, you mentioned in the representations, and any ongoing concerns should be addressed accordingly.

Additionally, it's noticeable that the building has been vacant for many years. There is often could be observes some individuals, who are possibly homeless, at the entrance of the building.

Summary:

We invested significant time, effort, and budget, in learning, and we approached a final draft of the application with the advice of local professionals, with care about community and dedication to trade in the frame of current conditions.

We are planning, and already consulting with the local builder, the architect, and other local professionals to bring life into the building, and the location. It would be accurate to say that we would organise, manage, and monitor the trading following the current license conditions, as we are investing a very significant amount of money and our lives, and we are targeted to keep our trading and living to develop the area. Thank you!

Yours sincerely, Chris and Lada Cuiu

Customer Reviews & Ratings

4.94 out of 5 stars based on 165 votes

Overall: 10/10
Food: 10/10
Service: 10/10
Ambience: 10/10
Value: 10/10

Aug 23, 2023 Sue F.

Lovely intimate restaurant with great service and excellent food!

Overall: 10/10
Food: 10/10
Service: 10/10
Ambience: 10/10
Value: 10/10

Aug 11, 2023 Duncan H.

Taste beyond the heavens and amazing staff!

Overall: 10/10
Food: 10/10
Service: 10/10
Ambience: 10/10
Value: 10/10

Aug 07, 2023 Julie N.

We had a really lovely meal, the food was amazing and staff so helpful and friendly, thank you.

Overall: 10/10
Food: 10/10
Service: 10/10
Ambience: 10/10
Value: 10/10

Jul 29, 2023 Kath C.

Hadn't been before but it's one of my friend's favourites, so 4 of us got together. Had a fab night! What gorgeous pizza dough :) Definitely going back. There days when can 4 of you eat and drink for £100 total bill???

Great value

Overall: 10/10
Food: 10/10
Service: 10/10
Ambience: 10/10
Value: 10/10

Jun 12, 2023 Julie B.

we love it - best restaurant in York!

Overall: 10/10
Food: 10/10
Service: 10/10
Ambience: 10/10
Value: 10/10

Jun 07, 2023 Richard L.

This cozy, little restaurant is a gem! Small and intimate space inside with very friendly and attentive service. The carbonara and lasagna were excellent and the range of craft beers will have you coming back. Highly recommended!

Overall: 10/10
Food: 10/10
Service: 10/10
Ambience: 10/10
Value: 10/10

Jun 02, 2023 Susan B.

Lovely small trattoria-type restaurant. Food freshly made (the best lasagne!) and great craft beer and cocktail menu. We visit often

Overall: 10/10
Food: 10/10
Service: 10/10
Ambience: 10/10
Value: 10/10

May 19, 2023 Mark E.

Great place love the beers and food, starting to visit regularly see you again soon

Overall: 10/10
Food: 9/10
Service: 10/10
Ambience: 10/10
Value: 10/10

May 11, 2023 Jo H.

A fantastic evening. The service was perfect, recommendations on their extensive craft beers selection were spot on, the food was excellent and the wine was divine. Fabulous place. Highly recommended.

Overall: 10/10
Food: 10/10
Service: 10/10
Ambience: 10/10
Value: 10/10

Mar 27, 2023 Ian D.

Great atmosphere, food good and staff very friendly and unobtrusive. Well worth a visit

Overall: 10/10
Food: 10/10
Service: 10/10
Ambience: 10/10
Value: 10/10

Mar 24, 2023 Graham S.

A, warm welcome, smiling, efficient service, delicious freshly prepared food at very reasonable cost. Would you consider offering smaller portions? I found the generous portions too much for me. Fortunately my husband was able to help out! We look forward to dining again when next we stay in York.

Overall: 10/10
Food: 10/10
Service: 10/10
Ambience: 10/10
Value: 10/10

Mar 19, 2023 Adam W.

Amazing little restaurant. Lovely owners. Fantastic food!

Overall: 10/10
Food: 10/10
Service: 10/10
Ambience: 10/10
Value: 10/10

Mar 18, 2023 Alex H.

Really enjoyed our family meal and staff very welcoming. They were able to provide a high chair x

Overall: 10/10
Food: 10/10
Service: 10/10
Ambience: 10/10
Value: 10/10

Mar 14, 2023 Nicola B.

This restaurant is amazing! Everyone was so friendly and helpful. Our table was ready for us when we arrived (I had a reservation). It was a very busy night though with people being turned away, and our children flagged towards the end as there was a delay in our food arriving. I mentioned it to the staff who immediately brought out some complimentary breads/olives to keep them going. When the food arrived it was delicious. Definitely freshly prepared and high quality. Had we not had our children with us we wouldn't have minded the delay as the food was worth waiting for. We had a pizza, 2 pasta dishes, a tomato bread and the mussels. Soft drinks and a bottle of wine. All up £90.00 ish which is a decent price for 4 for an evening meal. My children have adult size appetites! Will definitely return when we are back in York.

Overall: 10/10
Food: 10/10
Service: 10/10
Ambience: 10/10
Value: 10/10

Mar 12, 2023 Charlotte W.

Wonderful evening , fantastic food , great ambience and outstanding service . Highly recommended.



Cumulative Impact Assessment 2022 to 2025 Licensing Act 2003

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Introduction

1. Cumulative impact has been included within the Section 182 guidance issued by the Home Office since the commencement of the Licensing Act 2003.
2. In April 2018 the Police and Crime Act 2017 introduced a new provision within the Licensing Act 2003, Section 5A. This provision provides that a licensing authority may, in appropriate circumstances, publish a document, cumulative impact assessment (Assessment), stating that the licensing authority considers that a number of relevant authorisations in respect of premises in one or more parts of its area, described in the Assessment, is such that it is likely that it would be inconsistent with the authority's duty under the Act to grant any further relevant authorisations in respect of premises in that part or those parts.
3. Cumulative impact is the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.
4. The Assessment must set out the evidence for the authority's opinion, must be consulted upon before it is published, it must be reviewed at least every three years to consider whether it remains of the opinion stated in the Assessment, a review must be consulted upon and any revisions must be published along with the evidence. Following the introduction of Section 5A of the Act, and in accordance with the Section 182 Statutory Guidance, the Council's previous approach and policies have been reviewed.
5. By publishing an Assessment the Council is setting down a strong statement of intent about its approach to considering applications for grant and variation of premises licences or club premises certificates in the area described.

The Council must have regard to the Assessment when determining or revising the Statement of Licensing Policy. The Assessment does not change the fundamental way that a licensing decision is made, as each application will be considered on its own merits.

It is open for the Council to grant an application where it is considered appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact. Applications in the area covered by the Assessment should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives.

Where relevant representations are received and the Council determines to grant an application reasons for granting the application will be given to the applicant, the Chief Officer of Police and all parties who made a relevant representation.

6. Where no relevant representations are received an application will be granted in terms consistent with the operating schedule.
7. An applicant wishing to obtain a new licence or vary a licence for premises, within the cumulative impact area, will be expected to demonstrate through the operating schedule, the steps that they intend to take so that the Council and responsible authorities can be satisfied that granting a new or varied licence will not add to the cumulative impact already being experienced.
8. The onus is on the applicant to demonstrate to the responsible authorities the suitability of how their proposal will not add to the cumulative impact. To assist this process the Council recommends early consultation with responsible authorities; this can be done directly, with those authorities, or through the Council's Licensing Section.

Cumulative Impact – York City Centre

9. City of York Council (the Council) has included a Cumulative Impact Policy (known as the cumulative impact zone CIZ) within its Statement of Licensing Policy since 2005, following the receipt of evidence provided by North Yorkshire Police (the Police) and the Council's Public Protection Service (noise), in relation to an area identified within York city centre.

This area was reviewed in accordance with the requirements of the Act.

Due to the changes within the city centre, mainly the changing locations where licensed premises were predominately operating and following the receipt of further evidence from the Police and Public Protection this area has increased on two occasions over the years.

Cumulative Impact Assessment – York City Centre 2021 Review

10. As required by the Act the Council has reviewed the cumulative impact area. The Police have provided statistical data for the area, which includes crime associated with the consumption of alcohol and Public Protection has provided data relating to noise associated with the operation of licensed premises. The Council, in consultation with the Police, has developed its second draft Assessment in relation to an area that has been identified in York city centre. This area includes red and amber zone areas.
11. This cumulative impact area has been identified because evidence shows that the cumulative impact of the number and concentration of licensed premises in this area continue to adversely affect residents, visitors and other businesses and therefore adversely affecting the promotion of the licensing objectives:
 - prevention of crime and disorder
 - prevention of public nuisance
12. The Assessment relates to applications for the grant and/or variation of premises licences, club premises certificates or the issue of provisional statements. Throughout this Assessment a general reference to a premises licence, will include a club premises certificate and/or provisional statement.
13. The variation of premises licences relates to:
 - changing the style of operation;
 - extending the premises/licensed area;
 - increasing capacity; and
 - extending the licensed hours.

York City Centre Area

14. The key findings from Public Protection (noise) were:

- That noise complaints within the CIA:
 - Reduced in 2019 compared to 2018. 33 complaints were received in 2018, and 14 were received in 2019.
 - Reduced further in 2020, nine complaints were received. The impact of the COVID 19 pandemic, restricted the operation of a number of businesses within the CIA, with a majority of businesses been closed due to restrictions.
 - Increased in the first 10 months of 2021, 27 complaints were received.
- The complaints relate to noise from either music from licensed premises, people at or in the vicinity of licensed premises or deliveries/collections to and from licensed premises.

- The locations of the complaints are as follows:

Location	Number of complaints 2019	Number of complaints 2020	Number of complaints 2021*
Blossom Street/ The Crescent	4		3
Micklegate/Bridge Street/St Martins Lane	5	3	5
George Hudson Street/Rougier Street	2	1	2
Tanner Row	1		
Low/High Ousegate			2
Parliament Street		1	
Church Street			1
Fossgate	1		2
Goodramgate			1
Low/High Petergate		2	5
Silver Street			1
Kings Square		2	
Swinegate/ Grape Lane			2
Little Stonegate			1
Stonegate			1
New Street	1		1

(up to 31 October 2021)

15. The key findings from the Police were:

- Overall the crimes and occurrences continue to follow a similar pattern to those highlighted in the report 2017-2018. The CIA encapsulates the majority of crimes/Anti-social behaviour (ASB) and Public Safety and Welfare (PSW) incidents in the centre of York.

2019/20 data:

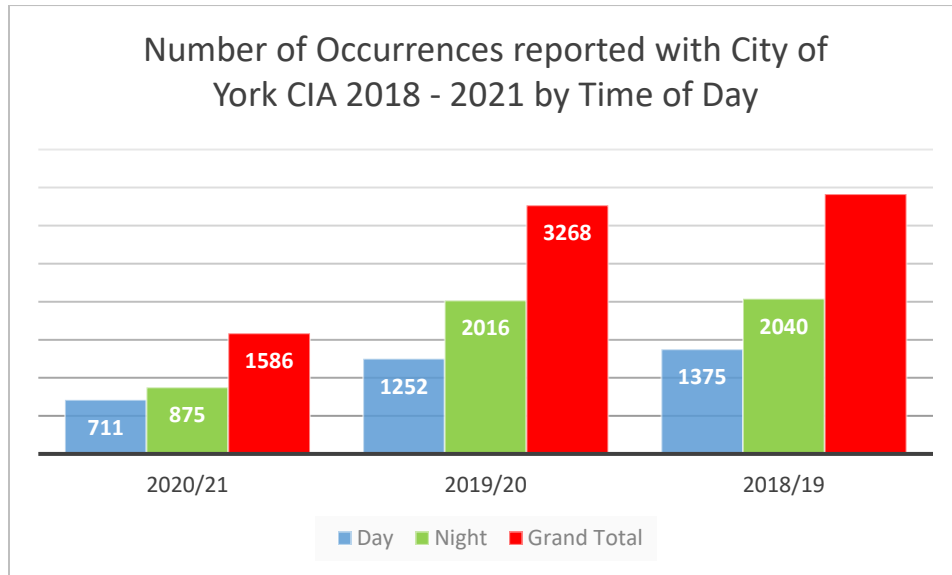
- The majority of incidents continue to occur in the night-time economy, peaking between 23:00 and 04:00.
- There is a substantial rise in reporting on a weekend, in particular on Saturdays, which accounts for 24% of the total.
- The top tier occurrence types continue as previously reported, with ASB nuisance the top report incident with 42.5% of this total reported across the weekend.
- There is a significant increase in the number of ASB dispersal notices totalling 166.
- Coney Street continues to be the top area where dispersal notices are issued.
- PSW Concern for Safety and PSW Suspicious Circumstances are also recorded within the top tier of occurrences. Levels remain relatively stable between 2018 and 2021.
- Crime Violence continues to feature highly, accounting for 73% of the crime types in the CIA 2019/20.
- 55% of Crime Violence for period 2019/20 occurs on a weekend (Saturday/Sunday) with all incidents believed to be linked to alcohol.
- Similar to previous years, the top five streets where incidents are reported are Micklegate, Coney Street, Blake Street, Blossom Street and Low Ousegate.
- The months which see the most reports follow patterns seen in previous years, with an increase in summer months and around December.

2020/21 difference to note:

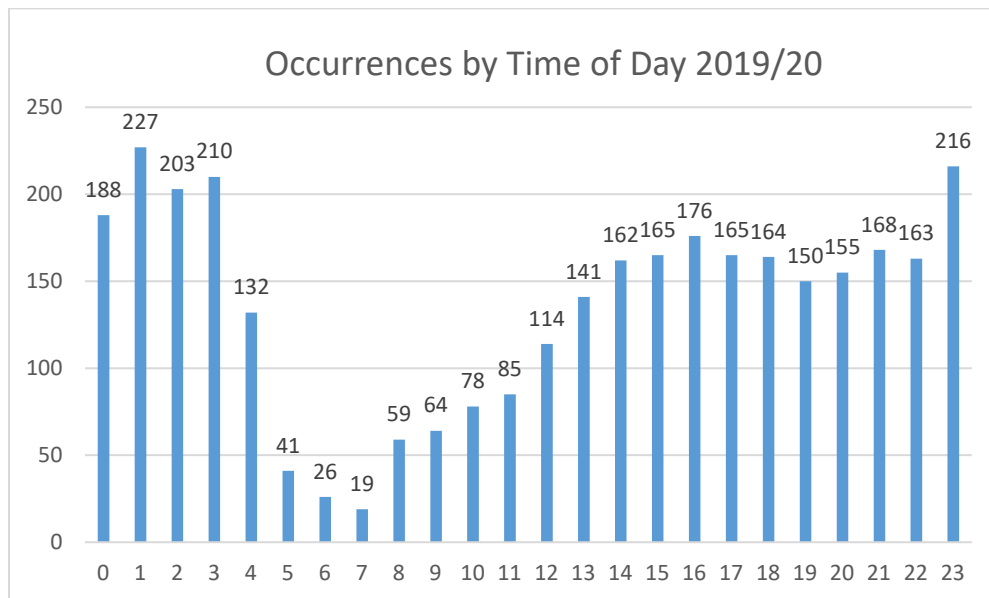
- The majority of incidents continue to be in the night-time economy, although peak times are earlier than in previous years, 22:00 to 23:00.
- The top tier occurrence types continue as previously reported, however there is a significant increase in ASB Environmental, compared to the previous years.
- Crime Violence reduces to 60% from 73% in 2019/20.
- Crime Violence occurring on a weekend has reduced slightly to 49%.
- The top 5 streets reflect previous years, apart from one change where Goodramgate replaces Blake Street.
- The reporting months follow a similar pattern to previous years; however this is more a reflection of COVID restrictions being reduced or removed. The summer months saw pubs and restaurants re-open, and December saw restrictions lifted, York was not heavily affected by the Government's three-tier systems.
- There were 41 COVID tags applied to locations impacted, Little Stonegate has 14 tags, which accounts for 82% of the incidents on Little Stonegate.
- 126 COVID tags have been applied to occurrences, ASB Environmental has the highest number with 81 out of the 142 issued.

Occurrences

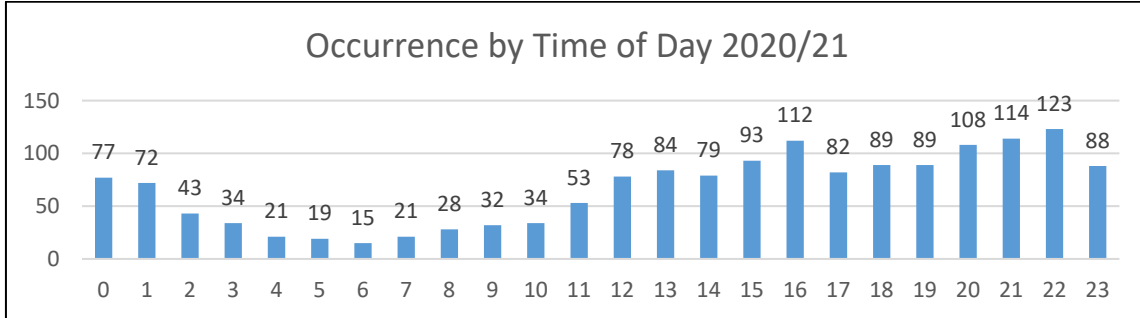
16. The majority of incidents reported within the City of York CIA are during the Night-Time Economy period (NTE).



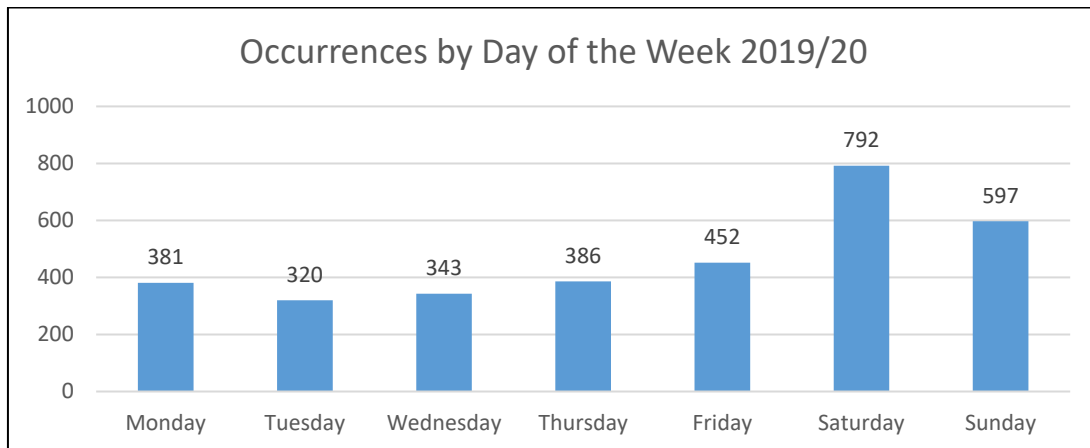
17. For the period 2019/20 there is a steady increase in reporting throughout the afternoon, which levels off and then peaks in the late evening and early hours of the morning 23:00 – 04:00, accounting for 61.7% of reporting occurring in the night-time economy.



18. For the period 2020/21 there is a slight shift, with 55% of occurrences reported during the night and 45% in the day. There is increased reporting in the afternoons, which follows a similar pattern in the early evening, the peak is earlier than previous years, around 22:00-23:00.



19. Incidents are reported throughout the week, with a substantial rise seen on a Saturday which accounts for 24% of the total in the period 2019/20. This pattern is also seen in data for the period 2020/21.

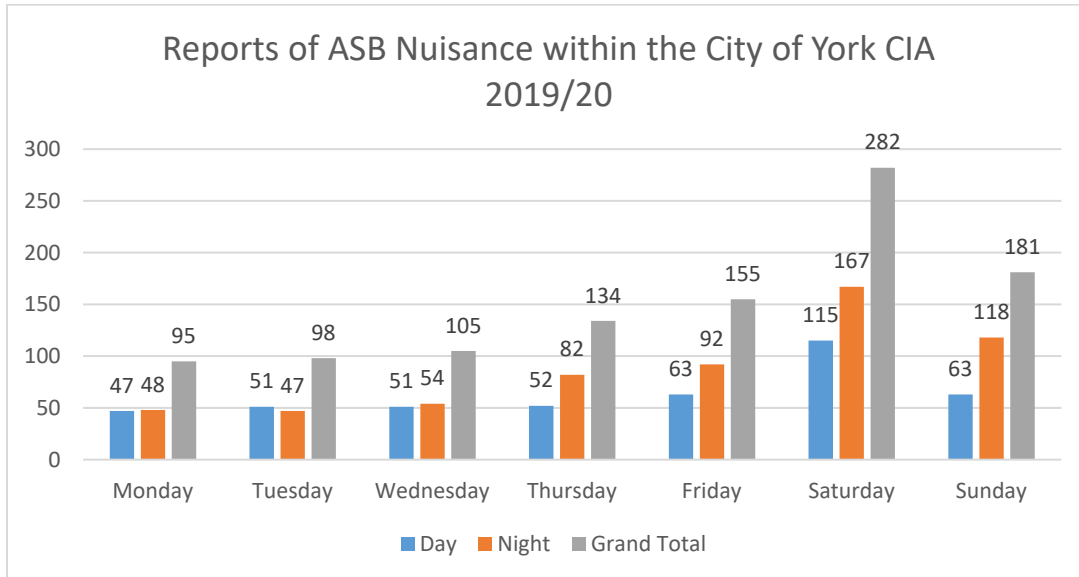


20. 3271 occurrences have been reported within the CIA in 2019/20. The top tier of occurrence types is shown within the table below, by year.

Incident Type	2018/2019	2019/2020	2020/2021
ASB Nuisance	1196	1050	465
PSW Concern for Safety/Collapse/Injury /Illness/Trapped	582	549	275
PSW Suspicious Circumstances/ Insecure Premises/ Vehicle	642	494	243
Crime Violence	402	534	150
ASB Environmental	30	19	142
PSW Abandoned Call	208	297	122



21. ASB Nuisance continues as the most prevalent occurrence type across all three financial years, with 44% reported across the weekend (Saturday & Sunday) in period 2019/20. For the same period 61.5% of weekend incidents are reported during the night-time economy period.



22. ASB Dispersal Notices are also included within the ASB Nuisance category.

Under the Anti-Social Behaviour, Crime and Policy Act 2014, Officers can disperse people who they believe are likely to commit crime and disorder, or behave anti-socially.

In the period 2019/20 166 were enacted, with a vast reduction in 2020/21 with just 56.

The increased figures in 2019/20 is partially due to the proactive operations of Erase and Safari (planned operations to target alcohol fuelled disorder within the City) where pre-authorized dispersals were readily available and pro-actively utilised to reduce crime and disorder in the CIA.

23. The top ten areas where Dispersal Notices were issued for the period 2018/19 and 2020/21, shows Coney Street as the top location, this was also seen in periods 2018/19 and 2020/21.

***Bold** indicates previous top 5 streets highlighted in the CIA 2018.

Address Street	2018/ 2019
Coney Street	20
Blake Street	8
High Ousegate	8
Low Ousegate	6
Micklegate	5
Tanner Row	4
Spurriergate	3
St Mary's Square	3
North Street	2
Bridge Street	2

Address Street	2019/ 2020
Coney Street	24
Blake Street	14
Parliament Street	12
Low Ousegate	11
Micklegate	10
Piccadilly	9
Davygate	6
Spurriergate	6
North Street	6
Coppergate	6

Address Street	2020/ 2021
Coney Street	9
Davygate	8
Goodramgate	6
King's Staith	5
Blake Street	3
Low Ousegate	3
Clifford Street	3
Station Rise	3
Micklegate	2
St Helen's Square	2

24. ASB Environmental has seen a significant increase in period 2020/21, this is believed to be the impact of COVID 19.

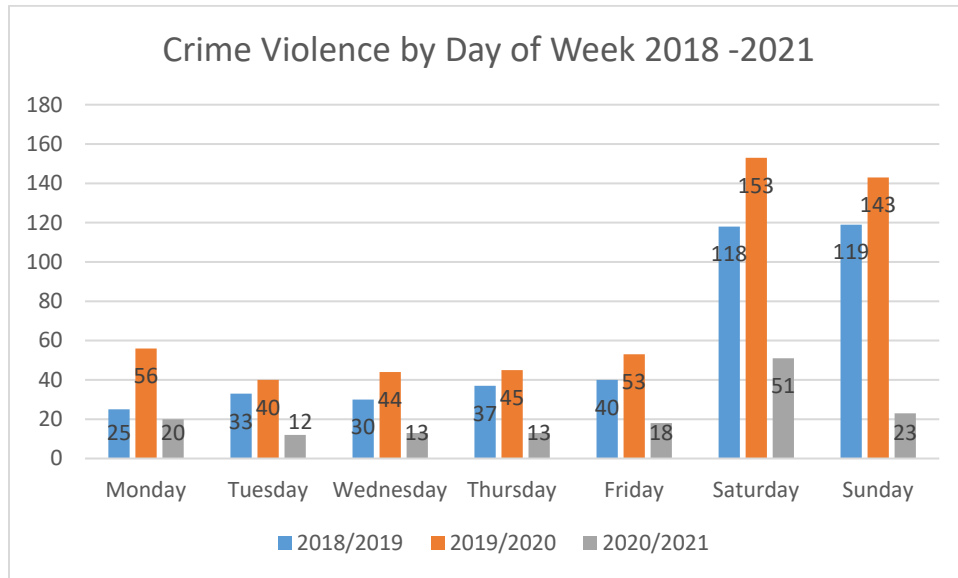
Occurrence Type Description	2018/2019	2019/2020	2020/2021
ASB Nuisance	1196	1050	465
ASB Environmental	30	19	142
ASB Personal	73	51	27
Grand Total	1299	1120	634

19. PSW Concern for Safety and PSW Suspicious Circumstances are also recorded within the top tier of occurrences. Levels remain relatively stable between 2018 and 2021.

20. Similar to both 2018/19 and 2020/21, Crime Violence continues to feature highly, accounting for 73% of the crime types in the CIA 2019/20, however this reduces to 60% in 2020/21.

Occurrence Type Description	2018/2019	2019/2020	2020/2021
Crime Violence	402	534	150

21. 55% of Crime Violence for period 2019/20 occurred on a weekend (Saturday/Sunday) with all incidents believed to be linked to alcohol. This has reduced slightly to 49% in 2020/21.

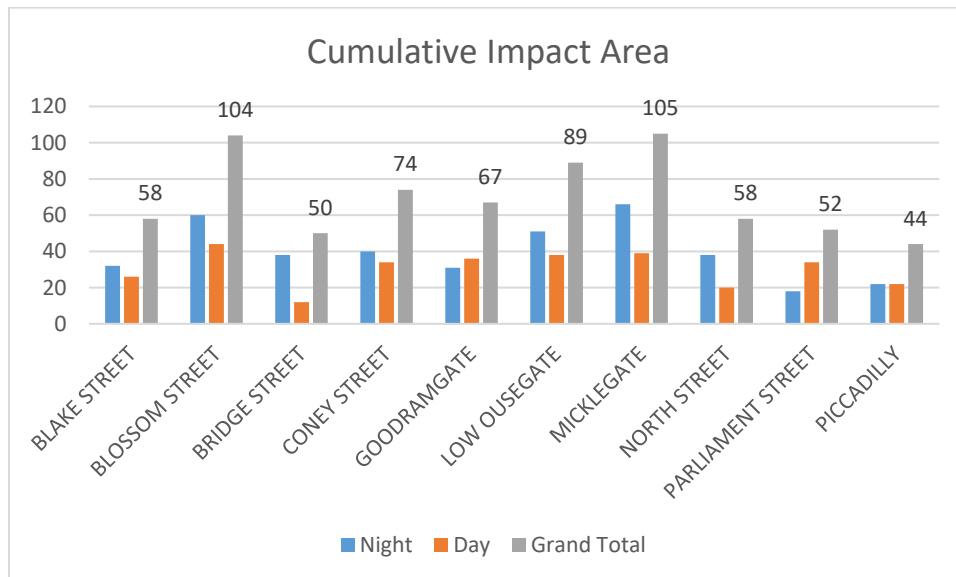


22. 724 crimes have been reported within the CIA in 2019/20. The top tier of Crime Groups exemplified within the table below account for 96.8% of crimes reported.

Crime Type	2018/2019	2019/2020	2020/2021
Crime Violence	402	534	150
Crime Other Offences	51	93	63
Crime Criminal Damage	43	39	22
Crime Drugs	10	18	6
Crime related incident	28	17	6

Locations

23. The 'Top Ten Tier Streets', within the CIA, that record the highest level of occurrences, are evidenced within the graph below. Micklegate, Coney Street, Low Ousegate and Blossom Street have been highlighted across previous years. These localities encompass a high concentration of licensed premises, off-license express supermarkets, late night eateries and cafes as well as hotel and retail premises. Consequently footfall is high. Goodramgate has overtaken Blake Street in the period 2020/21 which hasn't featured in previous years top five locations.



24. There are now four hotspot red zones in the CIA 2020 – 2021 which also reflects the data 2018 - 2020.

The main difference is an increase in incidents in the Church Street/Swinegate/Low Petergate area. This may be due to the increase in outdoor pavement café establishments in the area, which have increased since the COVID 19 restrictions have been introduced.

COVID Data

24. COVID Restrictions:

- 23/03/2020 – UK in lockdown
- 10/05/2020 – UK restrictions eased
- 01/06/2020 – Phased re-opening of schools
- 15/06/2020 – Non-essential shops re-open
- 23/06/2020 – Further easing of restrictions and 2 metre social distancing in place
- 04/07/2020 – Further easing of restrictions, including re-opening of pubs, restaurants and hairdressers
- 03/08/2020 – Eat out to help out scheme launched
- 14/08/2020 – Further easing of restrictions, including opening of theatres, bowling alleys and soft play
- 14/09/2020 – Rule of six indoor and outdoor implemented
- 22/09/2020 – Return to working from home
- 14/10/2020 – Three tier system introduced
- 05/11/2020 – Second lockdown in place
- 02/12/2020 – Second lockdown ends and three tier system in place
- 23-27/12/2020 – Christmas rules – up to three households can meet indoors
- 06/01/2021 – Third lockdown in place
- 08/03/2021 – Schools return
- 29/03/2021 – Rule of six in place

25. A COVID tag has been applied to locations via the Storm system. Out of the 1588 occurrences there are forty-one streets with this tag, the top streets with five tags of more are listed below.

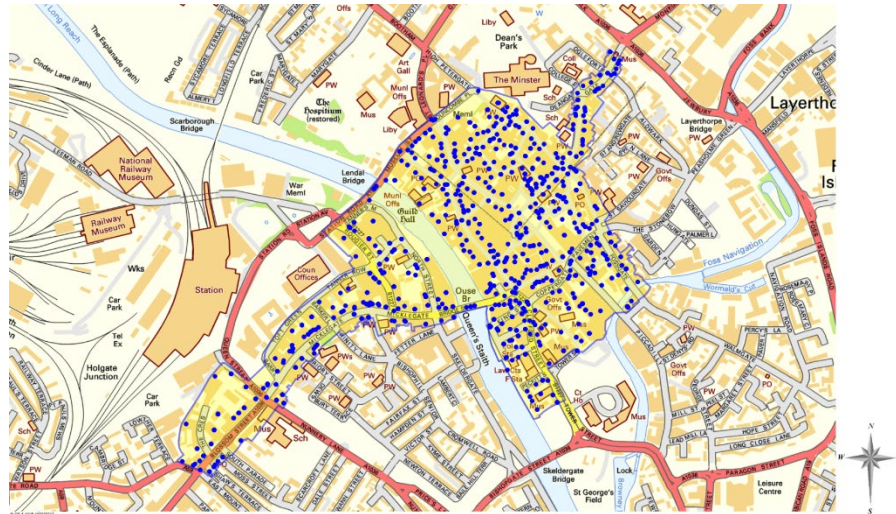
Street	COVID Tag Count	Occurrence % with COVID Tag
Little Stonegate	14	82.30%
Blossom Street	12	13.04%
Fossgate	7	28%
Coney Street	6	8.80%
Micklegate	5	5%
Low Ousegate	5	6%
Pavement	5	17.20%
Piccadilly	5	12.80%
Goodramgate	5	8%

26. There are 126 COVID tags linked to occurrences, as follows:

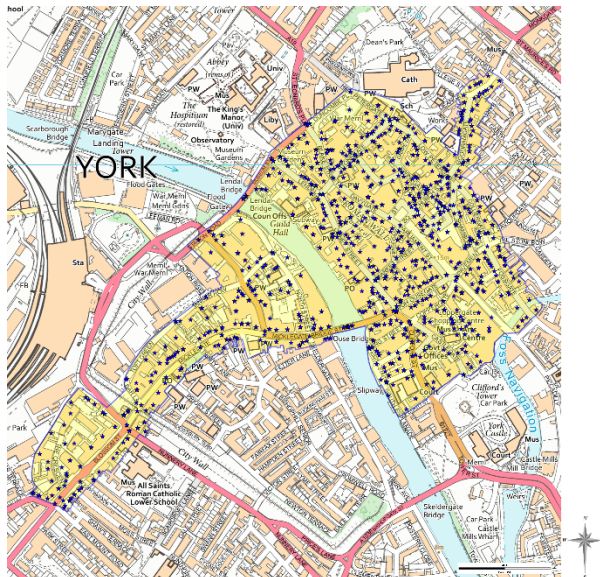
Occurrence Type	Occurrence	COVID	Grand Total
ASB Environmental	61	81	142
ASB Nuisance	429	36	465
PSW Licensing	3	5	8
PSW Concern for Safety/ Collapse/Injury/Illness/Trapped	273	2	275
Crime Violence	149	1	150
ASB Personal	26	1	27

Maps

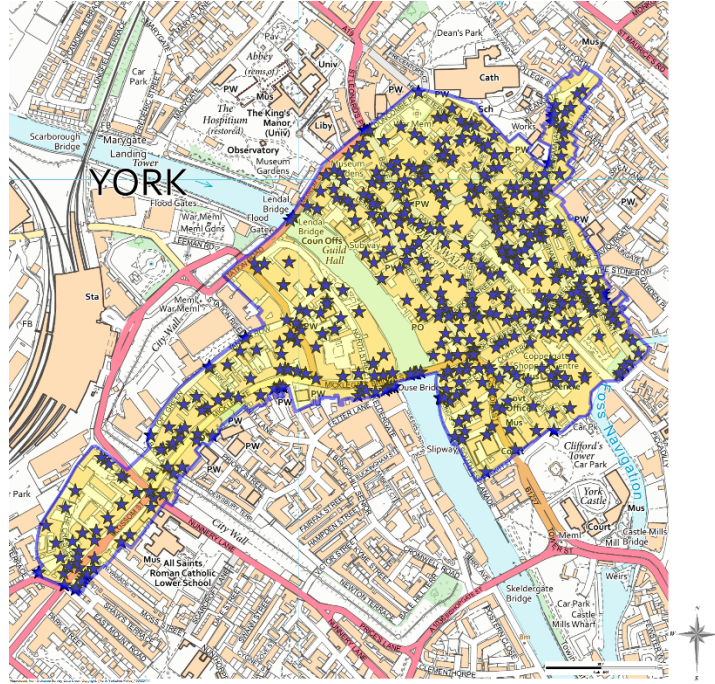
27. Map of the City of York showing the Cumulative Impact Area as indicated by the blue boundary line together with occurrences and crimes (represented by blue dots) committed within the CIA between 01/04/2017 and 31/03/2018.



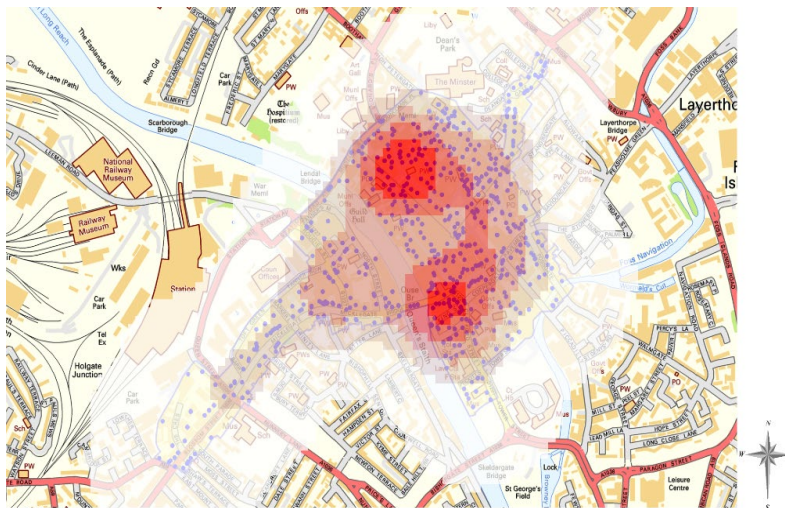
28. Map of the City of York showing the Cumulative Impact Area as indicated by the blue boundary line together with occurrences and crimes (represented by blue dots) committed within the CIA between 01/04/2018 and 31/03/2020 (pre COVID).



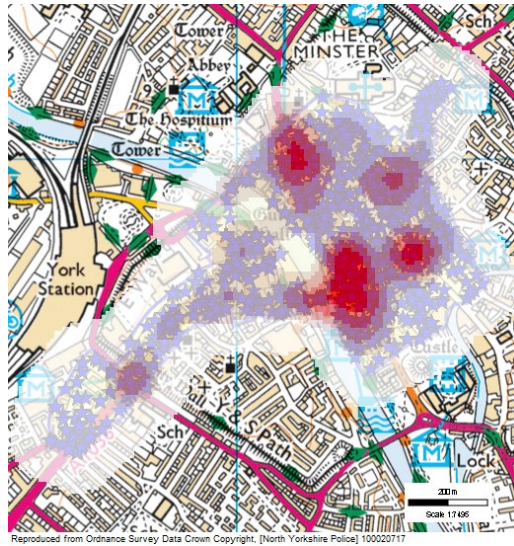
29. Map of the City of York showing the Cumulative Impact Area as indicated by the blue boundary line together with occurrences and crimes (represented by blue dots) committed within the CIA between 01/04/2020 and 31/03/2021 (during COVID).



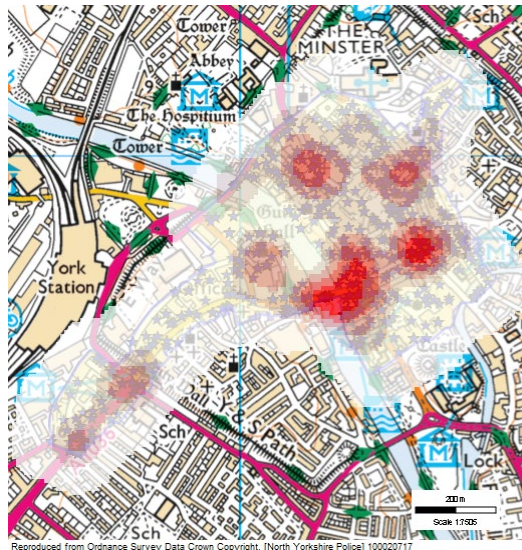
30. Hot Spot Map showing the concentration of occurrences within the City of York Cumulative Impact Zone between 01/04/2017 and 31/03/2018. Red shading indicates highest density and graduating red/pink/white shading showing lowest density of occurrences.



31. Hot Spot Map showing the concentration of occurrences within the City of York Cumulative Impact Zone between 01/04/2018 and 31/03/2020 (pre-COVID). Red shading indicates highest density and graduating red/pink/white shading showing lowest density of occurrences.

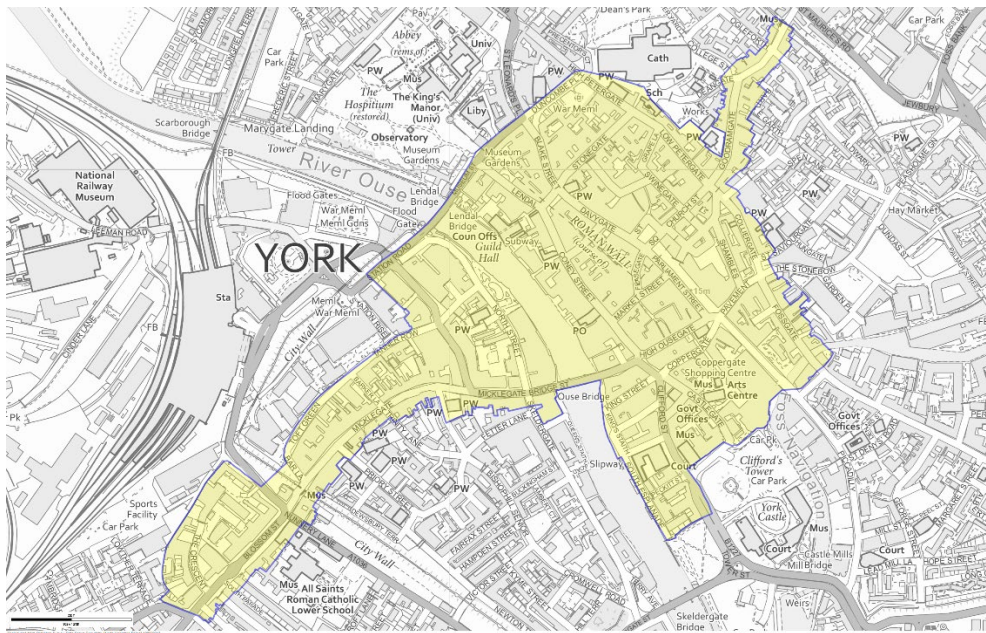


32. Hot Spot Map showing the concentration of occurrences within the City of York Cumulative Impact Zone between 01/04/2020 and 31/03/2021 (during COVID). Red shading indicates highest density and graduating red/pink/white shading showing lowest density of occurrences.

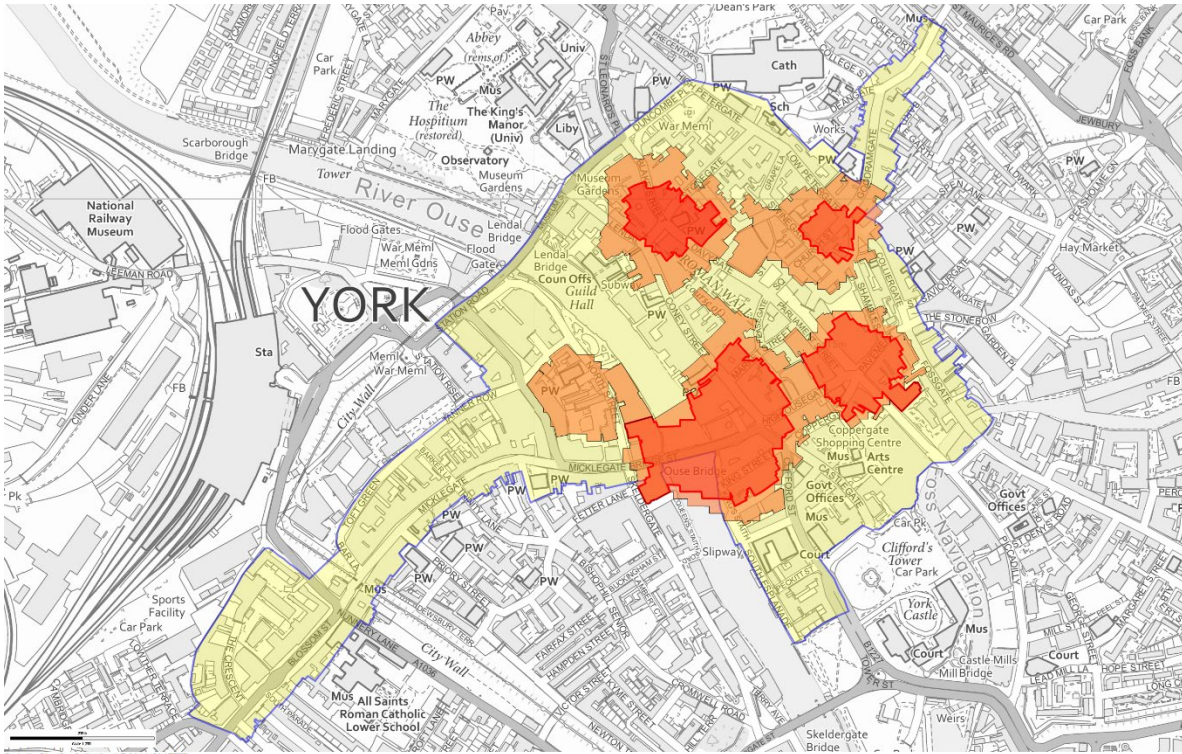


Conclusion

33. The Assessment has been carried out in accordance with the Section 5(a) of the Licensing Act 2003. This Assessment has been published because the Council considers that the number of relevant authorisation in respect of premises in one area described in the assessment is such that it is likely that it would be inconsistent with the Council's duty under the Act to grant any further relevant authorisations in respect of premises in that part.
34. Based on the statistical data evidence above and the hot spot map, the Council has determined that an area of the city centre should remain as a cumulative impact area. The area has not been altered it matches the top ten areas where Dispersal Notices have been issued, which includes the 'Top Five Tier Streets' highlighted within the 2018 Assessment, as detailed at paragraph 23 and the area identified on the hot spot maps at paragraphs 31 and 32. The red zone area is to be reduced, creating four small red zone areas, and an amber zone areas are introduced, and these are a combination of the areas identified on the hot spot maps which shows the highest density of occurrences.
35. The cumulative impact area is defined in the map below:



36. The cumulative impact area and the red and amber zones area are defined in the map below:



37. The red and amber zones are identified in the map below:

