

LICENSING & APPEALS SUB-COMMITTEE

(Members are asked to arrive by 9.45pm)

at 10am on Thursday 13th September 2018
in the Staincliffe Room, Belle Vue Square, Broughton Road, Skipton

AGENDA

Sub-Committee Membership : Councillors Jaquin, Solloway and Thompson.

1. **Apologies for absence.**
2. **Appointment of Chairman for the Hearing.**
3. **Declarations of Interest** – Members are invited to declare any interests (including the nature of those interests) they have in the item appearing on this agenda.

(Note: If any of the Sub-Committee's Members believe they may have an interest they are asked to inform the agenda contact officer before the date of the Hearing as the attendance of a replacement Member may need to be arranged.)

4. **Licensing Act 2003 Application for Premises Licence** – The Sub-Committee is asked to consider an application for a premises licence submitted by Gillian Hodgson in respect of Greenwood Bistro Limited, 6 Victoria Square, Skipton, BD23 1FJ.

Report of the Licensing Manager attached together with guidance for the conduct of hearings..

5. Any other items which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act, 1972.

Agenda Contact Officer: Vicky Davies Email committees@cravenc.gov.uk

Tel. 01756 706486

4th September 2018



GUIDANCE NOTES ON THE CONDUCT OF HEARINGS BEFORE THE LICENSING AND APPEALS SUB-COMMITTEE IN RELATION TO THE LICENSING ACT 2003

1. INTRODUCTION

Craven District Council as the Licensing Authority wishes to ensure all parties receive a fair hearing. The purpose of the Committee hearing is to enable those with a right to appear to put forward their views and assist the Committee to gather evidence and to understand the relevant issues.

2. Application

All hearings will be conducted in accordance with this procedure.

3. Absence of a Party

3.1 If any party fails to attend, the Committee may hold the hearing in that party's absence. If the Committee considers it necessary in the public interest to adjourn the hearing to a specified date it may do so, subject to paragraph 8. The Committee may invite representations from parties present on this issue before making their decision.

3.2 If a party has informed the licensing authority that they do not intend to attend or be represented at the hearing, the hearing may proceed in their absence.

4. Hearings to be held in Public

The hearing will normally be held in public. Exceptionally, the Committee may exclude the public (including a party to the hearing and any person assisting or representing a party) from all or part of the hearing where it considers that this is in the public interest.

5. The Hearing

5.1 The hearing will take the form of a structured discussion, led by the Members of the Committee. All parties will be given an opportunity to make a statement.

5.2 The Committee will allow parties an equal period of time in which to make representation, give supporting information or ask questions. The Chairman of the Committee may determine the maximum period of time available to the parties.

5.3 Any party may be represented by another person, whether legally qualified or not.

5.4 Where multiple representations have been received from individual members of the public, the Committee will encourage such groups to nominate a spokesperson or spokespersons to make oral submissions on behalf of the group. Although this means each person who has raised a representation may not be heard individually, those representations will be taken into account. After

hearing the submission of the spokesperson(s), the Chairman will normally give an opportunity for individuals to add points that the spokesperson has not already covered.

- 5.5 'Responsible authorities' and 'other parties' are reminded that their submission may only relate to the original grounds of representation and new grounds cannot be introduced at the hearing.
- 5.6 The Committee may take into account documentary or other information produced by a party in support of their application, representation or notice either before the hearing or, with the consent of all other parties, at the hearing.
- 5.7 The Committee will disregard any information given by a party or any other person that is not relevant to the application, representation and the promotion of the licensing objectives.
- The licensing objectives are:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 5.8 Hearsay evidence is admissible. However, the weight the Committee attaches to such evidence may be less than hearing first hand evidence.
- 5.9 All parties, their representatives and witnesses may be asked questions by Members of the Committee.
- 5.10 Cross-examination will not be permitted unless the Committee considers that it is necessary.
- 5.11 Each party will be treated equally.
- 5.12 Legal advice to the Committee will either be given in open session or, where given to Councillors when they have withdrawn to make their decision, will be repeated afterwards in open session to those in attendance.

6. Opening of a Hearing and Identifying Parties to the Hearing

- 6.1 The Committee will deal with the appointment of the Chairman of the meeting.
- 6.2 The Chairman of the Committee will introduce the members of the Committee and officers.
- 6.3 The Chairman will ask the parties to identify themselves and to say whether they are represented and whether they wish to call any witnesses.
- 6.4 The Chairman will outline the procedure that will be followed.
- 6.5 The Licensing Officer will outline the report.

7. Procedure

- 7.1 The Chairman will invite any responsible authorities and/or other parties making representations to address the Committee in turn.
- 7.2 Members may ask questions of each party after they have addressed the

Committee.

- 7.3 At the discretion of the Committee, the applicant and other parties may then be permitted to ask questions of those addressing the Committee subject to paragraph 5.10.
- 7.4 The Chairman will then invite the applicant or their representative to address the Committee.
- 7.5 Members may ask questions of the applicant and any other person who has been given permission to address the Committee.
- 7.6 At the discretion of the Committee, the other parties may then be permitted to ask questions of the applicant, subject to paragraph 5.10.
- 7.7 At the discretion of the Chairman, he may invite the parties to sum-up.
- 7.8 After hearing from all parties, the Committee may advise all parties of representations from parties not present at the Committee.
- 7.9 In order to deliberate on the matter, the Committee will withdraw from the meeting room. The Committee may request the presence of their Legal Adviser to give them legal advice. The Committee Clerk will join the members to record their decision.
- 7.10 Once a decision has been reached, the Committee will return and give that decision, together with the reasons for that decision, orally.
- 7.11 The decision will be confirmed in writing following the meeting.
- 7.12 In certain circumstances as set out in the Act, the Committee may make a decision within five working days of the last day of the hearing.
- 7.13 The Committee Clerk will make a record of the hearing.

8. Adjournment of Hearing

The Committee may adjourn a hearing to a specified date or arrange for the hearing to be held on specified additional dates where it considers this necessary but the Committee will not adjourn a hearing where an adjournment would result in a deemed approval or refusal of the application under the Act.

9. Persons behaving in a disruptive manner

- 9.1 The Committee may require any person attending the hearing who, in their opinion, is behaving in a disruptive manner, to leave the hearing and may refuse to permit that person to return or permit them to return only on certain conditions.
- 9.2 If an individual is required to leave the hearing they may, before the end of the hearing, make a written submission of any information that they would have been entitled to give orally.

DEFINITIONS

For the purpose of this document:

- the phrase '**Committee**' will include both the Licensing Committee and Licensing and Appeals Sub-Committee of the Licensing Authority.
- the term '**Party**' means a person to whom the notice of hearing was given and parties shall be construed accordingly.
- the term '**Responsible Authority**' means any of the following:-
 - An officer representing North Yorkshire Police.
 - An officer representing North Yorkshire Fire and Rescue Service.
 - A planning, health and safety and/or environmental protection officer representing the Council.
 - An officer representing the Health and Safety Executive.
 - An officer representing the Child Protection and/or weights and measures functions of North Yorkshire County Council.
 - An officer of any other body detailed in the Licensing Act 2003, section 13(4) or 69(4).



Licensing and Appeals Sub-Committee

13th September 2018

Licensing Act 2003

Application for Grant of Premises Licence, Greenwood Bistro Ltd, 6 Victoria Square, Skipton BD23 1JF

Ward(s) affected: Skipton North

Report of Deborah Bragg, Licensing Manager

1. Purpose of Report– To consider an application by Gillian Hodgson for the Grant of a premises licence for Greenwood Bistro Ltd, 6 Victoria Square, Skipton BD23 1JF.

2. Recommendation

Members are requested to determine the enclosed application with a view to promoting the licensing objectives:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

The steps are—

- a. to grant the licence as applied for
 - i. subject to conditions consistent with the operating schedule and as modified to such extent as the authority considers appropriate for the promotion of the licensing objectives, and
 - ii. any condition which must under section 19, 20 or 21 (mandatory conditions) be included in the licence;
- 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.

3. Background

AGENDA ITEM 4

On 16th July 2018 the Licensing Authority received an application for the **GRANT** of a premises licence for 6 Victoria Square, Skipton. On the 23rd of July it came to our attention the application had been submitted incorrectly and showed the incorrect address for the premise. A new application was made to reflect the correct premise address and the consultation period was reset. The premise has never held a licence before and wishes to operate as a food led business.

4. Application

The application, along with plan of the premise and photographs of the outdoor seating area are attached at Appendix A.

5. Consultation

The application has been served on all the responsible authorities and the applicant confirmed that the statutory notices were displayed on site and published in the local newspaper.

A letter was received from a resident which is attached at Appendix B. The Licensing Authority acknowledged receipt of this letter and this is attached at Appendix C. A further letter of representation was received from the same resident and this is attached at Appendix D for consideration by members.

A further representation received by the Licensing Authority is attached at Appendix E. After seeking legal advice it was agreed this was not a relevant representation but has been included within this report.

North Yorkshire Police corresponded with the applicant who agreed to the operating schedule being amended to include additional conditions around the Prevention of Crime and Disorder. These are attached at Appendix F and would be attached as conditions should a licence be granted.

The applicant has made contact with North Yorkshire Highways with regards to a pavement café licence being obtained for the outside area of the premise where they wish to place tables and chairs. The applicant has spoken to the previous owners of the premise and they have stated that the premise has the privilege of grandfather rights for the use of the outdoor area as it has operated as a café/bistro for many years but without the benefit of any alcohol licence – this email is attached at Appendix G. The Licensing Manager has corresponded with the Highways Team to check whether this is in fact the case and has so far received the email and attachment at Appendix H The applicant has confirmed that should they need to they will make the necessary application for a pavement café licence.

Due to the need for a hearing to take place to determine the premises licence application, the applicant has submitted Temporary Event Notices so that the business can open and operate and sell alcohol. We have received no complaints about any issues that have occurred as a result of the business carrying out licensable activities.

No other representations have been received from any of the other Responsible Authorities.

The representation received is based on the Prevention of Public Nuisance Licensing Objective.

6. Summary of Key Points

The applicant has applied for the following:-

Sale by Retail of Alcohol (for consumption both on and off the premises)

Monday to Sunday 09.00 to 23.00

New Year's Eve 09.00 to 01.00 the following morning

Recorded Music (Indoors only)

Monday to Sunday 09.00 to 23.00

New Year's Eve 09.00 to 00.30 the following morning

Live Music (Indoors only)

2100-00.00 New Year's Evening Only

Opening Hours of Premises

Monday to Sunday 09.00 to 23.00 the following morning

New Year's Eve 09.00 to 01.00 the following morning

7. Steps to Promote the Licensing Objectives

The applicant has applied for the Grant of a Premise Licence and has completed the operating schedule; this is attached at Appendix H along with the application form

8. S182 Home Office Guidance

The following paragraphs from the Home Office Guidance issued under Section 182 of the Licensing Act 2003 are of particular relevance to this application:

Determining actions that are appropriate for the promotion of the licensing objectives

- 9.41 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.
- 9.42 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
- 9.43 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives

AGENDA ITEM 4

and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence

Members are invited to consider all relevant parts of the s182 Guidance. Copies of the Guidance will be available to Members at the meeting.

9. Reasons for Recommendation

Members of the Licensing and Appeals Sub Committee are responsible for determining such applications.

Before making a decision, members are asked to consider the following matters:

- The representations made by interested parties and responsible authorities;
- The submissions made by, or on behalf of, the applicant;
- The relevant licensing objectives, namely Prevention of Crime and Disorder and Prevention of Public Nuisance
- The Licensing Act 2003, Regulations, s182 Guidance and the Council's Statement of Licensing Policy (August 2016).

10. Implications

10.1 Financial Implications - None

10.2 Legal Implications: If Members decide to refuse the application, or attach conditions to the premises licence which the applicant does not agree to, the applicant may appeal to the Magistrates' Court within a period of 21 days beginning with the day that the applicant is notified, in writing, of the decision.

10.3 Policy Implications - Craven District Council's Licensing Policy

The following paragraphs from Craven District Council's Statement of Licensing Policy agreed by Full Council on the 2nd August 2016 are relevant to the application:

The Policy Statement is designed to deal with matters within the control of the Licensee and is centred on the premises at which the business is carried on and the effect that the operating of that business has on the vicinity.

Every application considered by the Council under the terms of this policy, will be considered on its own merits and regard will be given to guidance issued under Section 182 of the Licensing Act 2003, the Licensing Act 2003 generally and any supporting regulations. Licence conditions will be tailored to the individual application and only those necessary to meet the licensing objectives will be imposed. Licence conditions will not be imposed where other regulatory regimes provide sufficient protection to the public (e.g. health and safety at work and fire safety legislation).

Conditions will be drawn from the list contained within Craven District Council Licensing Act 2003 Policy. The list is not exclusive and may be varied from time to time as considered necessary.

When considering what conditions, if any, will be attached to licences there will be openness, transparency and reasonableness. Officers will seek to discuss proposed

AGENDA ITEM 4

conditions in advance with the applicant and/or representative with the aim of achieving an agreement whilst fulfilling the licensing objectives.

Licence conditions are a key method of achieving the Licensing Act objectives and give clear goals and standards to licensees and persons who may wish to make relevant representations.

The Council maintains that licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the 2003 Act and any terms and conditions attached to licences will be focused on matters which are within the

control of individual licensees and others granted relevant permissions. Licensing is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business holding the licence, certificate or permission concerned.

It should be noted that Licensing is only one means of addressing the problems that may arise from the activities carried on at licensed premises. Other mechanisms include:

- Planning controls
- Powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly and confiscation of alcohol in these areas;
- Police powers to close down premises or temporary events for up to 24 hours on the grounds of disorder, the likelihood of disorder or excessive noise;
- Prosecution of personal licence holders who sell alcohol to people who are drunk;
- Powers of the Police, responsible authorities or a local resident or business to seek a review of a licence or premises certificate.
- Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
- Provision of CCTV surveillance in town centres, ample taxi ranks,
- Provision of public conveniences open late at night, street cleaning and Litter Patrols;
- Police enforcement of the general law concerning disorder and anti-social Behaviour, including the issuing of fixed penalty notices;

Anti-Social Behaviour

The Anti-Social Behaviour Act 2003 is designed to provide Local Authorities and the Police with a wider and more flexible range of powers in meeting existing responsibilities and to respond to the needs of their communities. The Act provides new powers and sanctions to deal with serious anti-social behaviour including the immediate closure of licensed premises causing a public noise nuisance.

Crime Prevention Strategies

Prevention of crime and disorder is both an objective of the Licensing Act 2003 and an important responsibility of the Council under the Crime and Disorder Act 1998. It is important, therefore, that the applicant be able to demonstrate to the Council the practical steps that will be taken to further this objective.

Door-staff have received increasing praise for their actions in reducing crime and

AGENDA ITEM 4

disorder and helping the police with their investigations. The Council therefore sees door-staff as key players in crime and disorder control.

The following list is not intended to be exhaustive, but sets out normal considerations to be taken into account by the Council.

Under the Crime and Disorder Act 1998, local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent crime and disorder in their area. The Council will have particular regard to the likely impact of licensing on related crime and disorder in the Craven district, particularly when considering the location and impact of the operation and management of all proposed licence applications, renewals and variations of conditions.

The Licensing Policy states - that Council will consider the following with regard to a licence application:

- *Increasing outside lighting levels*
- *Use of CCTV both within and outside the premises*
- *Search facilities*
- *Procedures for risk-assessing promotions and events such as "happy hours" for the potential to cause problems of crime and disorder, and plans for minimising such risks*
- *Measures to prevent the use or supply of illegal drugs*
- *Employment of licensed door supervisors and other appropriately trained staff*
- *Participation in an appropriate Watch Scheme (such as S.T.A.N.D.) or other body designed to ensure effective liaison with the local community and statutory bodies.*
- *Steps taken to prevent underage drinking in licensed premises or supply of alcohol intended to be consumed by underage persons off the premises.*
- *Banned from one, banned from all" schemes operated by and for licensees are recognised by the Council as a highly successful tool in reducing crime and disorder on premises. The Council views participation in such schemes as by no means compulsory but any application will be strengthened by active participation*
- *Any application involving late night take-away food should be accompanied by a crowd management plan. The plan should demonstrate steps to be taken to avoid build-up of queues and to reduce the likelihood of disorder or violence. The Council views ineffective management of crowds as a key reason to refuse an application involving late night take-away food.*

For further information reference should be made to the Home Office document tackling alcohol-related crime disorder and nuisance – 'action plan and alcohol-related crime tool-kit'. For further guidance and assistance on developing crime prevention strategies contact should be through the Community Safety Officer at Skipton Police Station.

Statutory Nuisance

The Environmental Protection Act 1990 places a duty on Local Authorities to investigate complaints of nuisance, which include noise and take enforcement action where a statutory nuisance exists.

The Licensing Act provides the power for the Police to close licensing premises (temporarily) to prevent nuisance to the public as a result of noise from the premises. Joint working protocols between Environmental Health Officers, Police and licensing

AGENDA ITEM 4

staff will ensure that these control measures are properly used to protect the local environment. It should be noted that the power available to deal with noise nuisance will be extended by the Anti-Social Behaviour Act 2003.

The Council will impose conditions in relation to licensed premises to prevent unnecessary noise and disturbance to local residents, as it considers appropriate. This may include restrictions on time when music or other licensable activities may take place. We may impose technical restrictions and permissible levels of sound at premises. Conditions may also be imposed requiring licensees to display signs at all exits from premises reminding customers to leave premises quietly and to respect the rights of nearby residents.

The following paragraphs from the Home Office Guidance issued under Section 182 of the Licensing Act 2003 are of particular relevance to this application:

11. **Consultations with Others** – With Responsible Authorities and Interested Parties including Local Councillors
12. **Access to Information:** Licensing Act 2003, Guidance issued under section 182 of the Licensing Act 2003 and Craven District Council Licensing Policy 2nd August 2016
13. **Author of the Report**– Deborah Bragg, Licensing Manager, telephone 01756 746343, email dbragg@cravencd.gov.uk
14. **Appendices** –
 - Appendix A** – Application including Plans
 - Appendix B** – Letter of representation from Mr R Reynoldson
 - Appendix C** – Correspondence with Mr Reynoldson
 - Appendix D** – Invalid representation
 - Appendix E** - Correspondence between applicant and North Yorkshire Police agreeing to amendments to Operating Schedule
 - Appendix F** – Correspondence with North Yorkshire Highways
 - Appendix G** – Applicant confirming grandfather rights
 - Appendix H** – Further email from North Yorkshire Highways Team

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 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 EMILIAN CHRISTINE HOSSEN (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 <u>GREENWOOD ALSTON LTD.</u> <u>6 VICTORIA SQUARE</u>	
Post town <u>SUTTON</u>	Post code <u>B023 1TF</u>

Telephone number of premises (if any)

Non domestic rateable value of premises

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as:

Please tick as appropriate

- a) an individual or individuals* please complete section (A)
- b) a person other than an individual*
 - i. as a limited company/limited liability partnership please complete section (B)
 - ii. as a partnership (other than limited liability) please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity 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 (by ticking yes to one box below):

- 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
 - o statutory function or
 - o a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev) _____

Surname: First names:

Date of Birth: I am 18 years old or over

Nationality:

Current postal address if different from premises address:

Post Town: Postcode:

Daytime contact telephone number:

Email address (optional):

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss Ms Other title
(for example, Rev) _____

Surname

First names

Please tick yes

Date of Birth

I am 18 years old or over

Nationality

Current postal
address if different
from premises
address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In 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?

Day	Month	Year
23	08	2018

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

Day	Month	Year

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

CAFE BISTRO SITUATED ON TWO FLOORS
SERVING FOOD & DRINKS TO CUSTOMERS.
THE CAFE IS POSITIONED IN VICTORIA SQUARE
SURROUNDED BY A MIXTURE OF SHOP UNITS
& A PUB & CHAMPAGNE BAR

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)

Please tick yes

- Provision of regulated entertainment**
- 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) performance 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)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing play (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	State any seasonal variations for indoor sporting events (please read guidance note 5)
Mon			
Tue			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list. (please read guidance note 6)
Wed			
Thur			
Fri			
Sat			
Sun			

D

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music 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	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5) <i>NEW YEAR'S EVE ONLY.</i> <i>21-00 - 00-00 (MIDNIGHT)</i>		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (Please read guidance note 6)		
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music 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	Please give further details here (please read guidance note 4)		
Mon	0900	2300			
Tue	0900	2300			
Wed	0900	2300	State any seasonal variations for the playing of recorded music (please read guidance note 5) <i>NEW YEAR'S EVE 22-00 ONLY</i> <i>UNTIL 00-30 HAS ADDITIONAL 1 1/2 HRS</i>		
Thur	0900	2300			
Fri	0900	2300			
Sat	0900	2300	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 6)		
Sun	0900	2300			

G

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

H

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

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 type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>	
Tue						
Wed				State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur						
Fri						
Sat				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. (please read guidance note 6)		
Sun						

J

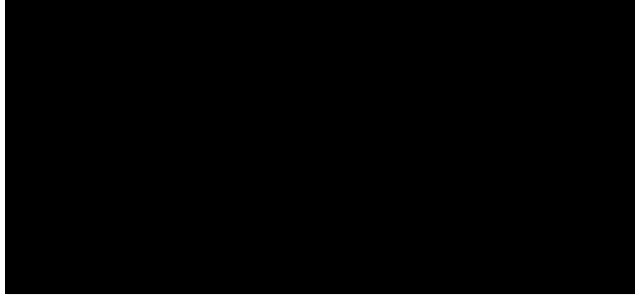
Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption on or off the premises or both – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>	
Day	Start	Finish		Off the premises	<input type="checkbox"/>	
Mon	09-00	23-00	State any seasonal variations for the supply of alcohol (please read guidance note 5)	Both	<input checked="" type="checkbox"/>	
Tue	09-00	23-00		<i>NEW YEAR'S EVE UNTIL 01-00HRS (ADDITIONAL 2 HOURS)</i>		
Wed	09-00	23-00				
Thur	09-00	23-00	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. (please read guidance note 6)			
Fri	09-00	23-00				
Sat	09-00	23-00				
Sun	09-00	23-00				

State the name and details of the individual whom you wish to specify on the licence as the designated premises supervisor (please see declaration about the entitlement to work in the checklist at the end of the form)

Name

GILLIAN CHRISTINE HOBSON

Address



Postcode

Personal licence number (if known)

BD/PER3619

Issuing licensing authority (if known)

BRADFORD METROPOLITAN
DISTRICT 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 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	09-00	23-00	<p>NEW YEAR'S EVE OPEN.</p> <p>09-00 - 01-00 HRS</p> <p>ADDITIONAL 2 HRS</p>
Tue	09-00	23-00	
Wed	09-00	23-00	
Thur	09-00	23-00	
Fri	09-00	23-00	
Sat	09-00	23-00	
Sun	09-00	23-00	

M

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

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

STRONG MANAGEMENT CONTROLS, STAFF TRAINING PROVIDED WHICH WILL BE RECORDED IN A LOG BOOK, TO SHOW ALL STAFF UNDERSTAND THE REQUIREMENTS OF THE PREMISES LICENCE & CHALLENGE 25. ONGOING TRAINING, TO ENSURE LICENSING OBJECTIVES ARE MET & UPHOLD AT ALL TIMES. ALL STAFF WILL BE COMPETENT IN DEALING WITH & PREVENTING PUBLIC SAFETY ISSUES, CRIME DISORDER, PUBLIC NUISANCE & PROTECTING CHILDREN FROM HARM.

b) The prevention of crime and disorder

A REFSAL/INCIDENT BOOK WILL BE KEPT. THE CAFE/BISTRO WILL HAVE A CCTV SYSTEM INSTALLED TO MONITOR CUSTOMERS INSIDE THE BUILDING, & IN FRONT OF THE PREMISES. THE PREMISES LICENCE FOR PROXIMITY IS TO ACCOMPANY FOOD & ALL MEASURES WILL BE TAKEN TO MINIMISE ANY CHANCE OF ANTISOCIAL BEHAVIOUR & REFSAL TO ANYONE WHO APPEARS TO BE INTOXICATED

c) Public safety

PUBLIC SAFETY IS OF PRIMARY CONCERN. CCTV, LIGHTING, FIRE SAFETY & ALL PARTS OF THE PREMISES WILL BE MAINTAINED IN GOOD CONDITION & MEET LEGISLATION REQUIRED. RISK ASSESSMENTS & HAZARD REPORTS WILL BE REVIEWED ON A REGULAR BASIS

d) The prevention of public nuisance

ALL STAFF WILL REFUSE TO SERVE ANYONE CAUSING A PUBLIC NUISANCE & REMOVE THEM FROM THE PREMISES IN A QUICK & PROFESSIONAL MANNER. THE NATURE OF THE BUSINESS DOES NOT ENTAIL A HIGH RISK OF PUBLIC NUISANCE. ALL REFUSE WILL BE DISPOSED OF IN THE APPROPRIATE MANNER

e) The protection of children from harm

A CHALLENGE 25 AGE VERIFICATION WILL BE IMPLEMENTED, ONLY PHOTOGRAPHIC ID. PASSPORTS, DRIVING LICENCE I.D. CARDS WITH THE PASS LOGO WILL BE ACCEPTED. A DUE DILIGENCE LOG WITH REFSALS WILL BE KEPT ONSITE. ALL ALCOHOL WILL BE KEPT AWAY FROM CHILDREN

Checklist

Please tick to indicate agreement

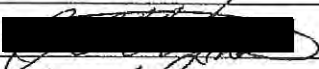
- I have made or enclosed payment of the fee
 - I have enclosed the plan of the premises
 - I have sent copies of this application and the plan to responsible authorities and others where Applicable *EMailed*
 - I have enclosed the consent form completed by the individual I wish to be designated premises 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 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 PURUANT 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.

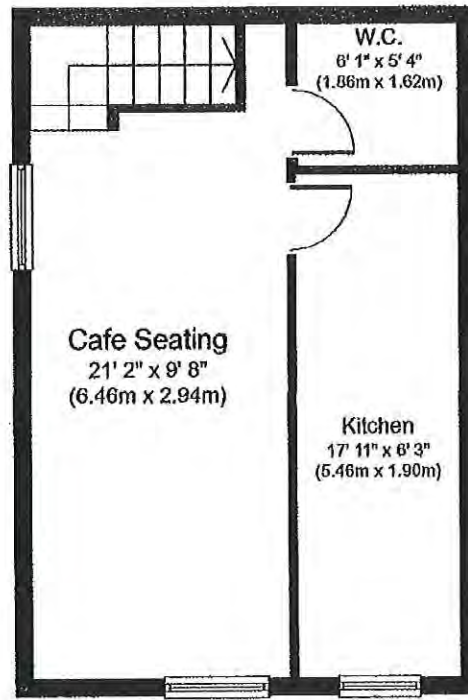
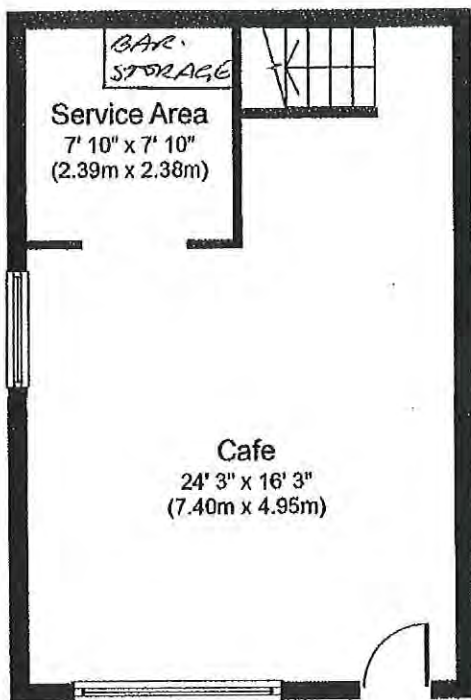
Part 4 – Signatures (please read guidance note 11)

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	<p>Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership</p> <ul style="list-style-type: none"> • 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	23/07/18
Capacity	Director

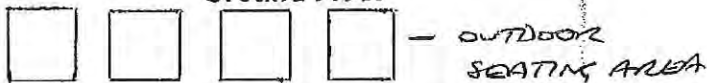
For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

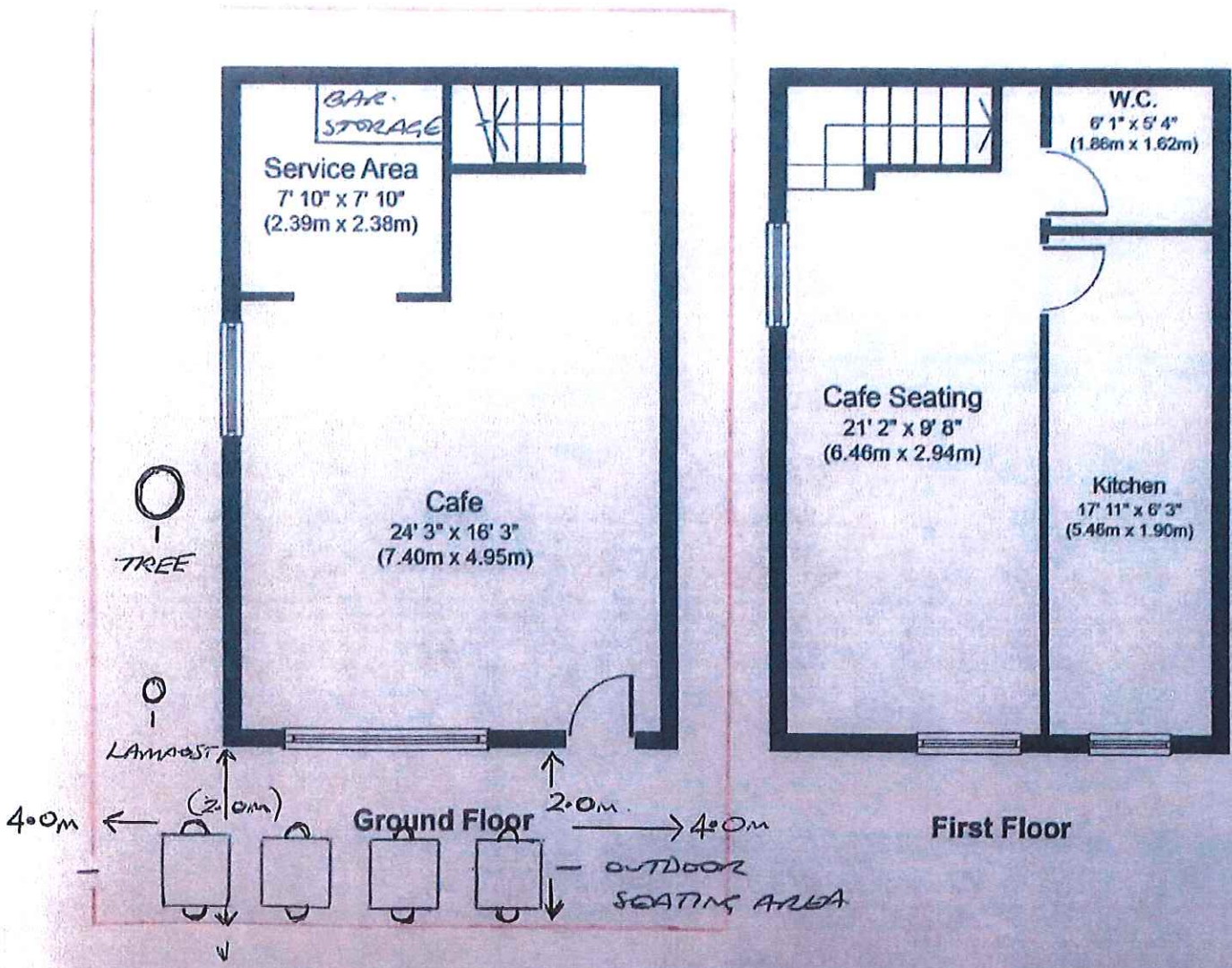


Ground Floor

First Floor



Whilst every attempt has been made to ensure the accuracy of the floor plan contained here, measurements of doors, windows, rooms and any other items are approximate and no responsibility is taken for any error, omission, or mis-statement. This plan is for illustrative purposes only and should be used as such by any prospective purchaser or tenant. The services, systems and appliances shown have not been tested and no guarantee as to their operability or efficiency can be given.



Service Area
7' 10" x 7' 10"
(2.39m x 2.38m)

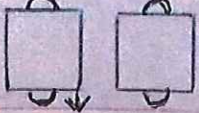
Cafe
24' 3" x 16' 3"
(7.40m x 4.95m)

BAR
STORAGE

TREE

LAMAASI

4.00m ← (2.00m) Ground Floor 2.00m → 4.00m



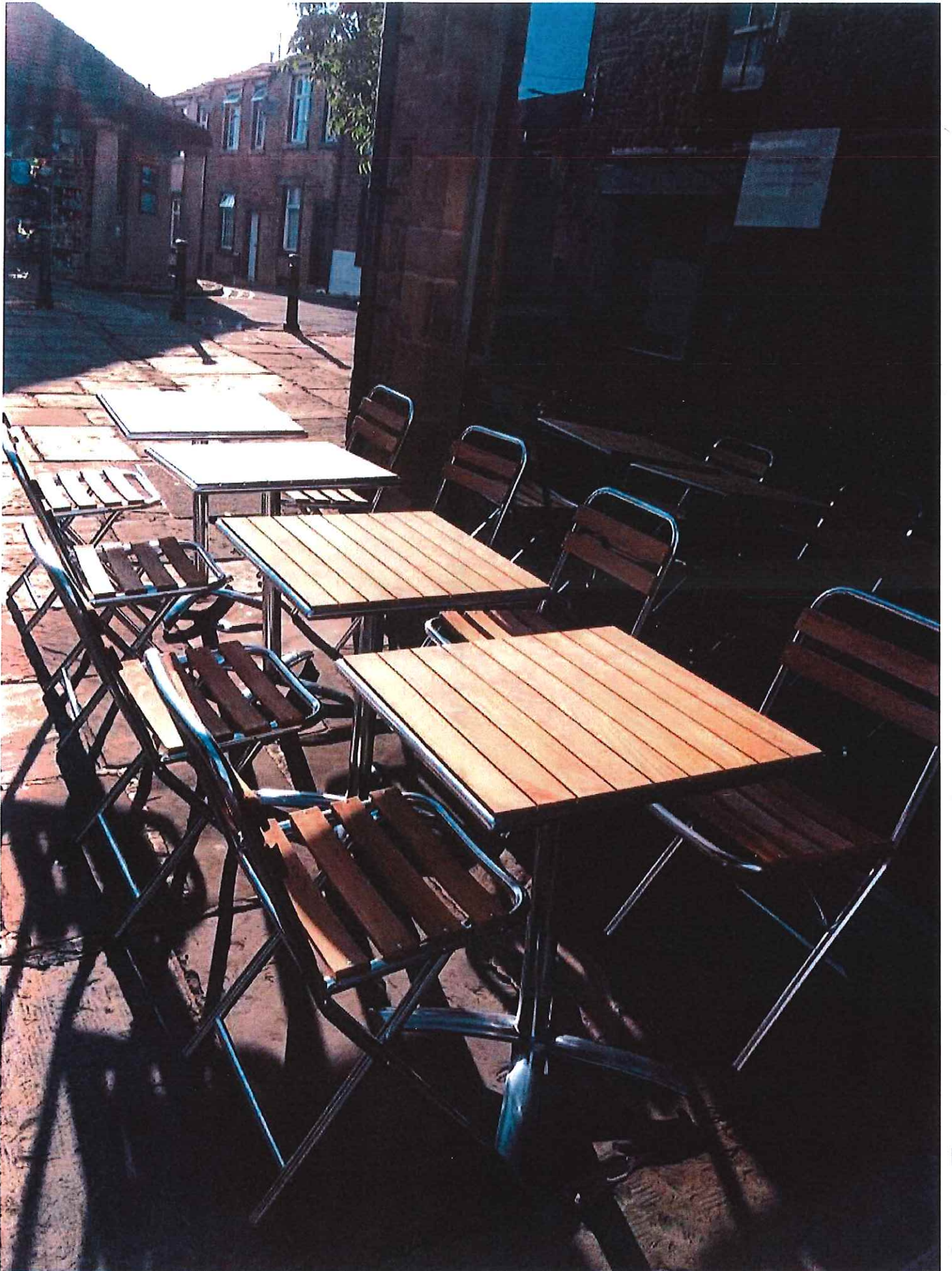
OUTDOOR SEATING AREA

Cafe Seating
21' 2" x 9' 8"
(6.46m x 2.94m)

Kitchen
17' 11" x 6' 3"
(5.46m x 1.90m)

W.C.
6' 1" x 5' 4"
(1.86m x 1.62m)

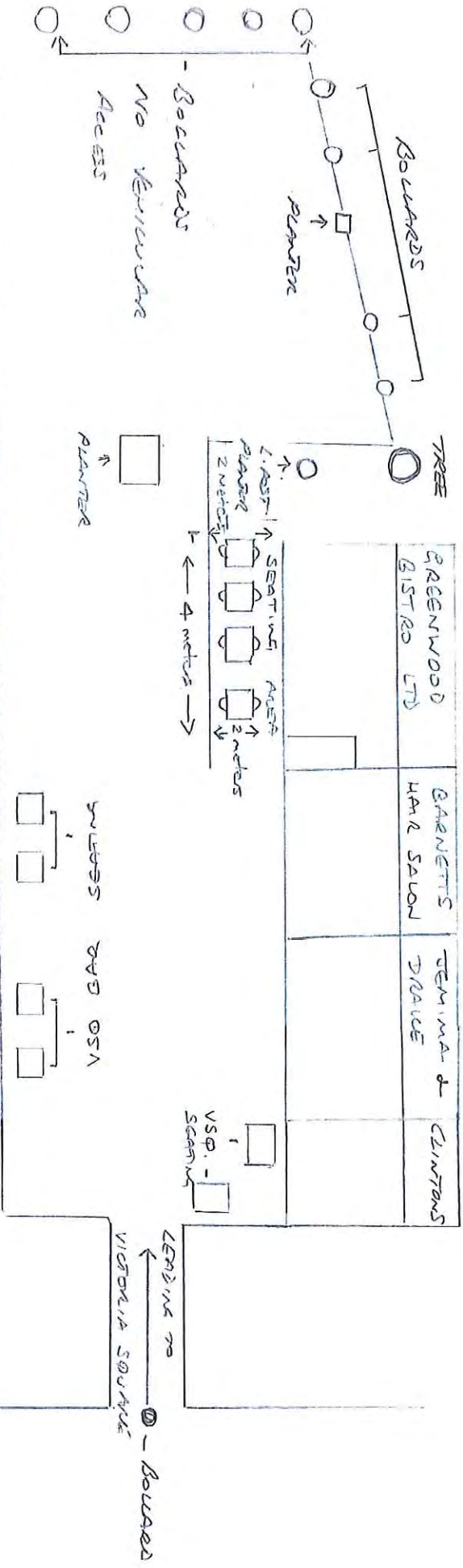
First Floor







GREENWOOD GISTRO - STREET / PAVEMENT LICENCE
 OUTSIDE SEATING PLAN - VICTORIA SQUARE



ESTON TATTOO	NOBLES CABER	END USES	STON & NID OSN

Appendix B

RECEIVED

27.8.2018

2. AUG. 2018

Dear LICENSE TEAM.

I would like to object to the premises License for Greenwood Bistro 6 Vicarain Square Skipton BD23 1SF. On the following grounds.

Prevention of Public Nuisance.

The outside area where alcohol will be consumed is a public footpath and right of way used by the elderly and disabled residents of Albert Square to get to and from the Town Centre.

To weave in and out of people under the influence of Alcohol is intimidating and frightening.

There are already issues with the

V&Q wine bar across the street
Chair Tables and chairs moving ever

further and further across the street

to obstruct anyone who just wishes

to pass by.

(2)

The other nuisance to the residents of Albert Square is

The staff and customers are now parking their cars on the residents car park. mainly the staff of V.S.P. wine bar.

For ite the License Committee aim to allow the Albert Square Area to become a Alcohol Bar only Area?

If so the residents of Albert Square and town centre should know this and they can vote accordingly when these Councillors come up for the election in the Local and county seats.

Yours sincerely

[Redacted signature]

Please see following page and copy of letter from Home Office



The residents of Albert Square and Town Centre should be made aware, by letter and Plan of any delineated area that is proposed.

They should also be made aware that they can ask for a review on any license on relevant grounds. I.E. public safety, or public nuisance as stated in copy of attached letter from the Home Office to me dated 25 JULY 2018.

The application should be withdrawn until residents of Albert Square and Town Centre can see any Plans of proposed delineated Areas.

yours sincerely

[Redacted signature]



Home Office

Direct Communications Unit
2 Marsham Street
London
SW1P 4DF

4

Tel: 020 7035 4848
Fax: 020 7035 4745
www.homeoffice.gov.uk



Reference: TRO/0009298/18

23 July 2018

Dear 

Thank you for your letter of 28 May 2018 about the increased consumption of alcohol on public footpaths and roads near licensed premises in your town centre. Your email has been passed to the Home Office as the department responsible for alcohol licensing policy. I am very sorry for the delay.

I am sorry to hear about the problems that you have been experiencing. As you will appreciate the Home Office cannot provide legal advice in individual cases, however, it may be helpful if I set out how the law operates in this area.

Licensable activities in England and Wales, including the sale and supply of alcohol, are regulated under the Licensing Act 2003 ("the 2003 Act"). Decisions under the 2003 Act are taken by local licensing authorities (based in the District Council) who have a duty, at all times, to promote four statutory licensing objectives. These are the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.

Where an outdoor space such as a beer garden or public footpath does not form part of a relevant licensed premises and is not included in the plans attached to the premises licence (i.e. alcohol is being consumed in an area that is not licensed), the premises must be licensed for off-sales, as alcohol is being taken for consumption off the premises. In such cases there is no requirement to show the area on the plan of the premises, but the licence holder must provide the licensing authority with a description of where the place is and its proximity to the premises when they apply for the licence, or apply to vary the licence to cover this activity.

At any stage following the grant of a premises licence, a responsible authority (including the police, environmental health authority and local health authority), or any other persons such as local residents, may ask the licensing authority to review the licence where problems have occurred and the licensing objectives (such as public safety or public nuisance, which may be relevant in this instance) have been or are likely to be undermined. An application for a review of a licence must be relevant, that is on the grounds of

promoting one or more of the licensing objectives listed above. Applications for reviews from persons who are not a responsible authority must also not be considered by the licensing authority to be frivolous or vexatious.

If a licensing authority receives an application for a review on relevant grounds, it must hold a hearing to consider the application and what action may be appropriate (unless all parties can come to an agreement and decide that a hearing is unnecessary). After conducting the review, licensing authorities may place conditions on the licence where it is proportionate and appropriate to do so for the promotion of the licensing objectives (for example, conditions on the sale of alcohol). Every application for review will be determined on its own merits.

The electronic version of the application form for the review of a premises licence under the Licensing Act 2003 is available on the gov.uk website at:
www.gov.uk/government/publications/premises-licence-application-forms.

I hope that this reply is helpful.

Yours sincerely

Robert Turner
Drugs and Alcohol Unit

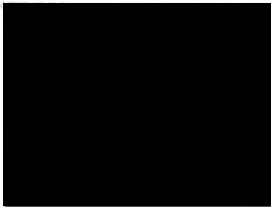
Email: Public.Enquiries@homeoffice.gsi.gov.uk

Appendix C

1 Belle Vue Square
Broughton Road
SKIPTON
North Yorkshire
BD23 1FJ



Telephone: 01756 706455
Email address: licensing@cravenc.gov.uk



Date: 30th July 2018

Dear 

RE: Application for the grant of a premise licence, 6 Victoria Square.

I am in receipt of your letter dated the 28th July that was hand delivered to Craven District Council Offices.

I can confirm the applicant is speaking with the relevant departments within Craven District Council and North Yorkshire County Council around premise usage and the possibility of placing tables and chairs outside the premise by applying for 'Pavement Café Licence'.

The application includes the sale by retail of alcohol for both on and off the premise. North Yorkshire Police have made a representation after meeting the applicant at the proposed venue and have requested the following conditions to be attached to a licence if one was to be granted (in addition to other conditions) specifically in relation to the 'off sales' of alcohol:-

"Open containers of alcohol shall not be removed from the premises, except for consumption in any delineated external area subject to agreement of a street café licence."


"All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises."

This representation is with the applicant and we are waiting for them to confirm if they agree to the proposed conditions.

If you wish to view the application you may do so online at <https://www.cravenc.gov.uk/licensing/current-premises-licence-applications/>

Alternatively if it is more convenient you may view the application at our offices. Between 9am-5pm Monday-Thursday & Friday 9am-4:30pm. If you wish to view the document at the offices please inform us of when you wish to do so, in order that the relevant document is ready for you to inspect.

Yours sincerely


Tim Chadwick
Assistant licensing Officer

Paul Shevlin, Chief Executive
Calls may be recorded for training and monitoring purposes
For general enquiries telephone 01756 700600



Appendix D

9-8-18

RE - GREENWOOD BAR. 6. VICTORIA SQ.

Dear Sir/Madam,

I am a tenant of the above address and wish to object to the new bistro - Greenwood Bistro - being allowed to sell alcohol.

We already have a Bar in the square - V. SQ Bar which already sells alcohol. We also have The Narrow Boat Pub and The Beer Engine which is all very close to this square.

They all have tables and chairs outside so if we continue to have hot summers, it is going to be very noisy for the flats and houses which are nearby.

Hoping you make the right decision.

Yours Faithfully.

[Redacted Signature]



Appendix E

Tim Chadwick

From: Deborah Bragg
Sent: 30 July 2018 16:58
To: Gillian Hodgson
Cc: Tim Chadwick
Subject: RE: Greenwood Bistro Ltd 6 Victoria Square Skipton BD23 1JF

Good afternoon Gillian

Many thanks for confirming your agreement to the conditions.

I will let North Yorkshire Police know.

With regards to the pavement café licence if you can let us have a copy of the plan showing the outside area as soon as you are able so that it can be included in the licence with us.

Kind regards

Deborah

Deborah Bragg
Licensing Manager

Tel:- 01756 706343
Mobile:- 07834808452
Email:- dbragg@cravenc.gov.uk

Deborah Bragg
Licensing Manager
ext: 46343

Please consider the environment before printing this e-mail.

-----Original Message-----

From: Gillian Hodgson [REDACTED]
Sent: 30 July 2018 15:39
To: Deborah Bragg
Subject: Greenwood Bistro Ltd 6 Victoria Square Skipton BD23 1JF

Good afternoon Deborah,

Thank you for your email today. I have left you a voicemail and would appreciate it if you could call me back.

I have liaised with North Yorkshire County Council who have advised me on the street cafe licence and are aware a premises licence application has been made. I am just awaiting public liability insurance before I can apply tomorrow.

I would like to confirm that I am in agreement to the conditions as proposed by North Yorkshire Police.

Kind regards,

Gillian Hodgson

Sent from my iPhone

(Please tick one or more boxes)

- | | |
|---|---|
| 1) the prevention of crime and disorder | X |
| 2) public safety | |
| 3) prevention of Public Nuisance | X |
| 4) the protection of children from harm | |

GROUNDS FOR RELEVANT REPRESENTATION

We hereby give notice that we object to the application for a Premises Licence on the following grounds:

North Yorkshire Police received an application for a Premises Licence on 2018.

Supply of alcohol- Monday to Sunday 09.00-23.00 & New Year's Eve until 01.00 (On and Off the premises).

Live Music- New Year's Eve 21.00-00.00 Indoors.

Recorded Music- Monday to Sunday 09.00-23.00 & New Year's Eve until 00.30 (Indoors only).

Hours Open to the Public- Monday to Sunday 09.00-23.00 & New Year's Eve until 01.00.

This application is for a Café Bistro over two floors in the heart of Skipton Town Centre, located in Victoria Square where retail outlets and licensed premises are sited. The premises is currently liaising with North Yorkshire County Council for a Street Café Licence in order to utilise the outside area for four tables which will be used weather permitting. Although this is a low risk operator, they have to be mindful of the location of the premises in Skipton being in close proximity of its neighbours and residents.

The effective management of licensed premises is important in terms of mitigating the potential for public nuisance and crime or disorder by persons purchasing alcohol from this venue. It will be down to the Premises Licence Holder/Designated Premises Supervisor to ensure that public nuisance, particularly at the entrance to the premises, used by smokers, and the subsequent noise from the smokers outside and also the flow of persons leaving this venue are managed by the PLH/DPS and have suitable notices displayed.

North Yorkshire Police believe that the following conditions need to be placed onto the premises licence for the purposes of promoting the prevention of "crime and disorder" and "public nuisance".

If the applicant is in agreement with the proposed conditions set by North Yorkshire Police, the representation will be retracted.

Annex 2 Conditions consistent with the operating schedule
Proposed conditions

NYP Conditions –CCTV

1a. A digital colour CCTV system will be installed to cover the premises and recorded coverage will include all areas (including outside areas subject to a street café licence) to where public have access to consume alcohol.

b) It will be maintained, working and recording at all times when the premises are open.
c) The recordings should be of good evidential quality to be produced in Court or other such hearing.

d) Copies of the recordings will be kept available for any Responsible Authority for 28 days. **Subject to Data Protection requirements.**

e) Copies of the recordings shall be made available to any Responsible Authority within 48 hrs upon request. **Subject to Data Protection requirements.**

f) Copies of the recordings will display the correct time and date of the recording.

g) It is the responsibility of the management to ensure that there are sufficient members of staff available during the hours of operation to be able to download evidence from the cctv system at the request of the police or responsible authority. **Subject to Data Protection requirements.**

Staff Training (NYP's preferred wording)

2. Documented staff training will be given regarding staff's obligation under the Licensing Act in respect of the:-

- Retail sale of alcohol
- Age verification policy
- Conditions attached to the Premises License
- Permitted Licensable activities
- The Licensing objectives and
- The Opening Times of the venue.

(NYP's preferred wording)

3. With such training (condition 2) documented records shall be kept for a minimum of one year and will be made available immediately upon a reasonable request from any Responsible Authority.

(NYP's preferred wording)

4. A Refusals Register and Incident Report Register will be kept. Such documents will record incidents of staff refusals of alcohol sales to under-age or drunk people, as well as incidents of any anti-social behavior and ejections from the premises.

(NYP's preferred wording)

5. Both Refusals and Incident Report registers shall be kept for at least 1 year and they will be made available immediately upon a reasonable request from any Responsible Authority. [For the avoidance of doubt, the one year period relates to each respective

entry in the log book and runs from the date of that particular entry]:

(NYP's preferred wording)

6. The premises shall operate as a (Café/Bistro) not as a bar or vertical drinking establishment providing food and non-alcoholic drinks.

7. *"Open containers of alcohol shall not be removed from the premises, except for consumption in any delineated external area subject to agreement of a street café licence."*

8. *"All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises."*

9. Customers shall only be served by way of waiter / waitress service.

10. There shall be a minimum of x 20 table covers available at all times.

Prevention of Public Nuisance

11. Suitable and conspicuous notices shall be displayed at entrances and exits requesting patrons to minimize noise and when smoking and/or leaving.

Protection of Children from Harm*(NYP's preferred wording)*

12. The license holder will operate a Challenge 25 Age Verification Policy.

(NYP's preferred wording)

13. The only acceptable proof of age identification shall be a current Passport, photo card Driving License or identification carrying the PASS logo or military id (until other effective identification technology e.g. thumb print or pupil recognition, is adopted by the Premises License Holder).

These will be added to the premises license, along with the conditions already offered in the operating schedule by the applicant.

Signature:  **Jackie Allen PC1503 (Police Licensing Officer)**

Date: 25/07/18

Contact Name and address for correspondence: Please use block letters

**YORK POLICE STATION
FULFORD ROAD
YORK
NORTH YORKSHIRE**

Post town: YORK

Post code: YO10 4BY

Telephone number (if any) '101' (speak name or collar number after initial announcement)

If you would prefer us to correspond with you using an e mail address your e mail address:

PLEASE NOTE :

- 1. THE GROUNDS FOR ANY RELEVANT REPRESENTATIONS MUST BE BASED ON ONE OR MORE OF THE LICENSING OBJECTIVES ONLY.**
- 2. YOUR NAME AND ADDRESS MUST BE SUPPLIED AND WILL BE MADE PUBLIC.**

Tim Chadwick

From: Deborah Bragg
Sent: 20 August 2018 14:50
To: David Cairns - NYCC Highways
Cc: Alex Strickland; Allen, Jackie; Tim Chadwick
Subject: Application for Grant of Premises Licence - 6 Victoria Square, Skipton (Greenwoods Bistro)
Attachments: dbragg_20-08-2018_14-31-59.pdf

Good afternoon David

We are currently dealing with an application for the Grant of a premises licence for the above premise whom I am aware have applied for a Pavement Café Licence as they wish to place tables and chairs outside their premise.

I have today received a letter of objection from a local resident (attached) and as it stands the application may go before members for a decision as some of the points raised 'may' be classed as valid.

Can you tell me what stage the pavement café application is at please and whether you may be granting a licence or not for this outside area.

The applicant has agreed to a number of conditions to be placed on her licence which were agreed with North Yorkshire Police - see below:-

NYP Conditions –CCTV

- 1a. A digital colour CCTV system will be installed to cover the premises and recorded coverage will include all areas (including outside areas subject to a street café licence) to where public have access to consume alcohol.
- b) It will be maintained, working and recording at all times when the premises are open.
- c) The recordings should be of good evidential quality to be produced in Court or other such hearing.
- d) Copies of the recordings will be kept available for any Responsible Authority for 28 days. Subject to Data Protection requirements.
- e) Copies of the recordings shall be made available to any Responsible Authority within 48 hrs upon request. Subject to Data Protection requirements.
- f) Copies of the recordings will display the correct time and date of the recording.
- g) It is the responsibility of the management to ensure that there are sufficient members of staff available during the hours of operation to be able to download evidence from the cctv system at the request of the police or responsible authority. Subject to Data Protection requirements.

Staff Training (NYP's preferred wording) 2. Documented staff training will be given regarding staff's obligation under the Licensing Act in respect of the:-

- Retail sale of alcohol
- Age verification policy
- Conditions attached to the Premises License
- Permitted Licensable activities
- The Licensing objectives and
- The Opening Times of the venue.

(NYP's preferred wording)

3. With such training (condition 2) documented records shall be kept for a minimum of one year and will be made available immediately upon a reasonable request from any Responsible Authority.

(NYP's preferred wording)

4. A Refusals Register and Incident Report Register will be kept. Such documents will record incidents of staff refusals of alcohol sales to under-age or drunk people, as well as incidents of any anti-social behavior and ejections from the premises.

(NYP's preferred wording)

5. Both Refusals and Incident Report registers shall be kept for at least 1 year and they will be made available immediately upon a reasonable request from any Responsible Authority. [For the avoidance of doubt, the one year period relates to each respective entry in the log book and runs from the date of that particular entry]:

(NYP's preferred wording)

6. The premises shall operate as a (Café/Bistro) not as a bar or vertical drinking establishment providing food and non-alcoholic drinks.

7. "Open containers of alcohol shall not be removed from the premises, except for consumption in any delineated external area subject to agreement of a street café licence.",

8. "All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises."

9. Customers shall only be served by way of waiter / waitress service.

10. There shall be a minimum of x 20 table covers available at all times.

Prevention of Public Nuisance

11. Suitable and conspicuous notices shall be displayed at entrances and exits requesting patrons to minimize noise and when smoking and/or leaving.

Protection of Children from Harm(NYP's preferred wording) 12. The license holder will operate a Challenge 25 Age Verification Policy.

(NYP's preferred wording)

13. The only acceptable proof of age identification shall be a current Passport, photo card Driving License or identification carrying the PASS logo or military id (until other effective identification technology e.g. thumb print or pupil recognition, is adopted by the Premises License Holder).

These will be added to the premises license, along with the conditions already offered in the operating schedule by the applicant.

I am wanting to draft a response to the complainant in the hope that he may withdraw the objection (which I doubt he will).

Kind regards

Deborah
Deborah Bragg
Licensing Manager

Tel:- 01756 706343
Mobile:- 07834808452
Email:- dbragg@cravendc.gov.uk

Deborah Bragg
Licensing Manager
ext: 46343

Please consider the environment before printing this e-mail.

Appendix G

Tim Chadwick

From: Deborah Bragg
Sent: 22 August 2018 14:20
To: Tim Chadwick
Subject: FW: Application for Grant of Premises Licence

Deborah Bragg
Licensing Manager

Tel:- 01756 706343
Mobile:- 07834808452
Email:- dbragg@cravendc.gov.uk

Deborah Bragg
Licensing Manager
ext: 46343

 Please consider the environment before printing this e-mail.

From: Gillian Hodgson [REDACTED]
Sent: 21 August 2018 17:25
To: Deborah Bragg
Subject: Re: Application for Grant of Premises Licence

Good afternoon Deborah,

I have spoken to the business owner directly adjacent to the Premises at East End. The business known as Spencer's which we have purchased operated as a bistro previously and was owned by her son [REDACTED] before the last owner [REDACTED]. It seemingly has grandfather rights to have tables situated outside the cafe bistro in the square and this has been the case for over 20 years hence the reason for not applying for a cafe/street licence.

A CCTV system has now been installed in and outside the premises to cover four outside tables but if there is an issue with the concerned resident, the emphasis is on the fact that we are operating as a cafe/Bistro and not a bar with only 30 covers inside.

We are sympathetic to our neighbours and hence that is why last orders for food will be at 21.00hrs.

I will apply for another TEN as you have suggested and hope the concerns of the two residents who have objected can be alleviated as soon as possible.

Kind regards,

Gillian

Sent from my iPhone

On 20 Aug 2018, at 14:59, Deborah Bragg <DBragg@cravendc.gov.uk> wrote:

Good afternoon Gillian

We have received another letter of objection from a local resident which I am seeking clarification on the issues he has raised with the Highways Team who are dealing with your Pavement Café Licence application as well as our Solicitor.

In the circumstances it may be advisable to submit further Temporary Event Notice(s) should you wish to continue trading after your opening on 24 August 2018.

Kind regards

Deborah

Deborah Bragg
Licensing Manager

Tel:- 01756 706343

Mobile:- 07834808452

Email:- dbragg@cravenc.gov.uk

Deborah Bragg
Licensing Manager

t: 01756706343

m: 07834808452

e: DBragg@cravenc.gov.uk

<imagedb7934.PNG>

1 Belle Vue Square, Broughton Road, Skipton, BD23 1FJ
www.cravenc.gov.uk

This e-mail, including any attachments, is confidential and intended only for the attention and use of the named addressee(s). It may contain information covered by legal, professional or other privilege. If you are not an addressee, please inform the sender immediately and destroy this e-mail. Do not read, copy, use, retain or disclose this e-mail or any part of it. Its contents do not necessarily represent the views or opinions of Craven District Council. All reasonable precautions have been taken to ensure no viruses are present in this e-mail. Craven District Council cannot accept responsibility for loss or damage arising from the use of this e-mail or attachments and recommend that you subject these to virus checking procedures prior to use.

Please be aware that all communications sent to or from Craven District Council may be subject to recording and/or monitoring in accordance with relevant legislation.

Appendix H

Deborah Bragg

From: David Cairns <[REDACTED]>
Sent: 24 August 2018 09:09
To: Deborah Bragg
Subject: RE: Application for Grant of Premises Licence
Attachments: Scanned from a Xerox Multifunction Printer.pdf

Hi Deborah

Im afraid we don't know anything about any grandfather rights in this area.

However its not clear at present whether all the area is publicly maintained highway or not. On our highway extents plan it shows as all being our responsibility but our maintenance manager thinks our responsibility is only with a metre strip as highlighted on the attached.

Until this is clear Im afraid I cant give you a definite answer. Im on leave now for 2 weeks but hopefully will have an answer on my return.

If you need further information in the mean time please email our area office area5.skipton@northyorks.gov.uk

Regards
David

David Cairns
Project Engineer
North Yorkshire Highways
Area 5 Skipton
Snaygill Industrial Estate
Keighley Road
Skipton
BD23 2QR

From: Deborah Bragg [mailto:DBragg@cravendc.gov.uk]
Sent: 21 August 2018 17:35
To: David Cairns
Subject: FW: Application for Grant of Premises Licence

Hi David

Please see below response from the applicant regarding the pavement café issue – would this be true?

Kind regards

Deborah

Deborah Bragg
Licensing Manager

Tel:- 01756 706343
Mobile:- 07834808452
Email:- dbragg@cravendc.gov.uk

Deborah Bragg
Licensing Manager

t: 01756706343

m: 07834808452

e: DBragg@cravencd.gov.uk

Craven District Council

1 Belle Vue Square, Broughton Road, Skipton, BD23 1FJ
www.cravencd.gov.uk

This e-mail, including any attachments, is confidential and intended only for the attention and use of the named addressee(s). It may contain information covered by legal, professional or other privilege. If you are not an addressee, please inform the sender immediately and destroy this e-mail. Do not read, copy, use, retain or disclose this e-mail or any part of it. Its contents do not necessarily represent the views or opinions of Craven District Council. All reasonable precautions have been taken to ensure no viruses are present in this e-mail. Craven District Council cannot accept responsibility for loss or damage arising from the use of this e-mail or attachments and recommend that you subject these to virus checking procedures prior to use.

Please be aware that all communications sent to or from Craven District Council may be subject to recording and/or monitoring in accordance with relevant legislation.

From: Gillian Hodgson [REDACTED]
Sent: 21 August 2018 17:25
To: Deborah Bragg
Subject: Re: Application for Grant of Premises Licence

Good afternoon Deborah,

I have spoken to the business owner directly adjacent to the Premises at East End. The business known as Spencer's which we have purchased operated as a bistro previously and was owned by her son [REDACTED] before the last owner [REDACTED]. It seemingly has grandfather rights to have tables situated outside the cafe bistro in the square and this has been the case for over 20 years hence the reason for not applying for a cafe/street licence.

A CCTV system has now been installed in and outside the premises to cover four outside tables but if there is an issue with the concerned resident, the emphasis is on the fact that we are operating as a cafe/Bistro and not a bar with only 30 covers inside.

We are sympathetic to our neighbours and hence that is why last orders for food will be at 21.00hrs.

I will apply for another TEN as you have suggested and hope the concerns of the two residents who have objected can be alleviated as soon as possible.

Kind regards,

Gillian

Sent from my iPhone

On 20 Aug 2018, at 14:59, Deborah Bragg <DBragg@cravencd.gov.uk> wrote:

Good afternoon Gillian



