

LICENSING SUB-COMMITTEE HEARING

Members' Notes & Record of decision RE: York House Centre London Road Stony Stratford 30th April 2012



MILTON KEYNES
COUNCIL

Constitution of the Board: (Chair) Cllr Barry , Cllr Bradburn , Cllr Uroy Clarke

Officers: Ifty Ali – Legal Advisor
Kieran Evans- Licensing
Officer

Applicant Ken Daniels –Chairman
York House Trustees

Cllr Box –York House
Trustee

Representors John Lee
Pat Lee
Elizabeth Rooney

Represented by

Also Present: -

Members of the Public: -

Documentation: Report of Licensing Officer and annexed representations and additional papers

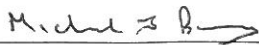
Apologies: none

Declarations of interest: none

Witness - **On behalf of**

Milton Keynes Council

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Signature:	
Chairman:	Cllr. Barry
Date of hearing	30 th April 2012

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**Members' Notes & Record of decision
RE: York House Centre London Road Stony Stratford**

30th April 2012

1. Findings of Fact (*i.e. the relevant facts accepted from the evidence available*)

1. This is an application seeking to vary the existing premises licence to allow the sale of alcohol on and off the premises.
 2. The premise is located in an area of residential premises.
 3. Environmental Health have made representations and agreed a condition with the applicant regarding use of the outside areas and noise levels.
 4. The premises licence holder has confirmed that a committee member (or a nominated person) will be available at all events.
 5. There are a number of representations regarding alcohol sale concerns associated with crime and disorder , and public nuisance issues regarding noise /littering and parking.
 6. The last documented Anti-Social Behaviour incident was October 2010.
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2. Full text of unanimous decision on the application

Granted as applied for subject to the following condition added to the operating schedule:

1. Outside areas shall not be used after 21:00 hours unless York House Management , or a person nominated by them, are in attendance and assess that noise levels are at an acceptable level and unlikely to cause annoyance to neighbours.
-
-

Signature:



Chairman:

Cllr. Barry

Date of hearing

30th April 2012

3. Reasons for decision

(An explanation of why:

- when applying the findings of fact to the statutory provisions, Secretary of State's Guidance, the authority's Statement of Licensing Policy and, above all, promotion of the licensing objectives, a particular conclusion is reached to grant, grant with conditions other than standard conditions, or refuse the application.*
- if facts were in dispute and it is not clear from the "Findings of Fact" box above, which facts were disputed and, in coming to the finding of fact, the extent to which the parties and witnesses were believed or disbelieved and the information on which the Panel relied in reaching its decision.*

Also, state any legal authorities cited by the parties)

1) Legal advice was not given during deliberation

2) The Sub-Committee took into account the report placed before it and all valid representations made.

3) The Sub-Cmtee considered its Council Policy & DCMS Guidance under section 182 Licencing Act 2003


The Sub-Committee was satisfied by the explanation given by the applicant as set out in annex F of the papers and annexe D of the additional papers

The Sub-Committee has decided that those conditions added to the licence will address the concerns raised by the representations made and are a proportionate response.

4. Right of Appeal

An appeal against the decision of the Sub-Committee may be made.

Applications to appeal the decision of the Sub-Committee must be made to the local Magistrates' Court within 21 days from the receipt of this notice.

Signature:	
Chairman:	Cllr. Barry
Date of hearing	30 th April 2012