

## LICENSING & APPEALS SUB-COMMITTEE

(Members are asked to arrive by 1.45pm)

at 2pm on Thursday 14<sup>th</sup> September 2017  
in the Staincliffe Room, Belle Vue Square, Broughton Road, Skipton

### AGENDA

Sub-Committee Membership : Councillors Baxandall, Ireton and Thompson.  
Substitute Member : Councillor Graham

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.

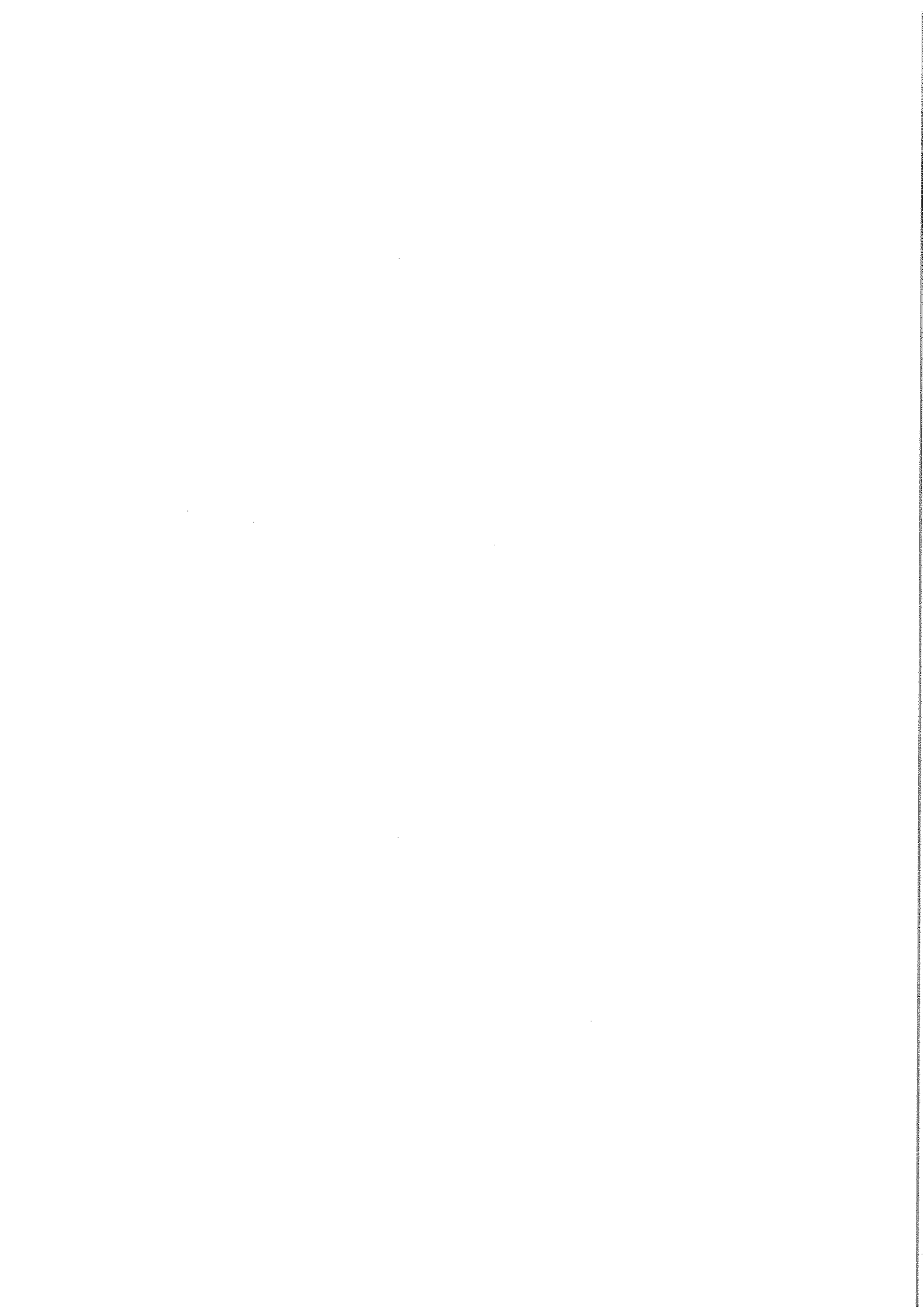
*(Note: If any of the Sub-Committee's Members believe they may have an interest they are asked to inform the agenda contact officer before the date of the Hearing as the attendance of a replacement Member may need to be arranged.)*

4. Licensing Act 2003 Application to Vary a Premises Licence at The Beer Engine, 1 Albert Street, Skipton, BD23 1JD – The Sub-Committee is asked to consider an application by Steven Banks to vary the Premises Licence in respect of The Beer Engine, 1 Albert Street, Skipton, BD23 1JD.

Report of the Licensing Manager attached.

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](mailto:committees@cravenc.gov.uk)  
Tel. 01756 706486  
6<sup>th</sup> September 2017



## **Summary of procedure to be followed in considering taxi licensing matters at a meeting of the Licensing and Appeals Sub-Committee**

Having dealt with apologies, the appointment of a Chairman, any declarations of interest and exclusion of the public.

1. The Chairman will introduce her/himself, Members and officers present.

Note : In the event of either party (the Licensing Manager / substitute or the applicant / representative) submitting documents at the Hearing the Chairman may call a brief adjournment to allow Members and the other party time to read those documents.

2. The Licensing Manager / representative will outline the reason for the hearing / reasons for the action taken (if any) against the applicant and call witnesses, if any.

Members may then put questions to the Officer and any witness. The applicant (or their representative) may then ask questions of the Licensing Manager / representative and any witness.

3. The applicant (or their representative) will then be invited to address the Sub-Committee and call witnesses / persons to speak in support, if any.

Members may then put questions to the applicant or their representative and any witness / supporter.

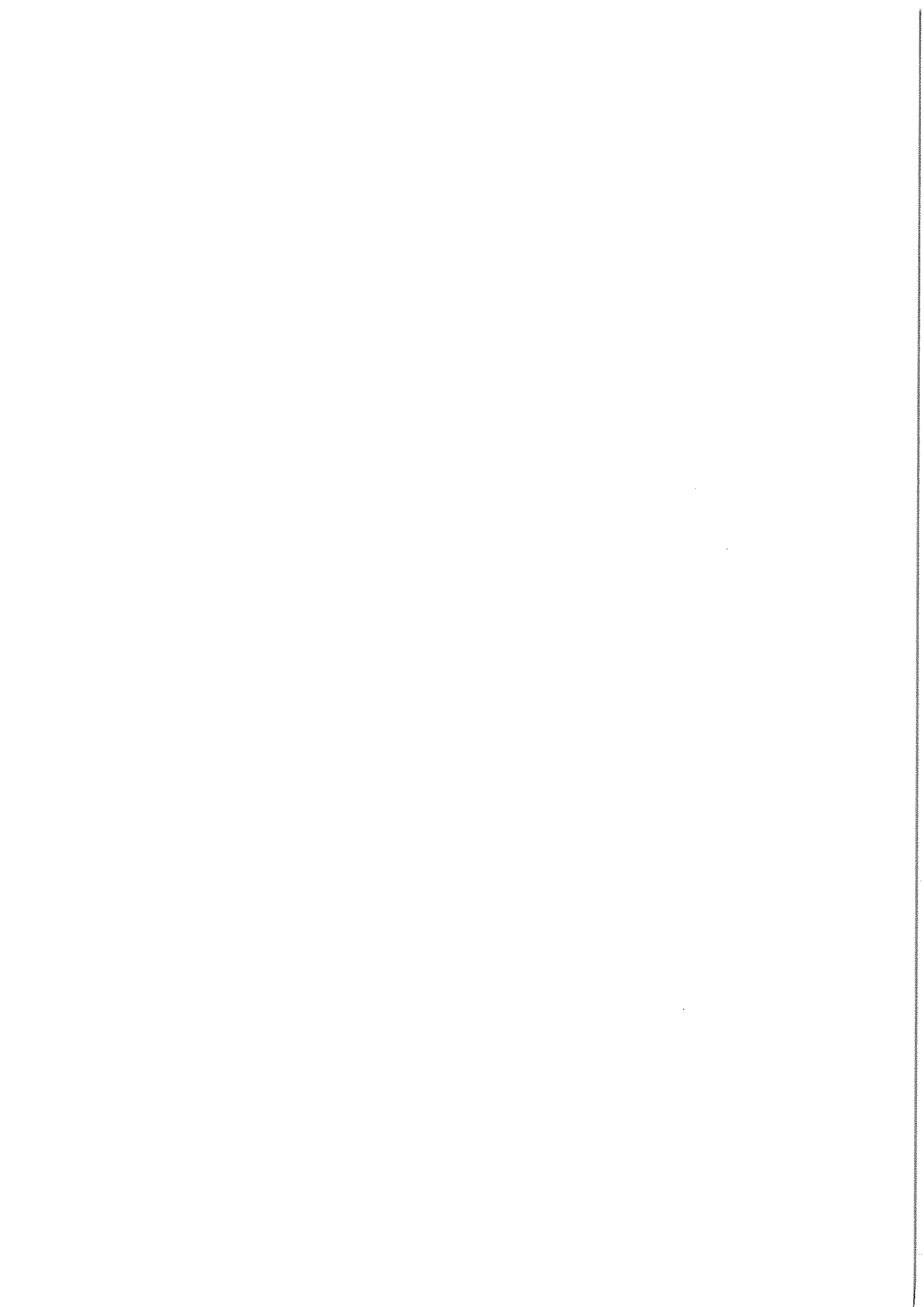
4. The Licensing Manager / representative followed by the applicant or representative will then be invited to sum up.

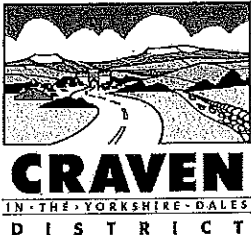
5. The Sub-Committee, taking into account representations heard / made, and taking into account any relevant considerations, will consider its decision.

At this point the Licensing Manager / representative and the applicant / representative will be asked to withdraw (if a substitute Member is present he / she will also be asked to withdraw). Both parties will be invited back into the room to hear the Sub-Committee's decision.

6. The decision of the Sub-Committee will be confirmed in writing to the driver.

-o-o-O-o-o-



THIS LICENCE IS ISSUED BY	
	<p>Craven District Council                      Licensing Team, Env. Health                      1 Belle Vue Square                      Broughton Road                      Skipton                      BD23 1FJ</p> <p>Web: <a href="http://www.cravencdc.gov.uk">www.cravencdc.gov.uk</a>                      Tel: 01756 706383</p>

## Part 1 - Premises details

<b>Licensed Premises</b>	
Postal address of premises, or if none, ordnance survey map reference or description	
The Beer Engine 1 Albert Street Skipton North Yorkshire BD23 1JD Telephone number 07834 456134	
<b>Licensable activities authorised by the licence</b>	
Supply of Alcohol Live Music	
<b>Times the Licence authorises the carrying out of Licensable Activities</b>	
Supply of Alcohol Monday - Sunday 12:00 x 23:00	Live Music Thursday - 18:00 x 23:00
<b>The opening hours of the premises</b>	
Hours Open to Public Monday - Sunday 1200 x 2300	
<b>Where the licence authorises supplies of alcohol whether these are on and/ or off supplies</b>	
On the premises	

## Part 2

<b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence</b>
<b>Registered number of holder, for example company number, charity number (where applicable)</b>

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence No: Pendle [REDACTED] Issuing Authority: PEN Pendle

## Annex 1 - Mandatory conditions

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No supply of alcohol may be made under the Premises Licence -
  - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
  - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
 (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
  - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
  - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark or
- (b) an ultraviolet feature.

6. The responsible person shall ensure that -

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

(i) beer or cider: 1/2 pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and  
(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

#### Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) The holder of the premises licence

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and  
(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies,

the price given by the sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

If the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section "children" means any person aged under 18; and "film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

If the Premises Licence has conditions in respect of Door Supervision except theatres, cinemas, bingo halls and casinos

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

(a) "security activity" means an activity to which paragraph 2(1)

(a) of that Schedule applies, and, which is licensable conduct for the



purposes of that Act, (see Section 3(2) of that Act) and (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as

## **Annex 2 - Conditions consistent with the operating Schedule**

### **General**

THE BUSINESS WILL VERY MUCH BE A ONE MAN OPERATION. THE DPS IS QUALIFIED AND CERTIFIED TO RUN THE BUSINESS AND IS AWARE OF CURRENT LEGISLATION REGARDING RUNNING A LICENCED PREMISES. STAFF WILL BE FULLY TRAINED AND MADE AWARE THAT NO UNDERAGE DRINKING, DRUNKENNESS, ANTI-SOCIAL BEHAVIOUR AND ABUSE OF DRUGS WILL BE TOLERATED ON THE PREMISES.

### **Prevention of crime and disorder**

THE LICENCE HOLDER WILL BE AN ACTIVE MEMBER OF THE STAND SCHEME

### **Prevention of public nuisance**

THE PREMISES IS LOCATED IN A MAINLY COMMERCIAL AREA, HOWEVER ALL DELIVERIES AND SERVICE PROVIDERS SHALL BE UNDERTAKEN AT SOCIABLE HOURS AS MUCH AS POSSIBLE.

A PROMINENT SIGN WILL BE DISPLAYED AT THE EXIT REQUESTING PATRONS TO LEAVE THE PREMISES IN A QUIET AND ORDERLY MANNER HAVING REGARD TO THE NEEDS OF LOCAL RESIDENTS.

AN INCIDENT BOOK AND REFUSAL BOOK WILL BE KEPT ON THE PREMISES AND PRODUCED TO POLICE/AUTHORISED OFFICERS/TRADING STANDARDS ON DEMAND.

### **Public safety**

THE DPS WILL ENSURE THAT ALL FIRE SAFETY, LIGHTING AND OTHER HEALTH AND SAFETY EQUIPMENT IS PROPERLY MAINTAINED AND EASILY AVAILABLE AND COMPLIES WITH FIRE AUTHORITY GUIDELINES.

A FIRE RISK ASSESSMENT WILL BE UNDERTAKEN.

ALL ELECTRICAL EQUIPMENT WILL BE PROPERLY MAINTAINED AND CHECKED

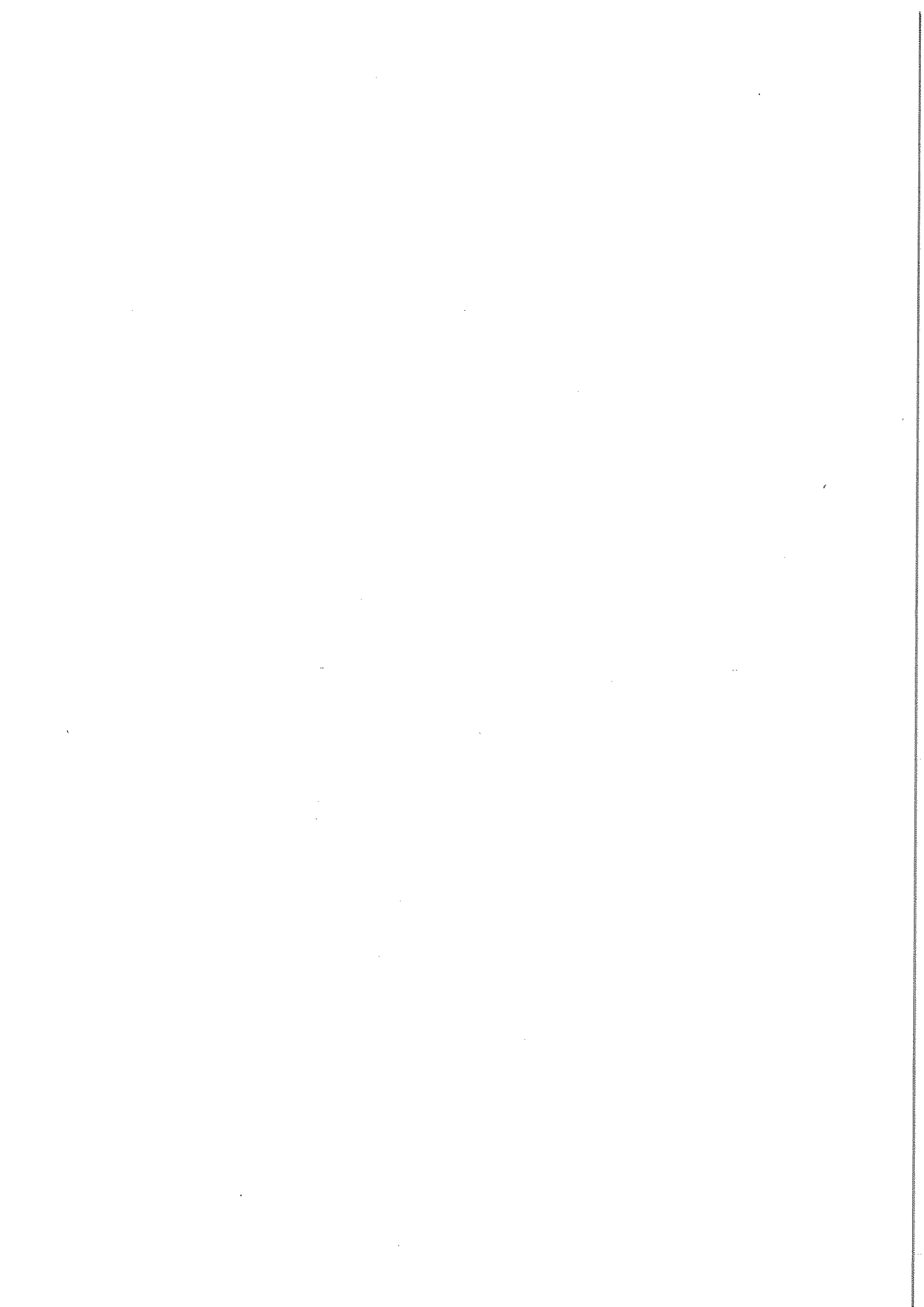
### **Protection of children from harm**

THE LICENCE HOLDER SHALL OPERATE A CHALLENGE 21 POLICY TO ENSURE THAT EACH PATRON WHO APPEARS TO BE UNDER 21 YEARS OF AGE AND IS SEEKING TO PURCHASE OR BE SUPPLIED WITH ALCOHOL SHALL BE CHALLENGED TO PRODUCE A MEANS OF IDENTIFICATION (ACCEPTABLE TO THE LICENSING AUTHORITY) PROVING THAT THE INDIVIDUAL IS 18 YEARS OF AGE OR OLDER. IF THAT PERSON IS UNABLE TO PRODUCE SUITABLE MEANS OF IDENTIFICATION THAT NO SALE OR SUPPLY OF ALCOHOL WILL TAKE PLACE.

A REFUSAL BOOK SHALL BE MAINTAINED AT THE PREMISES.

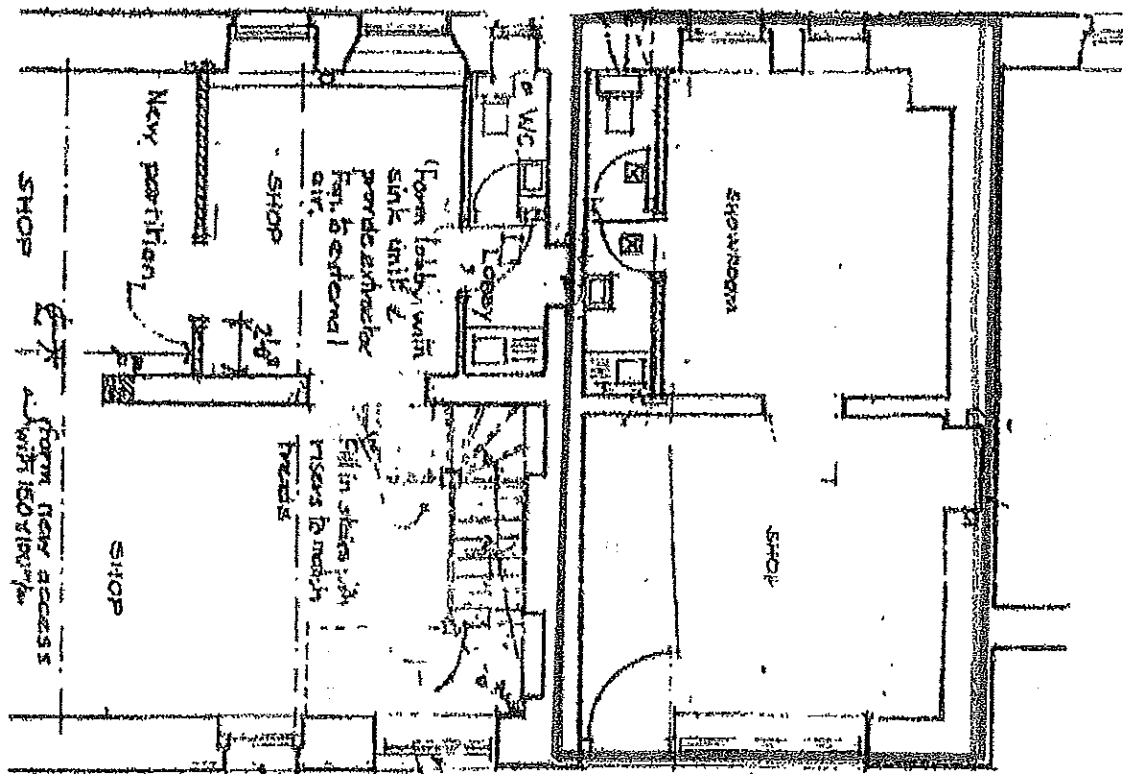
## **Annex 3 - Conditions attached after a hearing by the licensing authority**

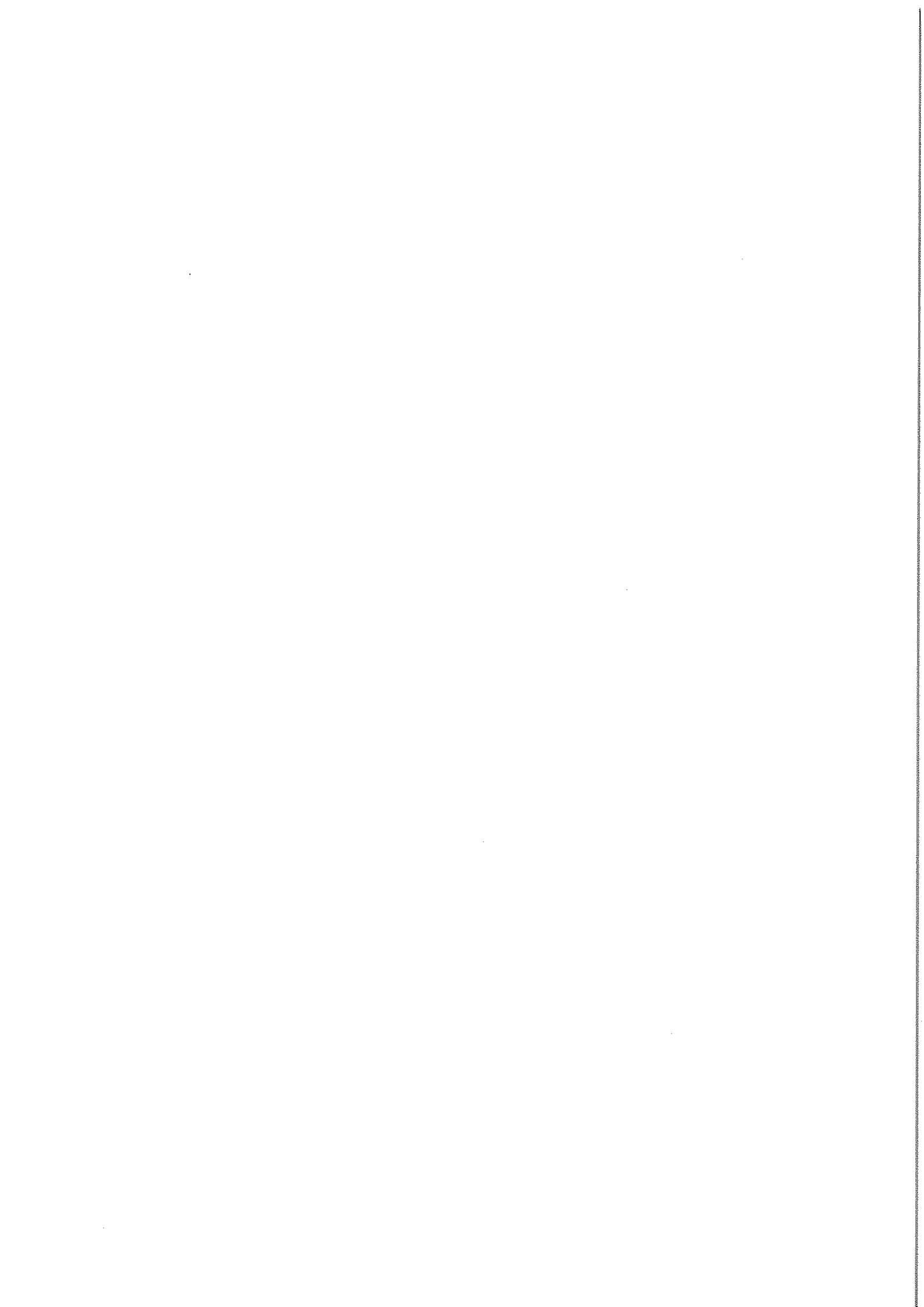
## **Annex 4 - Plans**





# 1 ALBERT ST. - FLOOR PLAN





Appendix B.

**Deborah Bragg**

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**From:** Deborah Bragg  
**Sent:** 25 July 2017 15:55  
**To:** 'janet langton'  
**Subject:** RE: Licensing - The Beer Engine Skipton

Hello Janet

I have provided a response whilst in the middle of a consultation meeting with taxi drivers so multi tasking and haven't got access at the moment to the legislation etc other than via the link below:-

Information specifically on plans and outside areas can be found on Poppleston Allen's website who are a leading licensing Solicitors practice – there are also others such as Gosschalks/Woods Whur.

Also on  
[www.gov.uk](http://www.gov.uk)

<http://www.legislation.gov.uk/ukpga/2003/17/contents>

You may wish to seek your own legal advice if you want more clarification as I am now going to be away for a few weeks and am unable to provide a more detailed reply to include the specific parts of the legislation etc.

I look forward to meeting you on my return.

Kind regards

Deborah

**Deborah Bragg**  
**Licensing Manager**

**Telephone: 01756 706343**  
**Mobile: 07834808452**  
**Email: dbragg@cravendc.gov.uk**

**From:** janet langton [REDACTED]  
**Sent:** 25 July 2017 15:26  
**To:** Deborah Bragg  
**Subject:** RE: Licensing - The Beer Engine Skipton

Hi Deborah

Thanks for your reply however could you possibly quote the act and clause that this information has been found just so that we can look into things fully.

Also we appreciate that we need to apply to vary our licence to be for 'off sales' however we are not requesting to sell alcohol outside of the premises, so understand we would not need a licence for this. If we have an 'off licence' then we assume there is no restriction outside but would be grateful if you could send us the details (the clause) under the Licensing Act.

Hope that all makes sense we are just trying to make sure we do things the right way.

Regards.

Janet Langton

On 25 Jul 2017 15:17, "Deborah Bragg" <[DBragg@cravenc.gov.uk](mailto:DBragg@cravenc.gov.uk)> wrote:

Hi Janet

I have been doing some research into the issues my visit has raised, please see below:-

The place where the alcohol is sold is where it is 'appropriated' to the contract. In other words, the sale takes place at the point where the alcohol is 'put aside' to meet your order. This will be at the point of dispense, which is normally at the bar. However you do need to be careful that your Premises Licence then permits you to sell alcohol for consumption both on the premises and off the premises if the outside area where your table and chairs are placed is not included within your licence. If you have permission for off sales, then alcohol can be sold 'on the premises' and then taken outside, whether that be by a customer or a member of staff, for consumption 'off the premises' in your outside area.

If you do not include the garden/outside area as part of the licensed premises, drinks that are bought to be consumed there will count as off supplies and any conditions that relate to off sales would apply. If the beer garden/outside area is being provided for consumption of off-supplies, you must include a description of where the place is and its proximity to the premises.

I note that your licence is for 'on sales' only therefore people are not allowed to take drinks outside and consume them. As originally discussed you will need to apply to vary your licence to include off sales – that includes to be able to take carry outs as well. You will also need to seek permission to use the area outside the premises from highways via Pavement Café licence and then include this on your licence.

I hope this helps – I am away until 14 August 2017 so will be back in touch on my return.

Kind regards

Deborah

**Deborah Bragg**

**Licensing Manager**

Telephone: 01756 706343

Mobile: 07834808452

Email: [dbragg@cravenc.gov.uk](mailto:dbragg@cravenc.gov.uk)

Deborah Bragg  
Licensing Manager

t: 01756706343

m: 07834808452

e: [DBragg@cravenc.gov.uk](mailto:DBragg@cravenc.gov.uk)

## Craven District Council

1 Belle Vue Square, Broughton Road, Skipton, BD23 1FJ

[www.cravenc.gov.uk](http://www.cravenc.gov.uk)

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**From:** Deborah Bragg  
**Sent:** 25 July 2017 11:13  
**To:** 'janet langton'  
**Cc:** 'Allen, Jackie'; 'Evans, Paul'; [REDACTED]  
**Subject:** RE: Licensing - The Beer Engine Skipton



Good morning Janet

I acknowledge receipt of your email and contents which I will endeavour to provide a full written response by the end of the day as I am on annual leave after today not returning until 14 August 2017.

I have been discussing the issue of drinking on the streets in Skipton with colleagues at North Yorkshire Police – namely Sgt Paul Evans who has responsible for policing Skipton and PC Jackie Allen who is the Police Licensing Officer with responsibility for licensing in Craven.

There seems to be an issue with people generally wandering from pub to pub with drinks in hand resulting in smashed glass etc. I am aware that there is Designated Public Places Order in place for the High Street and some other areas.

From these discussions I have found that there is a pub watch scheme which I think it would be useful for myself and others to attend at some point to look at these issues generally as licensee's should be ensuring that customers do not wander off with drinks in hand etc in any case whether there is a DPPO in place or not as ultimately a glass can become a weapon in the wrong hands.

Kind regards

Deborah

**Deborah Bragg**

**Licensing Manager**

**Telephone: 01756 706343**

**Mobile: 07834808452**

**Email: [dbragg@cravenc.gov.uk](mailto:dbragg@cravenc.gov.uk)**

**From:** janet langton [REDACTED]  
**Sent:** 20 July 2017 14:56  
**To:** Deborah Bragg  
**Subject:** Licensing - The Beer Engine Skipton

Hello

I thought it probably easier to drop you a line as I appreciate you are out and about quite a lot.



After our conversation regarding the outside area of The Beer Engine I wondered if there was anyway you could possibly help out with some information at all please.

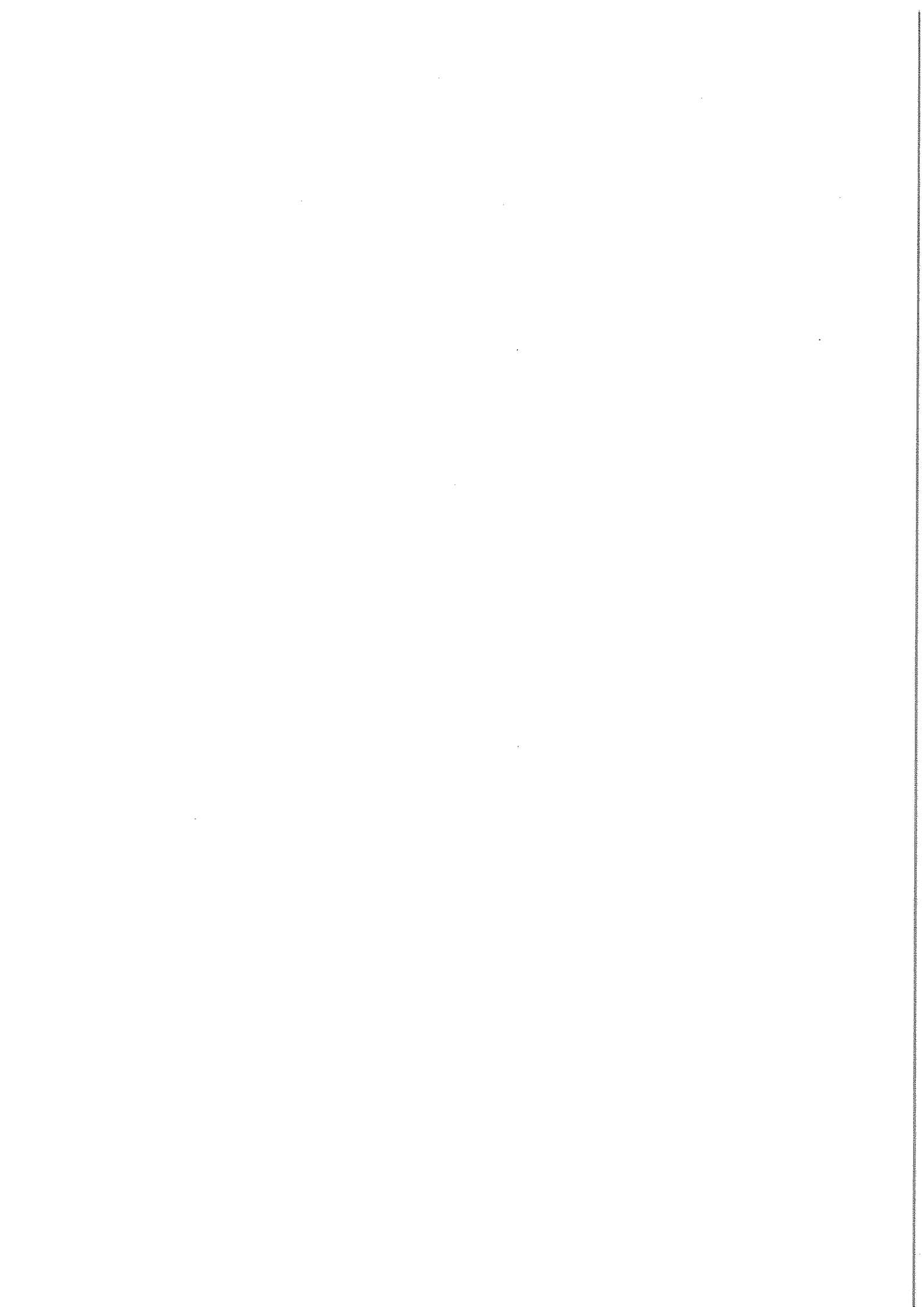
Our understanding is that a licence is for 'the sale of alcohol by retail' and 'consumption of alcohol is not a licensable activity'. As we are not wanting a licence to sell alcohol outside the premises we are unsure the reasoning we would need an alcohol licence for that area. As we discussed the area outside doesn't have restrictions on it for people consuming alcohol.

I know we discussed on the phone that you would kindly check out the legislation but realised I haven't forwarded you my email address yet. We wondered, in order that we can ensure we aren't breaching any legislation and to address our legal responsibilities, if you could please state the act and section which requires us to prevent people from taking glasses of beer off the premises.

Hopefully all this makes sense but as we discussed we would be happy to meet with you at your convenience to discuss it further.

Regards.

Janet Langton



## Deborah Bragg

---

**From:** Deborah Bragg  
**Sent:** 25 July 2017 15:18  
**To:** Janet Langton  
**Cc:** 'Allen, Jackie'; Evans, Paul; Tim Chadwick  
**Subject:** RE: Licensing - The Beer Engine Skipton

Hi Janet

I have been doing some research into the issues my visit has raised, please see below:-

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I hope this helps – I am away until 14 August 2017 so will be back in touch on my return.

Kind regards

Deborah

**Deborah Bragg**  
**Licensing Manager**

**Telephone: 01756 706343**  
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**Email: [dbragg@cravendc.gov.uk](mailto:dbragg@cravendc.gov.uk)**

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**Sent:** 25 July 2017 11:13  
**To:** 'Janet Langton'  
**Cc:** 'Allen, Jackie'; 'Evans, Paul'; [REDACTED]  
**Subject:** RE: Licensing - The Beer Engine Skipton

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Kind regards

Deborah

**Deborah Bragg**  
**Licensing Manager**

**Telephone: 01756 706343**

**Mobile: 07834808452**

**Email: [dbragg@cravenc.gov.uk](mailto:dbragg@cravenc.gov.uk)**

**From:** janet langton [REDACTED]

**Sent:** 20 July 2017 14:56

**To:** Deborah Bragg

**Subject:** Licensing - The Beer Engine Skipton

Hello

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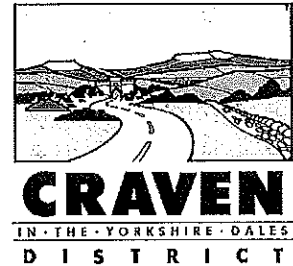
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Regards.

Janet Langton

Appendix C

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



Mr Reynolds

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Telephone: 01756 706343

e-mail: gbowyer@cravenc.gov.uk  
Gary Bowyer  
Licensing Officer

Date: 23<sup>rd</sup> September 2015

Dear Mr Reynolds

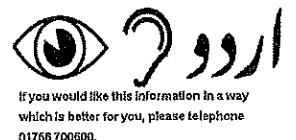
Complaint The Beer Engine Albert Street, Skipton

I refer to your letter dated 14<sup>th</sup> September and your concern over The Beer Engine and its operation and reply to your comments in order.

1. Beer Casks outside the premises. I have spoken to the licence holder and he has explained to me the reason for the casks being outside. He tells me they were awaiting collection from the respective Breweries. I have further leased with the premise licence holder who tells me that there were three casks outside the property awaiting collection. The removal of the casks should allay your fears of danger to the public.
2. Alleged Intimidation. There have been no complaints made to the Police or the Licensing Authority of intimidation by customers to members of the public as you have suggested.
3. Wedding Reception. I can confirm that on Monday the 14<sup>th</sup> of September there was a wedding celebration which took place in Albert Street Skipton. A marquee was erected by caterers who were providing food for the wedding party and the Beer Engine provided beverage in the licenced premise. The marquee was erected and removed the same day.
4. I note your comments of alleged noise nuisance and ask that if you have any genuine complaints they should be directed at Craven District Council Environmental Protection.



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



5. The licence for the Beer Engine allows for the sale of alcohol on the premises and not for takeaway.
  
6. I note your comments about the area being in a conservation area and suggest if you have any concerns they be directed at Craven District Council Planning Authority who grant permission for such businesses

Your letter and pictures will be held on file and should there be any other incidents or issues as you have alleged in relation to The Beer Engine these may be referred to at a future date.

Yours sincerely

**G Bowyer**  
**Licensing Officer**  
**Craven District Council**

30256  
796529

[REDACTED]

RECEIVED

N Yorks.

[REDACTED]

14. SEP 15

Dear Sir  
I am writing to complain  
about the beer Engine in Albert St Chilton  
N. Yorks.

The amount of beer kegs stored on the  
footpath outside the place are a danger  
to public and could also be rolled down  
the street onto the public highway.

The amount of customers who drink  
outside the pub are intimidating to the  
public who just want to walk past  
or the residents who live close by  
in Albert square.

On Monday 16 Sept there was a  
singing session held there and a barbeque  
held on the Albert Park/Chilton Park opposite.  
with an electric heater in the middle from the  
the going over the public footpath/road.

To the Bay Area,

This was a public hazard.

The noise created noise and extra traffic noise to the residents of

about square (Car doors slamming etc)

In writing this letter as guardian of two properties in about square, as of tenants are disabled they complain

to me about the situation and noise. My resident at 1206, as to resolve

is now up about 80 past the been up to get his disabled sister

who is confined to a wheelchair and for the time for treatment in hospital.

I am enclosing photographs of the situation, together on Monday the 1st.

The situation in the about square

is a quieting work of the kind as

regards it is a public hazard. The noise and

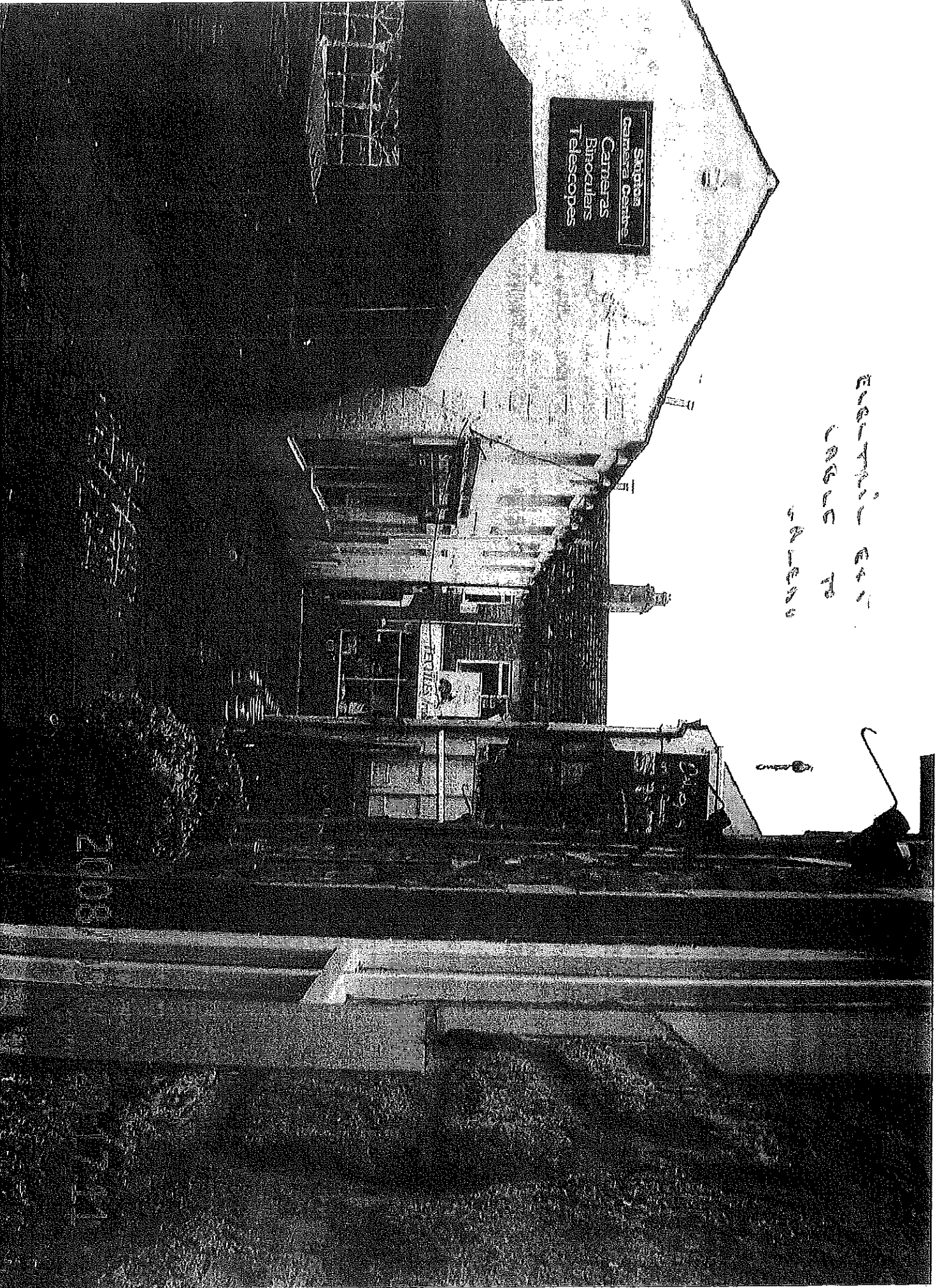
inconvenience to the residents

is a public hazard. P.T.O.



How the License for the Beer  
Fights even off the premises  
Thinking? Please bear in mind  
that is a conservation area.

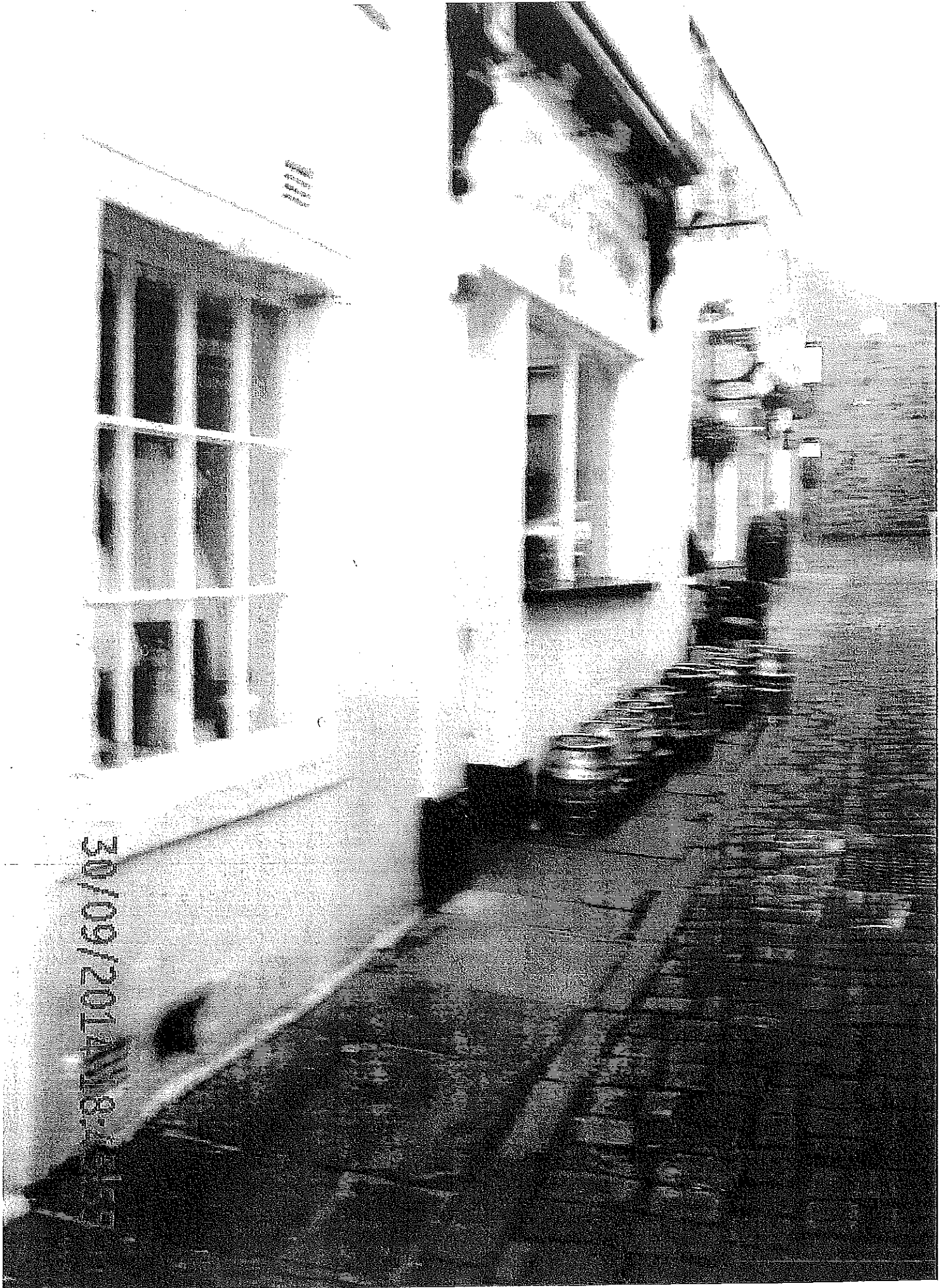
Let the business in the area seem  
to show no regard or respect  
for local residential occupancy.



Station  
Camera Centre  
Cameras  
Binoculars  
Telescopes

EVERETT  
LAWSON  
MAY 1950

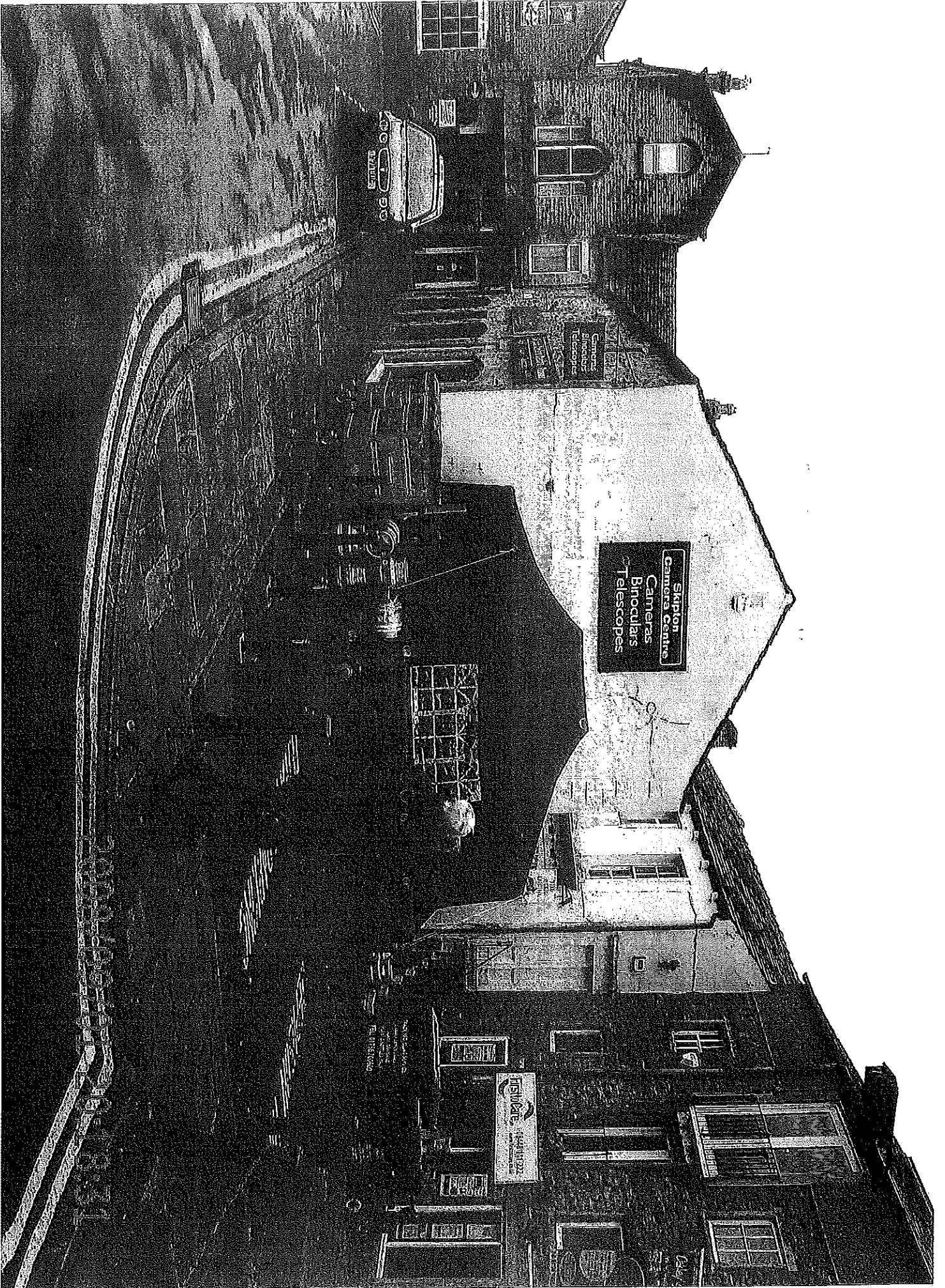
BEER SALES IN STREET



30/09/2014 18:24:17

WESTERN STATE BANK  
P. O. BOX 100  
MADISON, WIS.

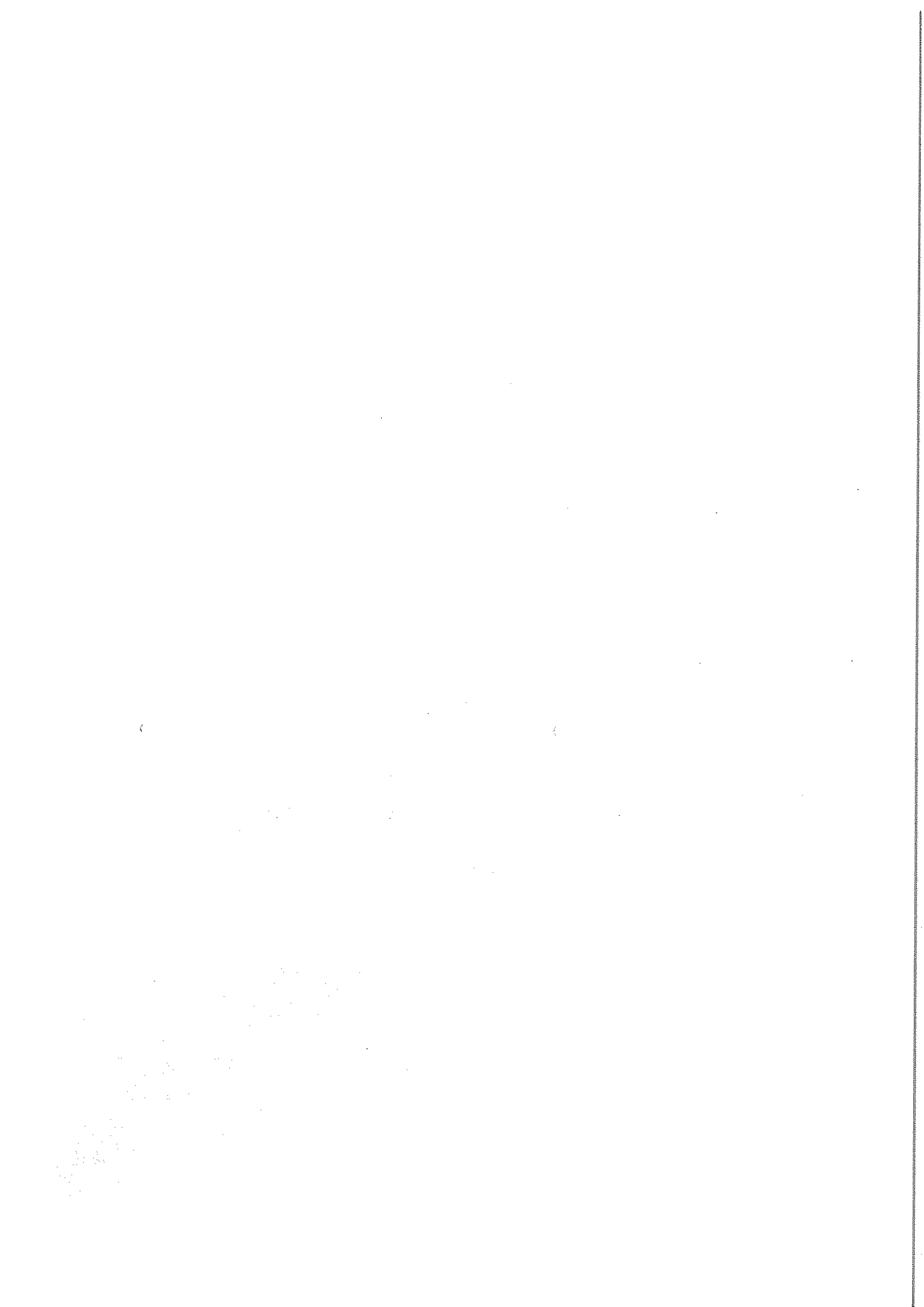
2008/09/01 20:19:50



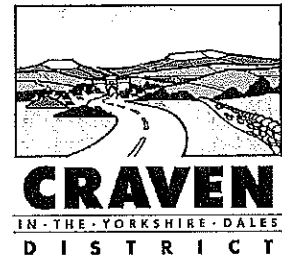
Supton  
Camera Centre  
Cameras  
Binoculars  
Telescopes

FISHBONE  
ESTABLISHED 1892





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



Mr Reynoldson



Telephone: 01756 706343

e-mail: [gbowyer@cravenc.gov.uk](mailto:gbowyer@cravenc.gov.uk)  
Gary Bowyer Licensing Officer

Date: 26 October 2015

Dear Mr Reynoldson

Thank you for your letters dated 29<sup>th</sup> of September and 6<sup>th</sup> of October to which I refer to your first letter and my reply to you on the 23<sup>rd</sup> of September.

Wedding Reception. I can confirm that on Monday the 14<sup>th</sup> of September there was a wedding celebration which took place in Albert Street Skipton. A marquee was erected by caterers who were providing food for the wedding party and the Beer Engine provided beverage in the licenced premise. The marquee was erected and removed the same day.

The event was a wedding reception, there were no licensable activities taking place in the marquee which was used for catering only.

Details of the terms and conditions of the premise licence you have asked for can be found on the Craven District Council web site with the following link:  
<http://www.cravenc.gov.uk/article/841/Alcohol-and-Entertainment-Licence>

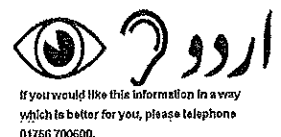
Please find enclosed a copy of the Sanitary Accommodation Standards as requested in your letter dated 6<sup>th</sup> October

Yours sincerely

**G Bowyer**  
Licensing Officer  
Craven District Council



Paul Shevlin, Chief Executive  
Calls may be recorded for training and monitoring purposes  
For general enquiries telephone 01756 700600  
[www.cravenc.gov.uk](http://www.cravenc.gov.uk)



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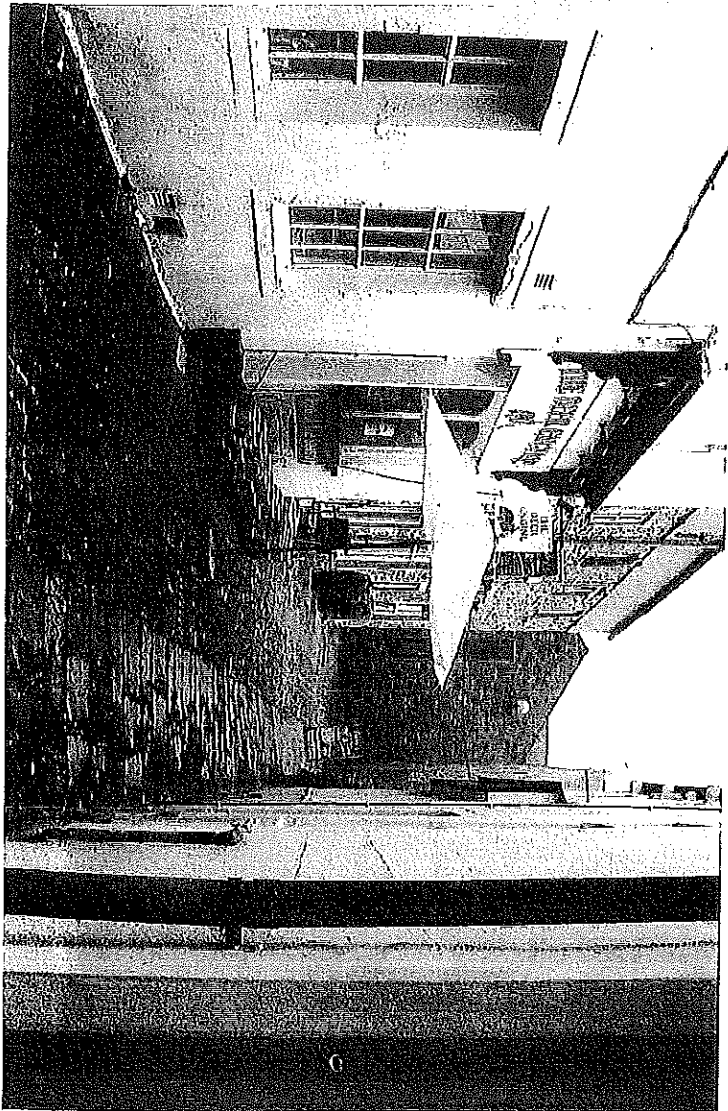
N. Yorks.

[REDACTED]  
29. Sept 2015

Dear Mr Bowyer,

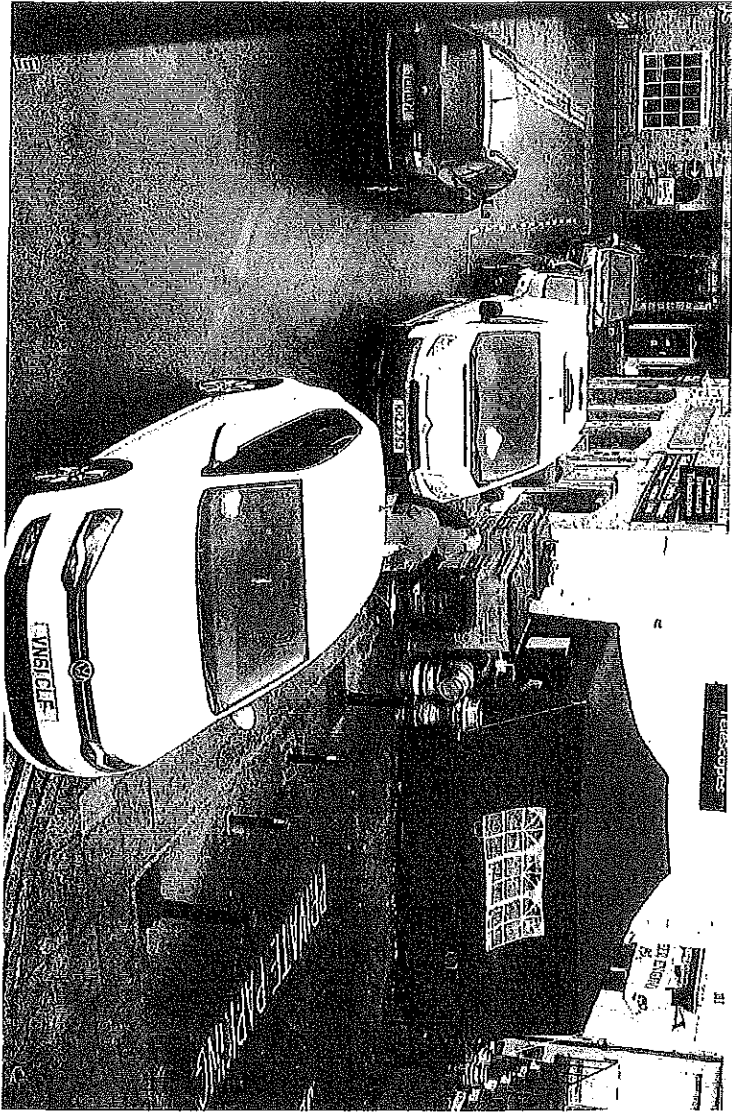
Re your letter dated 23 Sept 2015  
The Beer Engine, Albert St Skipton.  
You state in your letter that a Marquee  
was erected and removed the same day  
for the Wedding Party, does this indicate  
then that this is acceptable to hold this  
kind of event at these premises.  
Could I also have a copy of the  
Terms and Conditions of the License for  
The Beer Engine in Albert St Skipton.

Yours faithfully  
Mr R Heynaldson.

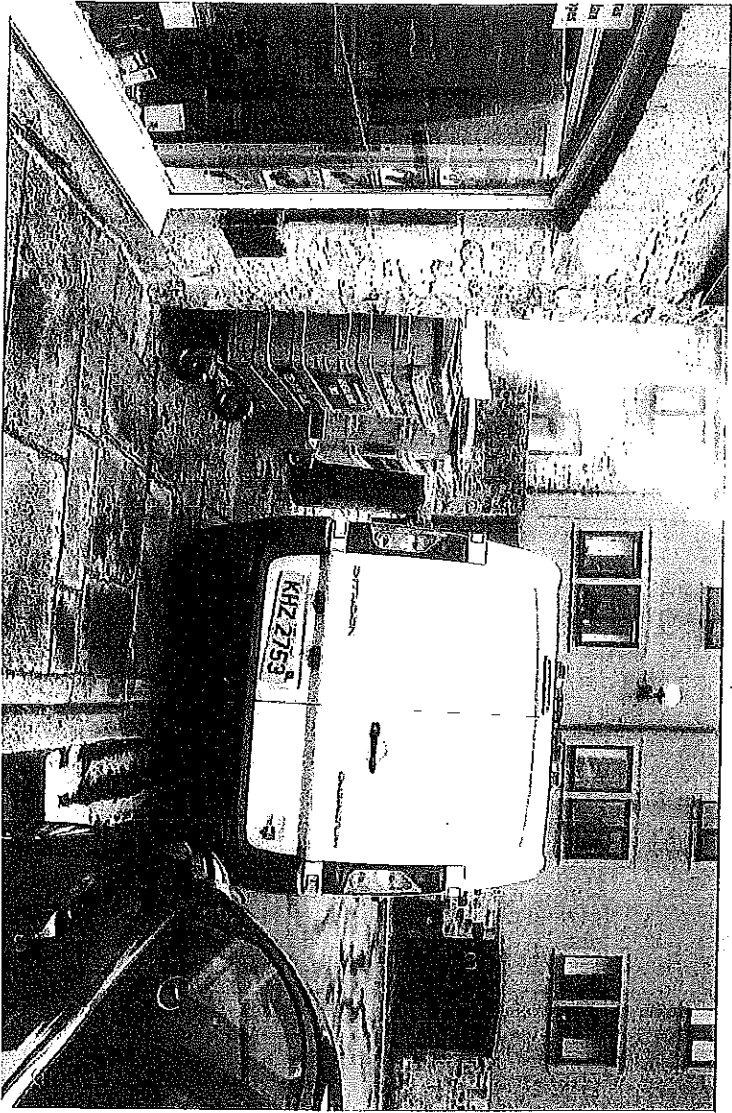


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[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

N. Yorks.

6. OCT 2015

Dear Sir or Madam

Could you please inform

me of any rules or regulations that are  
in place regarding the provision for  
public houses and restaurants

Yours faithfully  
M. Richardson.

CRAVEN D.C.  
BELLE VUE SQUARE, SKIPTON  
- 6 OCT 2015  
BY POST

10/10/10

10/10/10

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Appendix D

**Deborah Bragg**

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**From:** Deborah Bragg  
**Sent:** 21 August 2017 08:57  
**To:** 'janet langton'  
**Subject:** RE: Re: Application for Variation of Premises Licence

Good morning Janet

Thank you for your reply.

In my last email to you I referred you to the following with regards to off sales and outside areas:-

*The place where the alcohol is sold is where it is 'appropriated' to the contract. In other words, the sale takes place at the point where the alcohol is 'put aside' to meet your order. This will be at the point of dispense, which is normally at the bar. However you do need to be careful that your Premises Licence then permits you to sell alcohol for consumption both on the premises and off the premises if the outside area where your table and chairs are placed is not included within your licence. If you have permission for off sales, then alcohol can be sold 'on the premises' and then taken outside, whether that be by a customer or a member of staff, for consumption 'off the premises' in your outside area.*

*If you do not include the garden/outside area as part of the licensed premises, drinks that are bought to be consumed there will count as off supplies and any conditions that relate to off sales would apply. If the beer garden/outside area is being provided for consumption of off-supplies, you must include a description of where the place is and its proximity to the premises.*

At the time I suggested you may wish to seek specialist licensing legal help with the issues I have raised with you and I think this is something that you should do in light of the objections which are valid objections being received.

If you are not agreeable to the conditions that have been proposed in order to ensure that the licensing objectives are not undermined then the Licensing Authority will be putting a representation in against the application also.

The issue of outside areas and consumption of alcohol within the legislation and guidance issued by the Secretary of State is not as clear cut as you are seeking to find out via which piece of the legislation/regulations states what advice I have given you – over time the guidance has been revised and to some degree watered down.

The current guidance states:-

**8.72 Licensing authorities may wish to consider whether there is any likely impact on the promotion of the licensing objectives in deciding whether there is a need for an application to vary in relation to features which are not required to be shown on the plan under section 17 of the 2003 Act, but have nevertheless been included, for example, moveable furniture (altering the position of tables and chairs) or beer gardens (installation of a smoking shelter that will not affect the use of exits or escape routes).**

In view of the issue that I am unable specifically to point you to specific legislation and regulations and only the information above which I located on Poppleston Allens website – who are a leading legal practice with regards to Licensing I feel that you should seek your own independent legal advice as the matter will be dealt with by elected members and should they be mindful to vary your licence then the conditions proposed will be put forward by the Licensing Authority as part of its representation against your application.

Many of the licensed premises in the town centre would have converted licences from the 1964 Act which will have in many cases embedded restrictions including the requirement that any outside drinking areas are clearly defined on a plan. These will have been carried across to their new licences. If people are venturing on to streets etc or in areas which are not included on their licence then this will be tackled by ourselves and North Yorkshire Police.

I have seen that the previous Licensing Officer had dealt with a complaint from a member of the public and the issue of people being outside was raised then – he was also aware that you were licensed for on sales only – it is my view that you should have been advised what I have been raised now. The fact that it has been allowed to go on unchallenged is unfortunate.

The same goes for other premises who may be in breach of any conditions on their licences and something that with North Yorkshire Police we will look at – if breaches re found then as with yourselves we will be taking appropriate action.

There is currently a Designated Public Places Order which covers certain parts the Town Centre and the following conditions apply:-

Premises in respect of which a premises licence has effect which authorises the premises to be used for the sale or supply of alcohol (section 14(1)(a) of the Criminal Justice and Police Act 2001 (“the 2001 Act”) but where section 14 (1B) of that Act does not apply). This provision covers licensed premises at all times of the day.

- Premises in respect of which a premises licence has effect which authorises the premises to be used for the sale or supply of alcohol but only at times when it is being used for the sale or supply of alcohol or at times falling within 30 minutes after the end of a period during which it has been so used (section 14(1)(a) of the 2001 Act where section 14 (1B) of that Act does apply). This provision covers licensed premises during the times of operation of the licence and 30 minutes thereafter – so for example they are not covered at times hat they are licensed to sell or supply alcohol.

- Premises in respect of which a club premises certificate has effect which certifies that the premises may be used by the club for the sale or supply of alcohol (section 14(1)(aa) of the 2001 Act). This provision covers clubs that have club premises certificates.

- A place within the curtilage of licensed premises or club premises (section 14 (1B) of the 2001 Act). This provision covers any place within the enclosed area of licensed premises or club premises.

- Premises which by virtue of Part 5 of the Licensing Act 2003 may for the time being be used for the supply of alcohol or which, by virtue of that Part, could have been so used within the last 30 minutes (section 14(1)(c) of the 2001 Act). This provision covers any premises for which there is a valid temporary event notice in force and for 30 minutes thereafter.

- A place where facilities or activities relating to the sale or consumption of alcohol are for the time being permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (section 14(1)(e) of the 2001 Act). This covers places in which the council has given permission for alcohol to be sold pursuant to section 115E of the Highways Act 1980.

This is being reviewed later this year and being replaced by the new orders Public Spaces Protection Order (Anti-Social Behaviour, Crime and Policing Act 2014) -which will cover things such alcohol on the streets etc, however the new order will have similar effect. The area which is covered may also be extended to include other parts of the Town.

With regards to ‘off sales’ I am aware that you still advertise ‘carry outs’ for customers and this should be discontinued until such time as a licence to allow ‘off sales’ is in place should members chose to vary the licence.

Once the date has passed for representations then you will be sent all the objections received within the legal timescales including my report and guidance on what will happen at the hearing etc.

Kind regards

Deborah



Deborah Bragg  
Licensing Manager

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

**From:** janet langton [REDACTED]  
**Sent:** 20 August 2017 19:22  
**To:** Deborah Bragg  
**Subject:** Fwd: Re: Application for Variation of Premises Licence

Hi Deborah

We have received your comments and at this point have to state that, at this stage we cannot accept the conditions that are suggested to be applied to our licence application. We have had no complaints from the police in the 3 yrs and 4 months that we have been operating, have never had cause to ask assistance from the police and never had a time where we have had to 'bar' a customer from the pub. We cannot therefore conceive why it is believed these conditions are necessary.

We are surrounded by other public houses that have an 'on and off' licence, which we believe are busier and 'rowdier' than our establishment, but who don't have to operate with such restrictions attached.

We realise that there is a local gentleman who is a 'persistent complainer' about many of the licensed establishments in this area. This gentleman has made previous malicious complaints regarding our business (and other businesses) whereby he claimed that people outside our premises were blocking access for vehicles. We discussed this with the Licensing Officer at the time who thereafter understood that in fact it is a small alley with a dead end, leading nowhere.

It appears that our application will be forwarded to a hearing and we would be grateful if you could furnish us with some information in advance please.

We would be grateful also if you could confirm if any of the representations are classed as 'valid' objections under the 4 licensing objectives at all. We are just trying to figure out the reasons for objecting to something that all the other surrounding pubs already have in place and are a little puzzled.

Can we also just confirm that the Planning Department's objection has now been withdrawn after we ensured that we got our planning application in after discussion with them. It is something that they stated they would do.

In your email on 16th August you enquired regarding applying for the outside area, we are still awaiting your response from our previous enquiries regarding which details under the Licensing Act specify regulations regarding outside spaces.

With regards to availability we understand that the target completion date for decision is 50 days so presume that the meeting will take place by approximately 15th September? We are generally working but, with notice, should be able to ensure staff can cover most days albeit 14th September would be particularly difficult.

Regards.

Janet Langton  
The Beer Engine (Skipton)

On 17 Aug 2017 12:59, "Deborah Bragg" <[DBragg@cravendc.gov.uk](mailto:DBragg@cravendc.gov.uk)> wrote:

Good morning Janet

Further to your application in the above respect, with regards to the sale of alcohol for consumption 'off' the premises, conditions that would be appropriate to be attached to a premises licence to deal with how this is managed would be the following:-

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

These conditions are deemed to be appropriate and proportionate in order that the Licensing Objectives are not undermined.

I would be grateful if you could confirm as a matter of urgency whether the applicant would be agreeable to these conditions being attached to the licence should members be mindful to vary the licence as applied for.

If not agreed then a representation for consideration by members at the Hearing will be submitted by the Licensing Authority.

I look forward to hearing from you.

Kind regards

Deborah Bragg

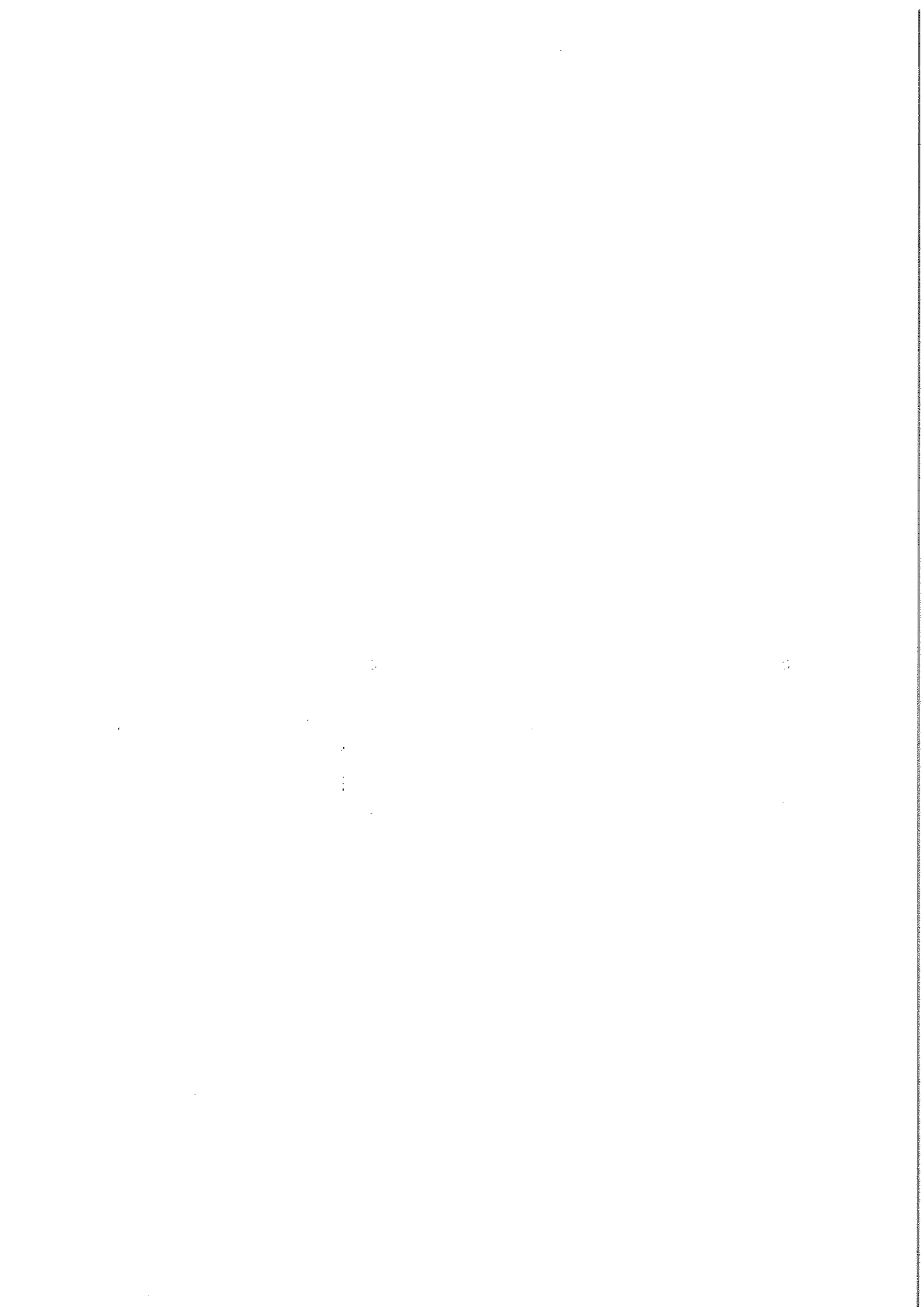
**Deborah Bragg**

**Licensing Manager**

**Telephone: 01756 706343**

**Mobile: 07834808452**

**Email: [dbragg@cravenc.gov.uk](mailto:dbragg@cravenc.gov.uk)**



**Tim Chadwick**

---

**From:** Skipton Camera Centre [REDACTED]  
**Sent:** 10 August 2017 14:10  
**To:** Deborah Bragg; Tim Chadwick  
**Subject:** The Beer Engine Licence Objection

Date: 10/08/17

To: Craven District Council  
Licensing Authority

Objection from:

Steven Riley  
[REDACTED]

The Beer Engine, Albert Street, Skipton Licence application Objection

The Beer Engine has applied for a licence to extend its current on site sales licence to allow on and off site sales. Ever since it opened I have had problems with street drinking causing a public nuisance and preventing the public from walking up and down the street without passing crowds of drinkers which is very intimidating for the public. The drinkers also stand outside the shop window and in the doorway to the shop and are sometimes very noisy. This causes a loss of business. I have politely asked the owner to not allow outside drinking on a few occasions but it continues and as it does not have off site sales in the licence and the street is not part of the premises this is clearly not allowed. The street is a cobbled very narrow street. Outside drinking affects all shops and businesses on the street. If off site sales were allowed I am concerned that the purchase could in theory be consumed in the street once it has left the premises. I am concerned that this would be difficult to stop as the licence would allow off site sales. There are also residents nearby who the outside drinking affects particularly late at night. Off site sales could also encourage after hours drinking in the street and cause possible security problems. With all these uncertainties I therefore wish to strongly object to the licence application change.

Appendix F

To:

Craven District Council  
Licensing Team  
Council Offices  
1 Belle Vue Square  
Broughton Road  
Skipton  
BD23 1FJ

Objection to: Premises licence number [REDACTED]

Premises Address: The Beer Engine, 1 Albert Street, Skipton. BD23 1JD

Currently the patrons of the Beer Engine have been encouraged to drink their alcoholic drinks outside the Beer Engine by the owners who have been putting cushions outside on top of the beer barrels which are lined up outside the pub, this has been causing crowds of rowdy drinkers in Albert Street itself, particularly from Friday lunchtime across the weekend, there can be in excess of 20 people out in the street outside the Beer Engine, they have been regularly heard to use foul language including the "F" and "C" words. The owners have been requested by a representative from the council not to allow their customers to gather outside in the street to drink alcohol; however the owners have continued to ignore this request and continue to place the cushions onto the beer barrels to accommodate their customers.

From Friday lunchtimes throughout the weekend there have been crowds, often large groups of men drinking in the street outside the Beer Engine which has blocked the access in Albert Street, people and in particular the elderly, disabled and vulnerable have found the crowds to be intimidating and they have complained that they felt it necessary to avoid walking through Albert Street.

In addition the owner of the Beer Engine regularly parks his large Red Mitsubishi pickup truck in the entrance to Albert Street blocking the access for the disabled and pedestrians.

I believe the wording in the application "To enjoy at a time of their choosing" is purely smoke and mirrors to gain sign off for more patrons to actively consume their alcoholic drinks directly outside the Beer Engine in Albert Street causing further nuisance.

We strongly object to the application and the ongoing flouting of the request by the council for the owners of the Beer Engine to stop large numbers of their patrons from drinking outside the premises of the Beer Engine, some of whom have used foul and abusive language which has caused distress and intimidation to the general public in particular the elderly, disabled and vulnerable.

## **Public Space Protection Order**

Only people over 18 can drink in public, except in areas of towns where Public Space Protection Orders are in place<sup>1</sup>. A Public Space Protection Order, or PSPO, is a special decree that allows police to stop people from drinking in a certain area.

PSPOs give police officers special powers to order a person to stop drinking alcohol in public and confiscate it from them.

House of Commons Library

### **Alcohol: drinking in the street**

Published Thursday, April 20, 2017

This Library Briefing Paper looks at what the law says on drinking alcohol in the street.

There is no general prohibition on drinking in the street but certain offences relating to alcohol may be committed in public places.

Councils can use public spaces protection orders to restrict the consumption of alcohol in a public space where it is associated with anti-social behaviour. It is an offence to fail to comply with a request to stop drinking or to surrender alcohol in a controlled drinking area.

The police can disperse individuals engaged in anti-social behaviour where alcohol is a factor. It is an offence to fail to comply with a direction to leave an area.

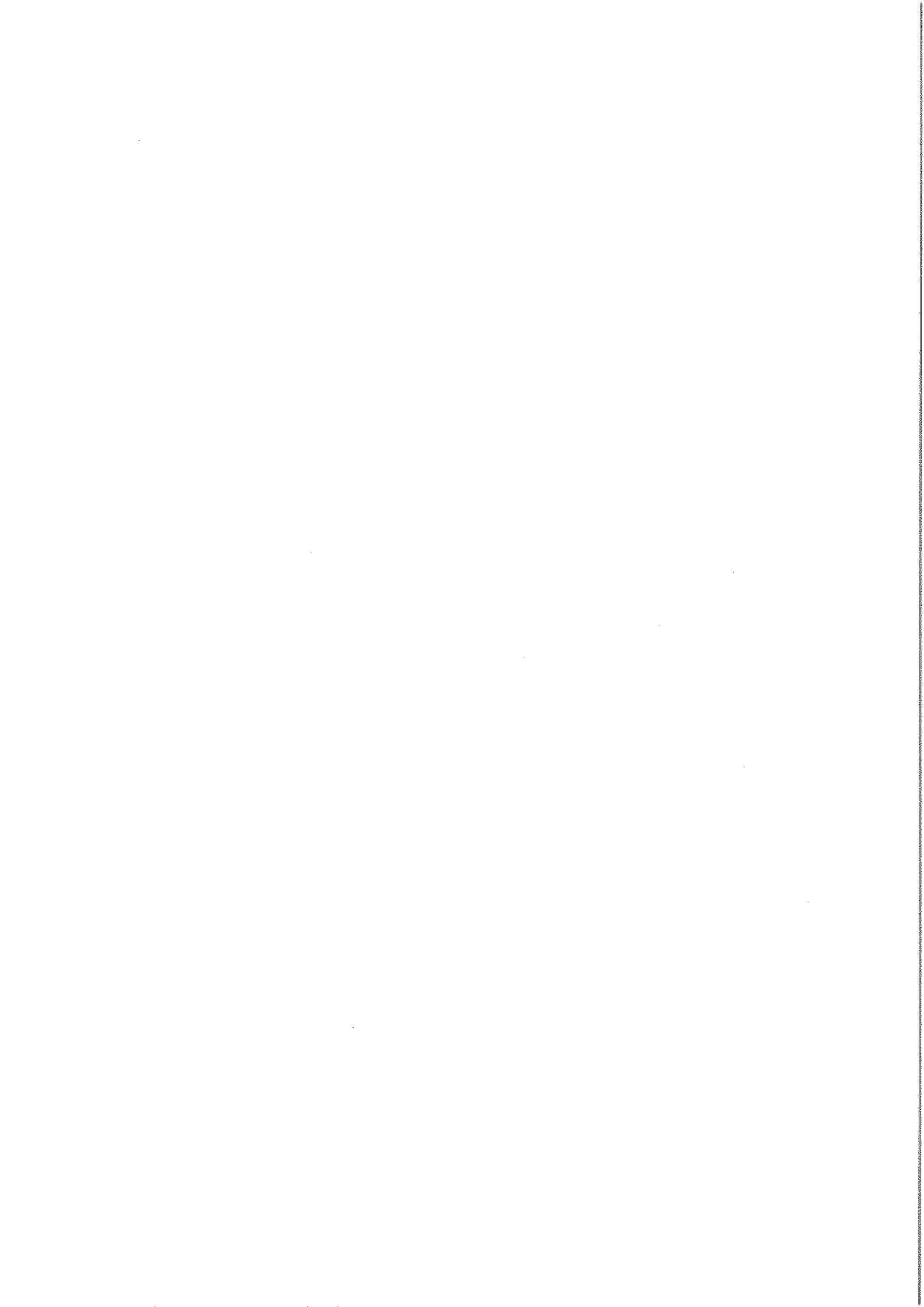
Other offences include being drunk and disorderly in a public place and being drunk in any highway or other public place.

This Paper refers to the law in England and Wales.

Commons Briefing papers SN05117

Author: John Woodhouse

Topic: Licensing





Appendix G

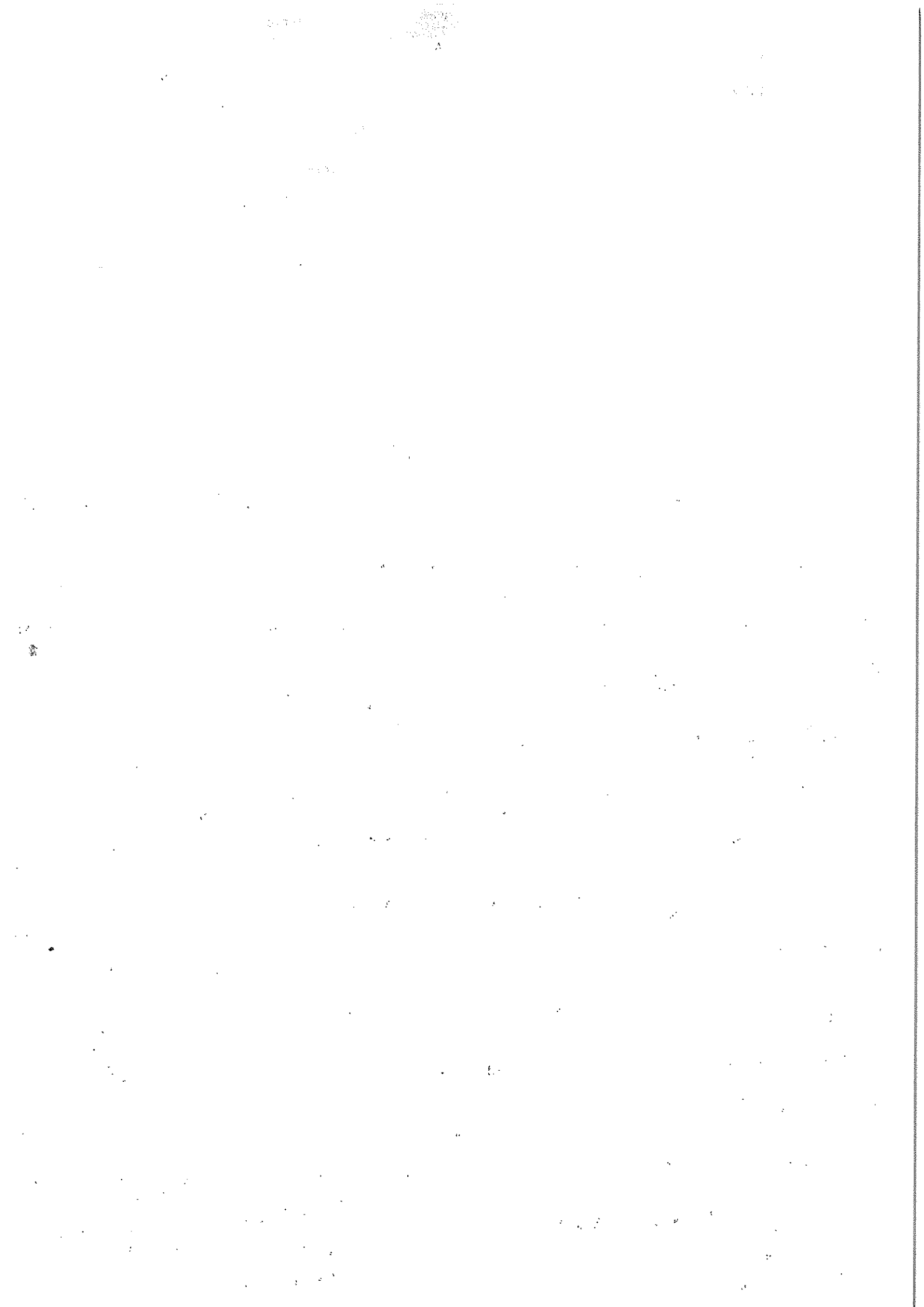
15. AUG. 2017

Dear Sir

I would like to object to the application to The Beer Engine / Albert St Skipton BD23 1SD to include aft Sales.

My reasons for objection are as follows

These premises are very close to the residential development of Albert Square and Terrace. They have already had problems with their outlets and as the landlord of No 6 & No 14 Albert Square. I have had numerous complaints from them. My Tenant at No 6. Mr. Conroy has a collection board sister and is no longer able to take her out of the house because he cannot get his vehicle past No 1 Albert St for Beer Bomeb and intimidatory custom drinking outside the premises.



There was also problems with  
a wedding reception held there which  
I sent you details of and photographs.

We already have a newly opened  
off license sales at No 35 Cook St  
just a few yards from Albert St.

Also a new pub on the east side  
the local house bar.

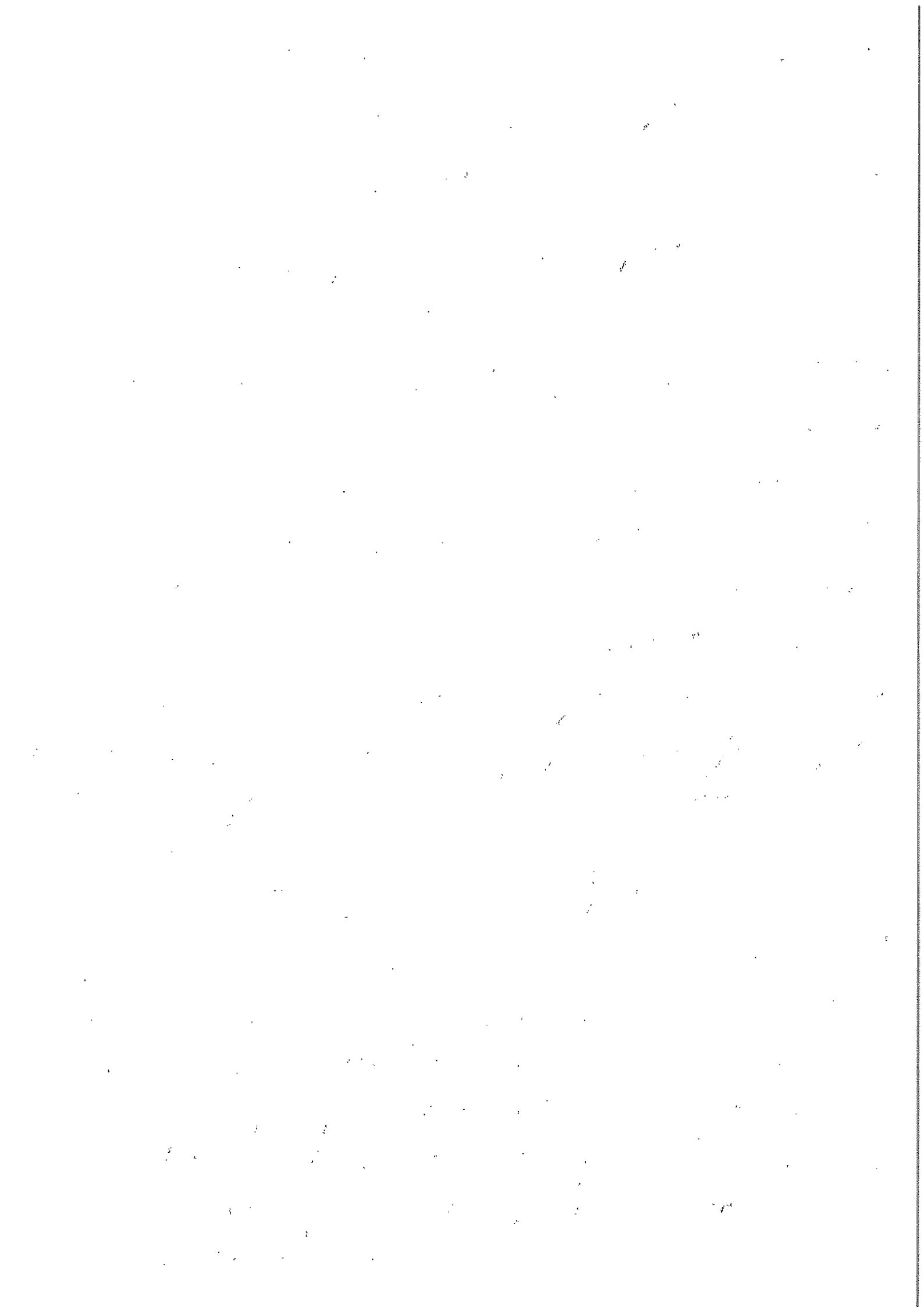
When are the Licensing Team going to  
listen to the residents who live close to  
these outlets.

I have already written about the  
danger of the empty beer barrels left outside  
the premises which could very easily  
be rolled down on to Cook St to  
cause an accident.

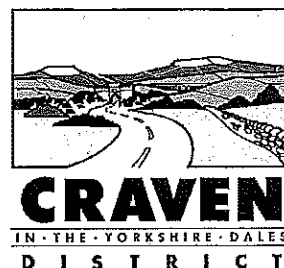
Off Sale to these premises are going to  
create more deliveries to the premises with  
more problems for the residents of Albert St  
and Square. When is C.D.C going to take  
a responsible in the sale of Alcohol?

Yours sincerely M. R. Reynoldson.

R. REYNOLDSON.



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



Mr Reynolds



Telephone: 01756 706343

e-mail: gbowyer@cravenc.gov.uk  
Gary Bowyer  
Licensing Officer

Date: 23<sup>rd</sup> September 2015

Dear Mr Reynolds

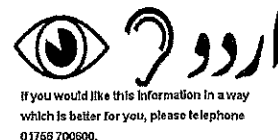
Complaint The Beer Engine Albert Street, Skipton

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1. Beer Casks outside the premises. I have spoken to the licence holder and he has explained to me the reason for the casks being outside. He tells me they were awaiting collection from the respective Breweries. I have further leased with the premise licence holder who tells me that there were three casks outside the property awaiting collection. The removal of the casks should allay your fears of danger to the public.
2. Alleged Intimidation. There have been no complaints made to the Police or the Licensing Authority of intimidation by customers to members of the public as you have suggested.
3. Wedding Reception. I can confirm that on Monday the 14<sup>th</sup> of September there was a wedding celebration which took place in Albert Street Skipton. A marquee was erected by caterers who were providing food for the wedding party and the Beer Engine provided beverage in the licenced premise. The marquee was erected and removed the same day.
4. I note your comments of alleged noise nuisance and ask that if you have any genuine complaints they should be directed at Craven District Council Environmental Protection.



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



5. The licence for the Beer Engine allows for the sale of alcohol on the premises and not for takeaway.
  
6. I note your comments about the area being in a conservation area and suggest if you have any concerns they be directed at Craven District Council Planning Authority who grant permission for such businesses

Your letter and pictures will be held on file and should there be any other incidents or issues as you have alleged in relation to The Beer Engine these may be referred to at a future date.

Yours sincerely



**G Bowyer**  
**Licensing Officer**  
**Craven District Council**

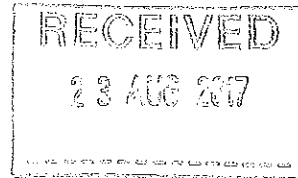
Appendix I

Mr J. Corlett



22/08/2017

Licensing Manager  
Craven District Council  
1 Belle Vue Square  
Broughton Road  
Skipton  
BD23 1FJ



Re: The notice in the Craven Herald dated 03/08/2017  
by Mr Steven Banks, The Beer Engine, 1 Albert Street, Skipton  
for a variation of his premises licence to include off sales

I wish to object in the most strongest of terms to the above application.

Ever since The Beer Engine opened we have been subject to nothing but the most objectionable noise and nuisance from the above premises.

At times there are up to twenty-thirty people outside the premises blocking Albert Street, sometimes sat on beer kegs and cushions. Shouts, shrieks, loud laughter, foul language, urinating against the wall and bins at the Camera Shop, it's an utter disgrace what residents around the Square are having to put up with.

This used to be a nice award winning residential area, but since The Beer Engine opened it has become nothing but an open air public house.

Albert Street is being used as a means to triple/quadruple the size of the licensed premises. It's not right.



J Corlett

APPENDIX H

**Deborah Bragg**

---

**From:** Paul Shevlin  
**Sent:** 21 August 2017 11:55  
**To:** Deborah Bragg  
**Subject:** RE: Application for Variation of Premises Licence - The Beer Engine

*Dear Deborah*

*I wish to submit a formal representation against the application to vary the premises licence for The Beer Engine, Albert Street, Skipton.*

*As the Licensing Authority we need to ensure that the licensing objectives are not undermined by applicants/licence holders. This representation is based on the Prevention of Crime and Disorder and Prevention of Public Nuisance.*

*The application seeks to allow 'off sales' at the premise which would include the ability for customers to purchase alcohol to take away to consume elsewhere e.g. at home. It is understood that this practice has been taking place at the premise for some time even though the existing licence only allows 'on sales'.*


*In addition customers have been allowed to stand outside the premise to consume drinks purchased from the premise in open glasses. The applicant has not included as part of their application a plan which includes an area where customers can sit/stand to consume their drinks and as such the Licensing Authority feel that if members were mindful to vary the licence the following conditions would be appropriate and proportionate to ensure that the licensing objectives are not undermined:-*

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

*Kind regards  
Paul*

Paul Shevlin  
Chief Executive  
ext: 46201

 Please consider the environment before printing this e-mail.



Appendix J.

**NOTICE OF RELEVANT REPRESENTATION FOR A PREMISES LICENCE/CLUB PREMISES CERTIFICATE (Variation/New) UNDER THE LICENSING ACT 2003**

---

We:

North Yorkshire Police      X      Name: PC 1503 Jackie Allen-Licensing Officer

Fire Authority      Name: .....

Environmental Health      Name: .....

Health & Safety      Name: .....

Planning Authority      Name: .....

Social Services      Name: .....

Trading Standards      Name: .....

Interested Party      I am: .....

- a) a person living in the vicinity of the premises:
- b) a body representing persons living in the vicinity of the premises:
- c) a person involved in business in the vicinity of the premises:
- d) a body representing persons involved in business in the vicinity of the premises:

Maritime Authority      Name: .....

Hereby give notice of objection to the Premises Licence as listed below:

<b>Postal Address of premises or club premises:</b>  <b>THE BEER ENGINE 1 ALBERT STREET</b>	
<b>Post town SKIPTON</b>	<b>Post code BD23 1JD</b>

This Notice of Objection relates to the following licensing objective:

*(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 |   |

#### **GROUNDINGS FOR RELEVANT REPRESENTATION**

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

I have studied the application received by North Yorkshire Police for The Beer Engine, 1 Albert Street, Skipton, BD23 1JD who submitted an application on the 27<sup>th</sup> July 2017 for a variation to their current premises license.

The Beer Engine has had a premises licence for over three years and are good operator's, there have been no incidents of crime and disorder reported to North Yorkshire Police connected to these licensed premises. I am mindful however that the premises licence has always been for on sales only, as requested by the applicant at that time.

On speaking to Craven District Council, they informed me of the following:-

The Beer Engine has been advertising takeaway beers, I appreciated that the variation is so that they may have licensable activities to have off sales, but this shows that they are not compliant with the conditions currently attached to their premises licence, therefore breaching their licence.

Craven District Council have also received a complaint from a local business owner who has complained that those customers of the Beer Engine were consuming alcohol on the street outside, thus causing an obstruction of the footpath where some members of the public may find this a little intimidating. Although consumption is not a licensable activity, it gives me concern that they have been advised by the Council that they require a street café licence and have been advised to cease with immediate effect, as their plan only indicates licensable activities should take place within the premises.

In order to ensure that the applicant promotes the licensing objectives namely the prevention of "crime and disorder" and "prevention of public nuisance", North Yorkshire Police believe that the following conditions need to be placed onto the premises licence.

I therefore ask that these conditions be provided to the applicant, if agreeable to the

suggested conditions, North Yorkshire Police be happy to withdraw its formal representation.


**Proposed conditions**



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

**Signature:**  Jackie Allen-PC1503 Police Licensing Officer  
**Date:** 24/08/17

**Contact Name and address for correspondence: *Please use block letters***



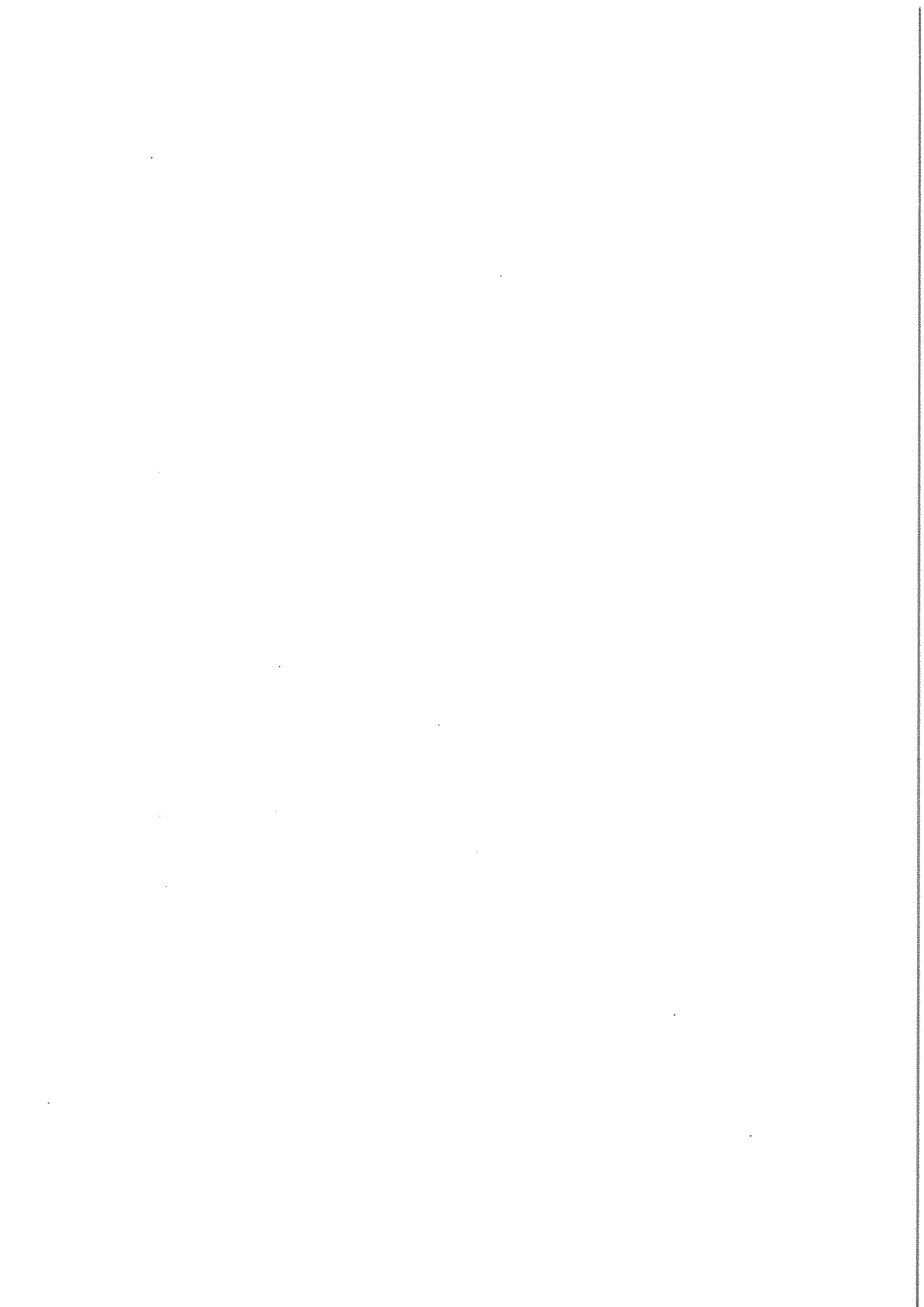
**Post town:**  **Post code:** 

**Telephone number** 

**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.**



Appendix K

Licencing Officer  
Craven District Council  
1 Belle Vue Mill  
Skipton  
BD23 1FJ.

Richard Hardisty  


22<sup>nd</sup> August 2017.

Variation of premises licence for S Banks Esq, The Beer Engine, 1  
Albert Street Skipton.

Sirs,


Please accept this as my objection to Mr Bank's proposal to sell  
alcohol for consumption off the premises.

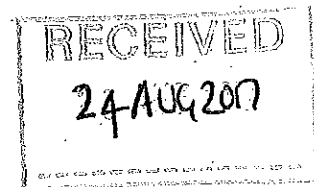
There are now too many licenced premises in the town centre  
conservation area. This is to the detriment of local residents such as  
myself; we are social housing tenants and as such there is nowhere else  
for us to move, our community is being degraded around us.

I understand that the regulations governing the current licence  
prohibit alcohol being consumed outside, this is already been breached  
as people sit on the [Presumably] empty casks which are placed along  
the wall in front of The Beer Engine's window. If the proprietor is  
unable to control this then how will he be expected to adhere to the  
additional rules relating to "Off sales"?

I must add that the accumulation of waste [Casks awaiting collection  
and sundry other items including recently two wooden pallets, not all  
of which of course can be attributed to The Beer Engine] makes the area  
look like a midden.

Yours,

  
Richard Hardisty



2011年12月27日  
星期二

### Craven District Council

Licensing Team, Council Offices, 1 Belle Vue Square, Broughton Road, Skipton, BD23 1FJ

### Application to vary a premises licence 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 ...Steven Banks..... (insert name(s) of applicant) being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises licence number

PL0764

#### Part 1 – Premises Details

Postal address of premises or, if none, ordinance survey map reference or description

The Beer Engine  
1 Albert Street

Post town Skipton

Post code  
BD231JD

Telephone number of premises (if any)

Non domestic rateable value of premises

£3750

#### Part 2 – Applicant Details

Daytime contact telephone number

07834 456134

Email address (optional)

[REDACTED]

Mr

Mrs

Miss

Ms

Other title (for example, Rev)

Surname

First names

Steven

Banks

Current postal address if different from premises address

[REDACTED]

Post Town

Postcode

### Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible?

Please tick ✓ yes

# X

If not do when do you want the variation to take effect from?

Day		Month		Year			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

If 5000 or more people attend the premises at any one time please state the number expected to attend

Please describe briefly the nature of the proposed variation (please read guidance note 1)

Request to vary the licence so that it is 'off' and 'on' licence. Currently it is 'on' sales only. The intention is that customers can purchase the products for sale to enjoy at a time of their choosing.



## Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if the application to vary is successful.

Please tick ✓ yes

### Provision of regulated entertainment

- |    |   |   |
|----|---|---|
| a) | play (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)<br>(if ticking yes, fill in box H) | # |

### Provision of entertainment facilities for:

- |    |   |   |
|----|---|---|
| i) | making music (if ticking yes, fill in box I)  | # |
| j) | dancing (if ticking yes, fill in box J)   | # |
| k) | entertainment of a similar description to that falling within (i) or (j)<br>(if ticking yes, fill in box K) | # |

**Provision of late night entertainment** (if ticking yes, fill in box L) #

**Sale by retail of alcohol** (if ticking yes, fill in box M) # X

**In all cases complete boxes N, O and P**

# A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for performing play (please read guidance note 4)		
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 5)		
Sat					
Sun					

# B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a films take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
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 5)		
Sat					
Sun					

# C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			
Fri			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 5)
Sat			
Sun			

# D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4)		
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 5)		
Sat					
Sun					

# E

<b>Live music</b> Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed				State any seasonal variations for the performance of live music (please read guidance note 4)	
Thur					
Fri			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 5)		
Sat					
Sun					

# F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			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 5)		
Sat					
Sun					

# G

<b>Performance of dance</b> Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
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 5)		
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
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 4)		
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 5)		
Sat					
Sun					

**I**

<b>Provision of facilities for making music</b> Standard day and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing					
			Will the facilities for making music be indoors or outdoors or both – please tick (✓) (please read guidance note 2)		<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors
Indoors								
Outdoors								
Both								
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed								
Thur								
Fri								
Sat								
Sun								
			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)					
			Non standard timings. Where you intend to use the premises for the provision of facilities for making music at different times to those listed in the column on the left, please list. (please read guidance note 5)					

**J**

<b>Provision of facilities for dancing</b> Standard timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (✓) (please read guidance note 2)		<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors		Both	
			Indoors								
Outdoors											
Both											
Day	Start	Finish	Please give further details here (please read guidance note 3)								
Mon											
Tue											
Wed											
Thur											
Fri											
Sat											
Sun											
			State any seasonal variations for providing dancing facilities (please read guidance note 4)								
			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list. (please read guidance note 5)								

# K

<b>Provision of facilities for entertainment of a similar description to that falling within I or J</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing				
			Will the entertainment facility be place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors
Indoors							
Outdoors							
Both							
Day	Start	Finish	Please give further details here (please read guidance note 3)				
Mon							
Tue							
Wed					State any seasonal variations for the provisions of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)		
Thur							
Fri					Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat							
Sun							

# L

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)				
			<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors	
Indoors							
Outdoors							
Both							
Day	Start	Finish	Please give further details here (please read guidance note 3)				
Mon							
Tue							
Wed					State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur							
Fri					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 5)		
Sat							
Sun							

# M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 7)	On the premises		
Day	Start	Finish		Off the premises		
Mon	1200	2300	State any seasonal variations for providing dancing facilities (please read guidance note 4)	Both	X	
Tue	1200	2300				
Wed	1200	2300				
Thur	1200	2300		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 5)		
Fri	1200	2300				
Sat	1200	2300				
Sun	1200	2300				
			It is anticipated that applications will be made for slightly extended opening hours over the festive period and some bank holiday weekends.			

# N

**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 8)**

None



**O**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 5)
Mon	1200	2300	
Tue	1200	2300	
Wed	1200	2300	
Thur	1200	2300	
Fri	1200	2300	
Sat	1200	2300	
Sun	1200	2300	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

**To add the facility of selling items for 'off sale' would increase our business potential and ensure that customers had the opportunity to enjoy our products at a time of their choosing.**

I have enclosed the premises licence  
 I have enclosed the relevant part of the premises licence

Please tick ✓ yes  
 #  
 #

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of the premises licence

# P

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9)**

The Micropub concept tends to attract discerning drinkers and not clientele intent on drinking to excess or causing trouble. Policies are in place to ensure staff manage and prevent underage drinking, drunkenness, drug misuse and anti-social behaviour. The variation for an 'off' licence allows our customer to sample the products we sell at a time of their choosing. The premises has had a full 'on' licence for over 3 years without any concerns or reported incidents.

**b) The prevention of crime and disorder**

The premises already complies with the local STAND scheme and prevents entry to anyone prohibited under the scheme, and will continue to do so. There is lighting outside the premises and it is proposed that a camera will be fitted to monitor the street outside to ensure crime and disorder are kept under control.

**c) Public safety**

As stated above there is lighting outside and it is proposed that a camera will be fitted to monitor the street. A fire risk assessment has been carried out at the premises. Any additional risk assessments will be implemented if necessary.

**d) The prevention of public nuisance**

Signage is displayed requesting that patrons leave the premises quietly. An incident and refusal book is in operation.

**e) The protection of children from harm**

The challenge 21 scheme is implemented and staff training has been carried out for best practise. Correct signage is displayed relating to this. Children will not be permitted in the premises after 2000 hours.

- Please tick ✓ Yes
- I have made or enclosed payment of the fee # X
  - I have sent copies of this application and the plan to responsible authorities and others where applicable # X
  - I understand that I must now advertise my application # X
  - I have enclosed the premises licence or relevant part of it or explanation #
  - I understand that if I do not comply with the above requirements my application will be rejected # X

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent.** (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

**Steven Banks**

Signature .....

Date .....27.7.17.....

Capacity .....

**Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the current premises licence holder) or 2<sup>nd</sup> applicant’s solicitor or other authorised agent.** (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature .....

Date .....

Capacity .....

<b>Contact Name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 19)	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>	

## Notes for guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e. Christmas Eve.
6. Please give timings in 24 hour clock (eg 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick on. If you wish people to be able purchase alcohol to consume away from the premises, please tick off. If you wish people to be able to do both, please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gambling machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.