

LICENSING & APPEALS SUB-COMMITTEE

(Members are asked to join the meeting by 10.15am)

Friday, 8 January 2021 at 10.30am

Please note that due to Covid-19, this meeting will be held remotely and will be livestreamed here: <https://www.youtube.com/channel/UCdfb6ZRbYnZ1-rRiLmjUwg>

AGENDA

Sub-Committee Membership: Councillors Moorby, Solloway and Whitaker

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 Grant of Premises License at The Old Bank, Main Street, Crosshills, BD20 8TB** – The Sub-Committee is asked to consider an application for a Premises Licence under section 17 of the Licensing Act 2003 by Cobbydale Hospitality Ltd, T/A The Old Bank, Main Street Crosshills, BD20 8TB and make a determination under section 18(3) Licensing Act 2003 based on the licensing objectives (set out in paragraph 2 below) taking into account relevant representations.

Agenda Contact Officer:

Hannah Scales, Democratic Services and Scrutiny Officer
Tel: 01756 706235 Email: hscales@cravendc.gov.uk

Licensing and Appeals Sub-Committee

8th January 2021



Licensing Act 2003

Application for Grant of Premises Licence, The Old Bank, Main Street, Crosshills, BD20 8TB

Ward(s) affected: Glusburn

Report of Tim Chadwick, Licensing Manager

1. Purpose of Report—To consider an application for a Premises Licence under section 17 of the Licensing Act 2003 by Cobbydale Hospitality Ltd, T/A The Old Bank, Main Street Crosshills, BD20 8TB and make a determination under section 18(3) Licensing Act 2003 based on the licensing objectives (set out in paragraph 2 below) taking into account relevant representations.

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 designated premises supervisor;
- d. to reject the application.

3. Background

The sub-committee acknowledge that Licensing and Planning form two distinctive legislative regimes, and the applicant has to ensure that they comply with both. Any licensed premises are liable to enforcement action under both licensing and planning legislation. As part of the planning permission that has been granted, conditions for hours of use are set at Monday-Saturday 1000-2300hrs & Sunday 1000-2200hrs. Under the Planning process,

Environmental Health was a consultee on the planning application and they secured 'relevant conditions' as part of the planning process. This is beneficial for members to be aware of (See Appendix A). Any decision made by members should be done on the specific merits of the particular application, taking account of the Licensing Objectives and the objections lodged and not based on how other business operate.

On 11.11.2020 the Licensing Authority received an application for the **GRANT** of a premises licence for The Old Bank, Main Street, Crosshills. The premise has never held a licence before and wishes to operate as a food led business. The application consultation period ran from 11.11.2020 to 09.12.2020.

4. Application

The application, along with plan of the premise are attached at Appendix B.

5. Consultation

The application has been served on all the responsible authorities these are;

- North Yorkshire Police
- North Yorkshire Fire & Rescue
- Public Health
- Environmental Health Services
- Environmental Health Safety at Work
- Planning Department
- North Yorkshire County Council Children & Young Persons
- Licensing Authority
- Trading Standards.

Formal responses were received from North Yorkshire Police, Environmental Health and Planning.

As required under the Licensing Act 2003 the application was advertised publicly in the Craven Herald along with a blue notice at the property. The blue notice was inspected by a member of the Licensing Team at the premise on the 23rd November 2020, and a notification of application was published on the Licensing Pages of the Council's website.

North Yorkshire Police corresponded directly with the applicant and it was confirmed that the operating schedule would be amended to include additional conditions around the Prevention of Crime and Disorder. These are attached at Appendix C and would be attached as conditions should a licence be granted.

During the consultation Environmental Health agreed with the applicant to amend and include on the operating schedule;

- No amplified music or other sound amplification equipment shall be produced or played within or outside of the premises.

During the consultation period three public objections have been received. These are attached at Appendix D-F along with the correspondence to/from the objectors. The Licensing Manager and Assistant Licensing Officer did to speak to the Perkins (the first objection received), to advise them about the process and better understand their concerns. This objection was subsequently withdrawn on the deadline after the applicant

agreed to additional conditions. However, they still have concerns of noise nuisance from the premise. One of the key concerns is noise emanating from the property as their bedrooms are situated above the front door and their living room is above the kitchen. The terminal hour of trading causes them concern, and what time staff will subsequently be on the premises clearing up. This is laid out as part of Appendix D. While a number of initial concerns have been addressed, they are not entirely satisfied that they will not be subject to Public Nuisance. Following receipt of the two further objections at Appendix E & F it was decided the three objections would be brought before the Licensing Sub-Committee.

The additional conditions agreed to by the Applicant can be seen at Appendix G. This is all the conditions that have been offered up initially by the applicant at Appendix B along with conditions agreed to with North Yorkshire Police, Environmental Health and subsequently agreed to add following objections to the application.

Each objection brings up a number of concerns with the primary concern being relevant under **Public Nuisance**. Members will be aware that concerns regarding road junctions and parking would not normally be a matter for a Licensing Sub-Committee. The applicant would be bound additionally by any legal obligations, such as COVID restrictions and the management of personal data from CCTV use.

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 1100 – 2300

New Year's Eve 11.00 - 01.00 the following morning

Christmas Eve 1100 – 0000

Christmas Day 1100 – 1400

Boxing Day 1100 – 0000

Hours Restricted due to current Planning Conditions Saturday 1000-2300hrs & Sunday 1000-2200hrs

Late Night Refreshment

New Year's Eve 1100 - 0100 the following morning

Christmas Eve 2300 – 0000

Boxing Day 2300 – 0000

Hours would be restricted due to current Planning Conditions

Opening Hours of Premises

Monday to Sunday 1100 – 2300

New Year's Eve 11.00 - 01.00 the following morning

Christmas Evening 1100 – 0000

Christmas Day 1100 – 1400

Boxing Day 1100 – 0000

Hours Restricted due to current Planning Conditions Saturday 1000-2300hrs & Sunday 1000-2200hrs

7. Steps to Promote the Licensing Objectives

The applicant has completed the operating schedule; this is attached at Appendix B at Section M, though additional conditions have been agreed to and can be seen at Appendix G.

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 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).
- Right of all parties to a fair hearing
- The Human Rights Act 1998.

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 the Sub Committee will have regard to the principles of openness, transparency, proportionality and reasonableness. Officers will seek to discuss proposed 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 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 the 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 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 Interested⁸ 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–** Tim Chadwick, Licensing Manager, telephone 01756 700600, email: tchadwick@cravendc.gov.uk

Appendices –	Appendix A – Planning Conditions Environmental Health Consultation Response
	Appendix B – Application and Plans
	Appendix C – North Yorkshire Police Conditions
	Appendix D – Perkins Objection and Communication
	Appendix E - Hollingworth Objection and Communication
	Appendix F – Rogers Objection and Communication
	Appendix G – Additional Conditions agreed to

Consultee Comments for Planning Application

2019/20758/FUL

Application Summary

Application Number: 2019/20758/FUL

Address: Former Barclays Bank Plc Main Street Cross Hills Keighley

Proposal: Change the use of the building from A2, to a bar/restaurant A3/A4 with associated works

Case Officer: Mr Sam Binney

Consultee Details

Name: Mr Andrew Dent

Address: Craven District Council, Belle Vue Square, 1 Broughton Road, Skipton BD23 1FJ

Email: adent@cravendc.gov.uk

On Behalf Of: Environmental Health Department

Comments

NOISE 1.

Noise Assessment BS4142:2014

Looking at the application, there is a potential that the extraction system could cause a noise nuisance to nearby residential properties. I assume such a development would also require other plant to be placed outside i.e. condensing unit for beer cooler etc.

Prior to first use, a noise assessment shall be carried out to BS 4142 by a suitably qualified person to identify if noise from the extraction system and any other external plant will have an impact on the nearest noise sensitive receptors. A narrow band frequency analysis shall also be carried out and the graph showing the results must be attached to the report to prove there is no tone.

The assessment shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not be carried out otherwise than in complete and full accordance with the agreed specifications, recommendations and noise attenuation. The agreed measures shall be thereafter, retained and maintained for the duration of the approved use.

REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise.

NOISE 2 Noise affecting adjoining premises

I have serious concerns about internally generated noise from the proposed development causing

a nuisance to the adjoining residential units.

Prior to development, a detailed scheme for the sound insulation between the proposed restaurant and adjoining residential units shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall demonstrate that there is sufficient acoustic insulation to ensure internally generated noise from the proposed development will not impact those in the adjoining premises.

The sound insulation scheme shall be maintained for the life of the approved development and shall not be altered without the prior written approval of the local planning authority.

Reason: To safeguard the living conditions of residents particularly with regard to the effects of noise.

ODOUR

There is a potential that odour from the extraction system could cause a nuisance to residents living in the vicinity.

Prior to the first use, a detailed ventilation scheme and Risk Assessment (which will have regard to the requirements set out in the EMAQ Guidance Control of Odour and Noise from Commercial Kitchen Exhaust Systems or any subsequent document) for the control of external odour control shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the first use and shall thereafter be retained as such.

REASON: To safeguard the living conditions of neighbouring residents particularly with regard to the effects of odour.

NOISE - HOURS OF DELIVERY

No deliveries shall be received or dispatched from the premise outside the hours of 07:30 - 21:00 nor at any time on Sundays or Public Holidays.

REASON: To protect the amenity of the locality, especially for people living and/or working nearby.

WASTE STORAGE FACILITIES

Prior to first use, suitable and sufficient waste storage facilities shall be provided for the safe and

secure on site storage of waste derived from the business to ensure that no detriment to amenity from smell, flies or vermin arises.

A scheme detailing the provisions to be made for the safe storage of waste must be submitted to and approved in writing by the local planning authority and shall be maintained for the life of the approved development.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We COBBYDALE HOSPITALITY LTD T/A THE OLD BANK

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			
THE OLD BANK MAIN STREET			
Post town	CROSSHILLS	Postcode	BD20 8TB

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

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

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

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)



Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth I am 18 years old or over <input type="checkbox"/> Please tick yes					
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name COBBYDALE HOSPITALITY T/A THE OLD BANK
Address 
Registered number (where applicable) 
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY

Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
03	02	2021

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

DD	MM	YYYY

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

MODERN BAR / RESTAURANT SERVING MEDITERRANEAN CUISINE

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

N/A

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

X

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

X

In all cases complete boxes K, L and M

A – NOT REQUIRED

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

B – NOT REQUIRED

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

C– NOT REQUIRED

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<u>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</u> (please read guidance note 6)
Sat			
Sun			

D– NOT REQUIRED

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

E– NOT REQUIRED

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

F– NOT REQUIRED

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

G– NOT REQUIRED

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

H– NOT REQUIRED

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		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/> <input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) NEW YEARS EVE 11.00 – 01.00 CHRISTMAS EVE 11.00 – 00.00 CHRISTMAS DAY 11.00 – 14.00 BOXING DAY 11.00 – 00.00		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	X
Mon	11.00	23.00	State any seasonal variations for the supply of alcohol (please read guidance note 5) NEW YEARS EVE 11.00 – 01.00 CHRISTMAS EVE 11.00 – 00.00 CHRISTMAS DAY 11.00 – 14.00 BOXING DAY 11.00 – 00.00		
Tue	11.00	23.00			
Wed	11.00	23.00			
Thur	11.00	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	11.00	23.00			
Sat	11.00	23.00			
Sun	11.00	23.00			

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

Name		
Date of birth		
Address		
Postcode		
Personal licence number (if known)		
Issuing licensing authority (if known)		
CRAVEN 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).

N/A

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) NEW YEARS EVE 11.00 – 01.00 CHRISTMAS EVE 11.00 – 00.00 CHRISTMAS DAY 11.00 – 14.00 BOXING DAY 11.00 – 00.00
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Mon	11.00	23.00	
Tue	11.00	23.00	
Wed	11.00	23.00	
Thur	11.00	23.00	
Fri	11.00	23.00	
Sat	11.00	23.00	
Sun	11.00	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 and e) (please read guidance note 10)

SUFFICIENT NUMBER OF STAFF ON THE PREMISES TO COVER.
REGULAR TRAINING OF STAFF.
INTERNAL AND EXTERNAL CCTV WITH MULTIPLE BENEFITS INCLUDING TO ENSURE NO EXTERNAL NUISANCE IS CREATED AS PEOPLE ARE LEAVING OR STANDING OUTSIDE THE PROPERTY.

b) The prevention of crime and disorder

SIGNAGE WILL BE PLACED ON ALL CUSTOMER EXIT POINTS ASKING THEM TO RESPECT RESIDENTS WHILST LEAVING THE PREMISES.
STAFF TRAINING WILL BE GIVEN UNDER THE LICENSING ACT AND A RECORD OF THIS WILL BE KEPT FOR A MINIMUM OF ONE YEAR AND WILL BE AVAILABLE FOR INSPECTION UPON REQUEST
REPORTS AND INCIDENT REPORT REGISTER TO BE KEPT FOR A MINIMUM OF ONE YEAR FROM ENTRY IN THE REGISTER AND WILL BE AVAILABLE FOR INSPECTION UPON REQUEST.

c) Public safety

PREMISES TO BE CHECKED BY LICENCE HOLDER OR PERSON AUTHORISED BY THEM THAT IT IS SAFE FOR THE PREMISES TO BE OPENED TO THE PUBLIC EACH DAY AND TO ENSURE THERE ARE NO RISKS TO THE PUBLIC.
LICENCE HOLDER WILL ALSO MAKE SURE THAT ALL STAFF RECEIVE APPROPRIATE TRAINING ABOUT EMERGENCY AND GENERAL SAFETY PRECAUTIONS AND PROCEDURES.

d) The prevention of public nuisance

SIGNAGE TO MINIMISE NOISE WHEN LEAVING/SMOKING.
ANY DRINKS PURCHASED ON PREMISES CAN ONLY BE TAKEN OFF THE PREMISES IN A SEALED CONTAINER.
NO ALCOHOL IS TO BE TAKEN OFF THE PREMISES IN AN OPEN CONTAINER APART FROM IN LICENSED AREAS.

e) The protection of children from harm

CHILDREN UNDER 16 YEARS OF AGE ONLY ALLOWED WHEN ACCOMPANIED BY ADULTS.
CHALLENGE 25 POLICY TO BE OPERATED ON THE PREMISES, WITH THE ONLY ACCEPTABLE PROOFS OF AGE BEING CURRENT PASSPORT, PHOTOCARD DRIVING LICENCE, IDENTIFICATION CARRYING THE PASS LOGO OR MILITARY ID

Checklist:**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). N/A



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

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

Part 4 – Signatures (please read guidance note 11)






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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or
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	her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	  10/11/20
Date	10.11.20
Capacity	COMPANY 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	

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

Notes for Guidance

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

- (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. 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 or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,

- (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

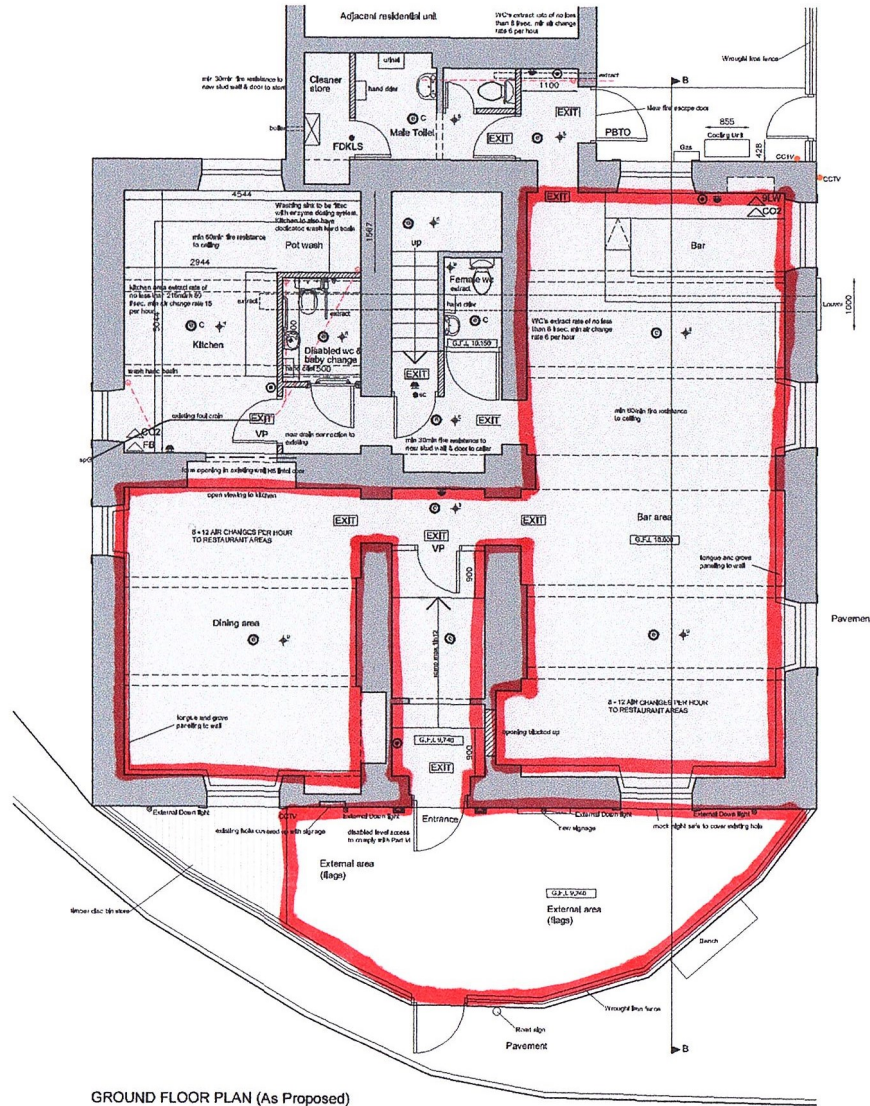
As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

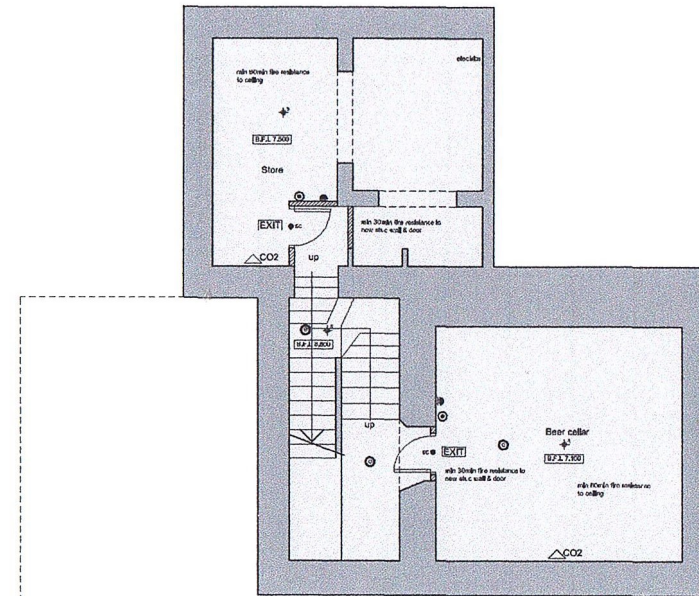
In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

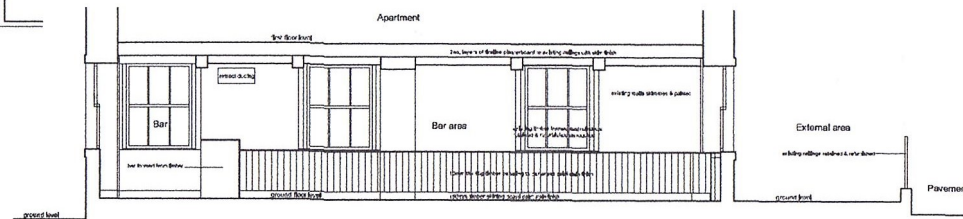
APPENDIX B



GROUND FLOOR PLAN (As Proposed)



BASEMENT PLAN (As Proposed)



SECTION B (As Proposed)

GENERAL NOTES

1. All dimensions are in millimetres unless otherwise stated.
2. All dimensions are to the centre of the wall unless otherwise stated.
3. All dimensions are to the finished surface unless otherwise stated.
4. All dimensions are to the external face of the wall unless otherwise stated.
5. All dimensions are to the internal face of the wall unless otherwise stated.
6. All dimensions are to the top of the wall unless otherwise stated.
7. All dimensions are to the bottom of the wall unless otherwise stated.
8. All dimensions are to the side of the wall unless otherwise stated.
9. All dimensions are to the front of the wall unless otherwise stated.
10. All dimensions are to the back of the wall unless otherwise stated.

LARK
architects

02035 630072
info@larkarchitects.co.uk www.larkarchitects.co.uk
client: Skeneon Andrews
project: The Old Bank, Main Street,
Cross Hills, Kington, Leicestershire, LE20 6TA,
Proposed Bar / Restaurant
drawn: Proposed floor plans & Section

LISTED BUILDINGS APPLICATION

plan no: 740 sheet no: 05

scale: 1:500

date: 01/01/2020

drawn: LARK

checked: LARK

approved: LARK

02035 630072

02035 630072

02035 630072

02035 630072

02035 630072

02035 630072

LARK Architects Ltd

Leicester Square, Leicester Street,

Leicester, Leicestershire, LE1 1TA

Leicester, Leicestershire, LE1 1TA

Leicester, Leicestershire, LE1 1TA

Leicester, Leicestershire, LE1 1TA

Leicester, Leicestershire, LE1 1TA

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From: [Allen, Jackie](#)
To: [stephen](#)
Cc: [Breen, Steve](#); [Licensing](#)
Subject: New Grant- The Old Bank, Crosshills BD20 8TB
Date: 23 November 2020 11:12:33
Attachments: [The Old Bank Premises Licence application 11.11.2020.pdf](#)
[The Old Bank DPS consent form 28.10.20.pdf](#)
[The Old Bank Plans 11.11.20.pdf](#)

Good morning Stephen, good speaking to you this morning, as you are aware I am the Police Licensing officer for Craven, part of my role is to process all licensing applications that are submitted to North Yorkshire Police in our role as a responsible authority (as defined by the Licensing Act 2003).

I would ask that you accept this e-mail as both an acknowledgement to your communication and the formal response.

In our capacity as a responsible authority, North Yorkshire Police received an application from you on the 11th November 2020, for Cobbydale Hospitality Ltd, T/A The Old Bank, Main Street, Crosshills, BD20 8TB, for a Premises Licence to be granted.

The following are what North Yorkshire Police would seek on your licence to strengthen and ensure that the licensing objectives are promoted, I think we are just about there with the conditions you have offered, a couple of amendments as North Yorkshire Police seek their preferred wording, therefore can you please check the conditions below, once the conditions have been agreed they will form part of your licence..

NYP Proposed conditions

CCTV

- 1a A digital colour, cctv system will be installed to cover the premises and recorded coverage will include all internal and external areas to where the 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.
- e. Copies of the recordings shall be made available to any Responsible Authority within 48 hours upon request- Subject to data Protection.
- 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.

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.

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. [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]:

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 behaviour and ejections from the premises.

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.

6. 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)- NYP's preferred wording.

The above conditions will be place on the premises licence with those you have offered already in your operating schedule.

Kind Regards,

Jackie
Mobile-

From: Licensing <Licensing@cravendc.gov.uk>

Sent: 11 November 2020 12:49

To: NYP Licensing; Andrew Dent, Dave Robinson, Graham Tarn <GTarn@cravendc.gov.uk>; electronicconsultation@northyorksfire.gov.uk; Planning, nypublichealth@northyorks.gov.uk; environmentalhealth@cravendc.gov.uk; alcohol@homeoffice.gsi.gov.uk

Cc: Licensing <Licensing@cravendc.gov.uk>

Subject: Application for a Premise Licence - The Old Bank, Crosshills BD20 8TB

Please find attached an application for the grant of a new premises licence the Old Bank which has been finalised today.

Please make any representations by 9th December 2020 to licensing@cravendc.gov.uk

Thank you
Emma

Kind Regards

Licensing
Licensing Team

t: 01756 706251

e: Licensing@cravendc.gov.uk



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

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LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details
Name - [REDACTED] Perkins
Address - [REDACTED]
Postcode - [REDACTED]

Licence application you wish to make a representation on
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>
Application Number - PL0868
Name of Licensee –
Steven Andrews
Name of Premises (if applicable) The Old Bank
Premises Address (where the Licence will take effect).....
The Old Bank, Main Street Creechville

Reason/s for representation
<i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered</i>
<i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i>

The Prevention of Crime and Disorder

Public Safety

The Prevention of Public Nuisance

Please see attached letter 'Licensing Letter 2020-12-06'

The Protection of Children from Harm

I [REDACTED] Perkins, hereby declare that all information I have submitted is true and correct.

Signed:

Date: 06/12/2020

Please send the completed form to:

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

Alternatively, the form may be emailed to: licensing@cravendc.gov.uk

Who we are:

We are a family who live in the residential portion of what used to be Barclays Bank, our apartment is directly above the new Tapas Bar, the apartment has 5 bedrooms with 3 of the bedrooms being directly above the restaurant/bar area, 2 of these are at the front of the property and will be most affected by noise from the bin store, noise created by people leaving late at night and opening and closing of the main door. We have 1 bedroom directly above the kitchen area which will be affected by noise during opening times. 2 of our children are currently in the GCSE years at school and a 3rd works 12 hr shifts at a local company which requires him to be up at 05:30hrs. The adults in the property both work full time.

When we purchased the property the ground floor was occupied by Barclays Bank which caused minimal disruption to the residents – all waste was stored inside the premises until collection day and the door was kept open throughout day.

We also make up 2/5 of the management company that own the building and as such, act of behalf of the other residents to share their concerns.

We have previously raised concerns during the planning application stages regarding waste and noise management both with CDC and the applicant but have had little or no response and feel the issues raised have not been addressed through the planning process and consideration has not been given to the residential aspect of the building or area. We requested full details of the applicants proposed development from the applicant's solicitor but this information was not forthcoming from the solicitor or the applicant.

The Environmental Health Department has raised comments on the original planning application with regards to both noise created by patrons/staff and also the storage of waste but could not comment fully due to lack of details on the original application.

Issues that we feel need to be taken into consideration during the decision-making process for licensing hours:

- The door to the front of the building is a substantial heavy door and when closed creates a loud bang and vibration which can be heard and felt in the 3 rooms across the front of the property. As part of the planning decision the stated conditions are that the premises shall only be open for trade or business between 10:00hrs and 23:00hrs Mon-Sat and 10:00hrs to 22:00hrs on Sundays and bank holidays. The main gate and railings to the front of the property are what we presume to be the original old metal and fixed to each side of the building – when closing noise is created which carries up to our residence.

Our proposal is

Clarification is required as to what should cease at 23:00hrs – our proposal is that as part of the licensing that **all** customers and staff are off the premises by 23:00hrs to ensure that there will be no opening or closing of the door or gates after this time, last food orders are taken 21:00hrs to ensure that kitchen noise is reduced under our bedroom area - this would mean the kitchen could be closed down by 22:00hrs, this is still later than we would ideally

like it but we are trying to be reasonable. We would expect last orders for drinks to be 22:00hrs to allow time for customers to consume their drinks and still leave staff time to clear up. Please see 'further comments' for supporting information.

With regards to the altered opening times over the Christmas and New Year period we feel that this may be appropriate for these special occasions, we don't support any further 'special' events the applicant may wish to add in the future. We would request that there is a plan in place with approved contractors to empty the outside bins during these periods to ensure there is no build up rubbish outside the building during the festive period as yet we haven't been privy to the waste management plan as required under the planning conditions the

- Huge concern over the noise levels that will be created when glass and food waste are put into the bins that will be located at the front of the property, this includes opening and closing of the front door (mentioned above) and opening and closing of any gate on the bin store and the bins themselves. It is expected that the emptying of internal bins will happen regularly throughout the night, especially later in the evening and last thing before closing. A proposal has already discussed with Licensing that the outside bins are not accessed between 21:00 and 08:00 – this has been rejected by the applicant and he has counter proposed that no glass bins will be emptied after 21:30 but food waste will still be added to the outside bins due to concerns that if let inside it will attract vermin.

Our proposal is

We would push for our original proposal to be accepted – we feel that this is not unreasonable – if stored correctly inside the building there is no additional risk for attracting vermin, the time limit will however, allow our children to be able to have a less disturbed rest.

- Concern that patrons of the Tapas Bar will access the private residential areas either side of the entrance to the Tapas Bar.

Our proposal is

Other than not open a Tapas Bar we are not sure what can be done to reduce the potential of unauthorised access to private areas.

- Concern that the front courtyard area will be used as a smoking area – during the summer months we ventilate our property by opening the windows – there is potential for smoking associated smells to drift into our living areas.

Our proposal is

Have a complete smoking ban on the property including the front courtyard.

Further comments and information:

Crosshills does not really have a 'night time food economy' there are multiple drinking establishments:

The Old White Bear (last food at 21:30, detached building with a carpark),

Naylors Brewery (located in an industrial estate with no residential properties nearby, unknown when last food served but most nights closes at 21:00hrs) .

Gallaghers (in the retail area of Crosshills with no food service).

There are numerous takeaways that are open late. The only other similar establishment to the Tapas Bar in Crosshills is 22 The Square - an Italian restaurant/bar, located on the main road through Crosshills, they offer food and have a bar area and close at 22:00hrs they seem to be able to operate successfully although I don't believe they have the same issue of a bin store being placed directly underneath bedrooms.

All this information is in the public domain so I haven't included links to websites etc if you require further details regarding their opening times I am happy to provide them if required to validate these comments.

Whilst throughout the various planning applications submitted in regard to The Old Bank there are mentions that the proposals should not disturb residents enjoyment of their properties but we are concerned that there has been little done to ensure this is the case. Our only recourse to issues created by The Old Bank will be through Licensing, Enforcement or Environmental Health, by implementing these conditions we wish to mitigate as many issues as we can and avoid a potentially drawn out dialogue with CDC regarding complaints about noise and smells from the property.

Tim Chadwick

From: [REDACTED] Perkins [REDACTED]
Sent: 09 December 2020 17:14
To: [REDACTED] Perkins; Licensing
Cc: Licensing
Subject: Re: The Old Bank Premises Licence application

Hello Emma,

Thankyou for your advice regarding the licensing application. On consideration we will agree to your suggested conditions being added.

We are disappointed that there is potential for staff and customers to be in the building late into the night but even if conditions were in place to restrict business activities after 23:00 we would still have to contact Environmental Health with a complaint if there was a noise issue. We don't currently feel that risking loosing the agreed conditions is worth the very small chance of the suggested closing time of 23:00hrs. Hopefully things can move on and we will have to deal with issues if they arise.

Whilst I'm disappointed we weren't notified regarding the licensing application I've been impressed with your communication and commitment to sort out the issues. Between yourself and Andrew Dent we feel we've been listened to more in the last week than the last 8 months.

In the best way I hope we don't have to speak to you regarding the old bank ever again.

Kind Regards

[REDACTED] Perkins 09/12/2020

From: [REDACTED] Perkins [REDACTED]
Sent: Wednesday, December 9, 2020 3:19:02 PM
To: Licensing <Licensing@cravendc.gov.uk>; [REDACTED] Perkins [REDACTED]
Cc: Licensing <Licensing@cravendc.gov.uk>
Subject: Re: The Old Bank Premises Licence application

Hi Emma,

Whist we are very grateful for everything you and Andrew Dent have managed to get agreed we feel we need to push for reducing the licensing hours to last orders at 21:00 for food and 22:00 for drinks as other establishments in the village do. If the normal is to go with what is said for trading hours as set out by planning should licensing be involved earlier in the process?

We don't feel the above hours are unreasonable and will have to take the risk with the committee.

Kind regards

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From: Licensing <Licensing@cravendc.gov.uk>
Sent: Wednesday, December 9, 2020 12:08:49 PM

To: [redacted] Perkins [redacted] Perkins [redacted]
Cc: Licensing <Licensing@cravendc.gov.uk>
Subject: RE: The Old Bank Premises Licence application

Hi [redacted]

Sorry, the hours appear elsewhere in the application, not in the conditions. The hours which planning have stated in the Final Planning Decision notice (attached for convenience) are shorter than what was applied for, but the hours approve by Planning will apply so these are:

The premises shall be only open for trade or business between 10:00 hours and 23:00 hours Monday to Saturday, and 10:00 hours and 22:00 Sundays and Bank Holidays.
The hours for licensable activities will mirror these and therefore last orders will be 23:00 Monday to Saturday and 22:00 on Sundays and Bank Holidays.

Kind regards
Emma

From: [redacted] Perkins [redacted]
Sent: 09 December 2020 11:33
To: Licensing <Licensing@cravendc.gov.uk>; [redacted]
Cc: Licensing <Licensing@cravendc.gov.uk>
Subject: Re: The Old Bank Premises Licence application

Hi Emma,

Thank you, I'm only looking on my phone at the minute but can't see where the proposed licensing hours are? What time will last orders be?

Kind regards
[redacted]

From: Licensing <Licensing@cravendc.gov.uk>
Sent: Wednesday, December 9, 2020 11:23:27 AM
To: [redacted] Perkins [redacted]
Cc: Licensing <Licensing@cravendc.gov.uk>
Subject: RE: The Old Bank Premises Licence application

Dear [redacted]

As mentioned, there have been many negotiations in the last couple of days to try and find some mutually acceptable ground on the points raised in your representation:

Operational hours.

As discussed, the operational hours are as they stand and Mr Andrews is unwilling to shift on these as they would have a significant impact on his ability to trade. However, we believe that with his agreement to put an 8pm limit on the use of the outside front courtyard, and the sound proofing work that has been done and will be tested before the premises open, that this should cause minimum impact on you.

Waste.

Mr Andrews has agreed to not access glass/metal recycling bins after 21:00 and before 08:00 as he is fully aware that the noise from recycling can travel and is very conscious not to cause unnecessary noise to you or other neighbours.

Smoking.

Mr Andrews is in agreement that the whole venue (inside and out) will be non-smoking.

Please find attached the proposed final licensing conditions for your information.

I am also attaching some additional information which Mr Andrews has had to agree to already and hopefully will allay your fears about noise/aromas etc.

If Mr Andrews agrees to these conditions they would become part of his licence and would therefore be enforceable. Any inspection by the Licensing Authority would validate that he is meeting all of these conditions.

I hope you will agree that a lot of negotiation has been done between parties, via myself and Mr Dent and that Mr Andrews has acted reasonably. On this basis, and having reviewed the attached, would you be willing to withdraw your representation?

In the event that either you do not agree to withdraw your representation, or Mr Andrews does not agree with the amended (and substantial conditions) which would be placed on his licence, then his licence application will be referred to a Licensing Committee. This is a panel of three councillors who will consider the application, your representation and the measures taken to reach agreement, and they will decide whether or not to grant the licence; whether to impose these conditions; or add further conditions. This would need to happen within 20 working days of today so would likely be early January (as we are closed from 24th December until 4th January).

As explained, any licence, once issued, may be subject to review if there are problems around noise/nuisance etc relating to the premises. You would also always have the right to complain about any noise nuisance under statutory nuisance legislation. Of course the ideal scenario is that the premises does not cause you any nuisance and it is never required to revert to the licence review procedure.

I look forward to hearing from you today with your thoughts.

Thank you

Kind regards

Emma

From: [REDACTED] Perkins [REDACTED]
Sent: 09 December 2020 08:56
To: Licensing <Licensing@cravendc.gov.uk>; [REDACTED]
Cc: Licensing <Licensing@cravendc.gov.uk>
Subject: Re: The Old Bank Premises Licence application no. PL0868

Emma,

Thankyou for the update, I'll endeavour to keep an eye on my emails but I'll be in a poor signal area later today. I'll respond as soon as I can.

[REDACTED]

From: Licensing <Licensing@cravendc.gov.uk>
Sent: Wednesday, December 9, 2020 8:44:52 AM
To: [REDACTED] Perkins [REDACTED]
Cc: Licensing <Licensing@cravendc.gov.uk>
Subject: RE: The Old Bank Premises Licence application no. PL0868

Good morning

I did ask Andrew Dent to call you on Monday and I believe you have spoken a couple of times since then. I have been liaising with Mr Andrews and believe we have made some significant headway as he is very keen not to cause a nuisance to you.

I am in the process of drafting the revised conditions (with some additional ones added by Andrew Dent) and will email you again hopefully in a couple of hours but in any event today to hopefully explain the measures agreed to satisfy each aspect of your representation. The ideal scenario of course would be if you were happy with all the extra conditions which have been put in place and were prepared to withdraw your representation but I am not

pressurising you to do so. Mr Andrews also has to agree to all the additional conditions which would be imposed on his licence. If neither of these happens, the application will have to be referred to a Licensing Committee. I'll be in touch later this morning and would be grateful if you could please keep an eye out for my email and respond today, with today being the deadline.

Thank you

Kind regards

Emma

From: [redacted] Perkins [redacted]
Sent: 07 December 2020 14:19
To: Licensing <Licensing@cravendc.gov.uk>; [redacted]
Cc: Licensing <Licensing@cravendc.gov.uk>
Subject: Re: The Old Bank Premises Licence application no. PL0868

Hi Emma,

Yes please sign and date it on our behalf. We were a bit confused with the form but just want to make sure our concerns are raised and heard as I suspect there may well be further action to take once the venue is open although I really hope this isn't necessary and at least these concerns can be addressed at this late stage.

Have you been able to find out what business to close at 23:00 mean? That could possibly negate the concerns over clients or staff leaving late at night.

I'm still awaiting a call back from Andrew Dent (Environment Health) as he was the officer that was concerned about the effects of the venue on the local residents but due to lack of detailed information felt unable to fully comment on earlier applications. Would he have been made aware of this Licensing application and will he be commenting?

Hopefully I'll be able to speak to him today but with our track record of all backs I'm not too hopeful.
Thankyou for getting back to us today

From: Licensing <Licensing@cravendc.gov.uk>
Sent: Monday, December 7, 2020 2:10:29 PM
To: [redacted] Perkins [redacted]
Cc: [redacted] Perkins [redacted]; Licensing <Licensing@cravendc.gov.uk>
Subject: RE: The Old Bank Premises Licence application no. PL0868

Dear [redacted]

Thank you for your email. We have accepted your representation. I note that you have not signed and dated the form so can you give your consent for me to insert your names and date it as at yesterday?

Sorry if I have confused matters by sending you the information about the licence review procedure. A licence can only be reviewed once one has been granted, so is not relevant yet. It was just to let you know that should the licence be granted, there is then a formal review procedure if problems were to occur down the line. So no, there is no need to send this to the applicant or to any responsible authority.

We will liaise with the applicant and let him know there has been a representation and try to negotiate but in the event this is not possible, his application may be referred to a licensing sub-committee which looks quite likely.

Kind regards

Emma

From: [redacted] Perkins [redacted]
Sent: 06 December 2020 22:19
To: Licensing <Licensing@cravendc.gov.uk>

Cc: [redacted] Perkins [redacted]
Subject: RE: The Old Bank Premises Licence application no. PL0868

Hi Emma,

We've put together a letter outlining our concerns and proposed solutions as discussed with you on the phone. We have supporting documents such as the emails for requested information to the applicants solicitor and our raised objections that were added to the planning applications and some that were refused to be accepted but unfortunately we weren't made aware until the opportunity to enter comments was over, at the moment I don't believe it is appropriate to add these to what I believe will become a public document. If you require copies to confirm they exist we can supply them but we don't believe they should be in the public domain due to GDPR. We can provide links to the other business if required for completeness but don't think its required unless you say otherwise.

Re the procedure snipped below:

The review application must be served on the holder of the licence with any accompanying documents on the same day as it is given to Licensing Department. Copies also must be sent to the 'responsible authority' under the Licensing act 2003 (a list of these is provided at the end of this guidance)

Do we need to send this to the applicant? I assume the 'responsible authority' is the EH? Or do we have to send the document to everyone on the list?

If required we can add the letter to the comments section of the form or provide it in any format you require to validate it.

Once we have our concerns in a format that is valid and confirmed as suitable for submission we will sign and send copies to anyone required by yourselves to validate them.

[redacted] is contactable any time on [redacted] can be contact on [redacted] but will be at work and possibly not available to receive calls but will reply as soon as possible. Or replies to emails can be picked up by either of us if replying to all participants of this email.

Sorry to be so pernickety but as we've had comments refused in the past for the tiniest error we need to make sure our voices are heard.

On a side note Enforcement attended on Friday and it seems that the only penalty the applicant will have for not complying to previous conditions is to submit retrospective planning permission, this is the reason we feel the need to really specify strict limits on useage otherwise we feel the applicant will just push the boundaries. Using our suggested hours will make any enforcement by Environmental Health or Licencing much easier to deal with. In a previous job I was involved with gathering evidence regarding the closure of the Black Bull in Sutton In Craven I really don't want to be in that situation as a resident. [redacted]

Kindest Regards

From: Licensing <Licensing@cravendc.gov.uk>

Sent: 03 December 2020 16:18

To: [redacted] Perkins [redacted]

Cc: Licensing <Licensing@cravendc.gov.uk>

Subject: The Old Bank Premises Licence application no. PL0868

Dear [REDACTED]

Further to our Teams meeting this morning with me and Licensing Manager Tim Chadwick, we understand that you have tried to raise your concerns about noise with Mr Stephen Andrews (the Applicant) directly but that the relationship has broken down. It would therefore be advisable to make a formal representation. Please see below/attached:

- A link to some useful information which is on our website about how to make a representation <https://www.cravenc.gov.uk/media/8539/making-representations-information.pdf>
- The Licensing Representation form – if you could please use this form to make your representation that would be most helpful. It would be preferable if it could be returned by email rather than post due to officers currently working remotely. Please note that the deadline for all representations regarding the Premises Licence application is **Wednesday 9th December 2020**.
- In the event that the licence gets approval in some form or other and you still have issues down the line (which obviously we wish to avoid), we thought it helpful to provide some information about how to and in what circumstances you can call for a Premises Licence review.

Opening hours

Planning have specified that:

The premises shall only be open for trade or business between 10:00 hours and 23:00 hours Monday to Saturday, and 10:00 hours and 22:00 hours Sundays and Bank Holidays.

The hours for licensable activities (in this application, being the supply of alcohol for consumption both on and off the premises and the provision of late night refreshment) would reflect these. It is yet not absolutely clear whether (from a Planning perspective) this means hours open to the public or the hours outside of which all people must be off the premises, but we have raised this query with Planning and will come back to you once we get a response. Certainly from a licensing perspective, unless otherwise specified, then the licensable activities can take place during these hours so in theory, if the licence were approved in its current form, people could be served alcohol up to 23:00 (or 22:00 on Sunday).

I attach for your information, the conditions around each of the four licensing objectives which Mr Andrews has stated he will meet in his application of 11.11.20. If the application were to be agreed he would be bound to meet these conditions or risk having his licence reviewed/revoked.

I also attach a separate document which contains any additional conditions agreed, imposed (by the police) or otherwise since the licence application was made on 11.11.20 as at today's date.

If you haven't already done so, you may wish to look at the Craven District Council website's [planning pages](#). I found two applications when inputting the postcode, and on the one for External and Internal alterations (2020/21835/FUL) found 66 documents including the Planning Decision notice of 26.11.20 [here](#). Some of these things will also be mirrored in the licensing conditions e.g. those around opening hours, music and doors and windows being closed etc as a minimum. I note that this document contains requirements for sound insulation, including the requirement for a noise assessment to be carried out 'prior to first use'.

I hope this is useful and look forward to hearing from you further.

Kind regards

Emma Hayton

Assistant Licensing Officer

Tim Chadwick

From: [REDACTED] Perkins [REDACTED]
Sent: 16 December 2020 17:09
To: Licensing; [REDACTED]
Subject: FAO Tim Chadwick The Old Bank, Crosshills
Attachments: Re: The Old Bank Premises Licence application; Licensing Letter 2020-12-06.docx

Mr Chadwick,

Regarding your letter to [REDACTED] Hollingworth dated 10/12/2020 regarding [REDACTED] concerns about the licensing application you make reference to

'More immediate neighbours who had made representations are now satisfied for the application to proceed.'

As an immediate neighbour I wish to make it clear that we are not satisfied at all with the application but felt there was nothing further to be gained by pushing the matter to committee. Due to the time constraints for comments we felt pushed into making a decision and given that we felt that none of our previous concerns have been listened to during the planning process, and on one occasion not added due to not being signed or dated, we felt the possibility of losing the condition of not using the bins at night was too great a risk. We would have been satisfied if conditions were put in place as to when the business will operate unfortunately there is nothing in the conditions which will prohibit staff from working late or customers ordering large amounts of alcohol at 23:00 and leaving the premise in the early hours.

As residents of the building and part freeholders of the property I am disappointed that we were not notified of the licensing application, especially given the amount of correspondence we have attempted with CDC during this development. Whilst I am very pleased that we were able to speak and put our concerns forward with your department I am disappointed that you were not aware or had been made aware of our apartment above the venue, including bedroom windows above the bin store area/entrance and further bedrooms above the kitchen/bar area, this is the biggest of our concerns regarding noise disturbance emitting from the venue.

On the 9th December my wife spoke with Environmental Health who stated that there were no restrictions on use of the outside courtyard area which seems to make one of the licensing conditions of keeping doors and windows closed a bit of a mute point.

I brought this up with your officer during the two phone calls I had with her at the end of the day, unfortunately I had been working all day and had been unable to discuss options with my wife or yourselves, initially we decided that it would be best to go to committee so that our concerns could be raised, I felt that a condition of staff out and doors locked at 23:00 would mitigate the risk of late night disturbance from the venue but even this would be a massive compromise on our part having 2 children studying for GCSE's and a third adult that is up at 05:30hrs to go to work.

After hearing from my wife regarding her conversation with EH I rang your officer up again I asked for clarification on a number of items including the possibility of late operations, she stated :-

'Licencing couldn't tell someone when they can or cant use a property that they own or rent and that the applicant had made major concessions like adding fire and sound proofing to help mitigate any issues.'
'There was no guarantee that conditions put forward already would be agreed to or implemented.'

Regarding the fire/sound proofing these are not concessions, they are part of building regulations and are a requirement that any developer should be aware of. As there has been a consistent lack of plans shown throughout this planning application we have been unable to assess the effectiveness of anything installed only that we are still disturbed by noise from the works below our property even as it nears completion. Part of the original planning applications (of which there have been several variations) included a requirement of full details of soundproofing

and a waste management plan two things still missing as far as I'm aware. I appreciate that these may not be a licencing issue but indirectly these are part of our concerns.

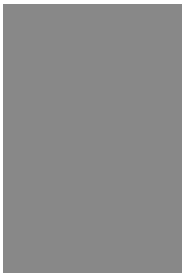
I also had concerns that on some past applications the officer summing up has stated that no objections were raised when it was clear that concerns had been raised but that due to lack of detail of the plans it was hard to quantify any potential issues. I asked that if we didn't go to committee would our comments still be attached to the application as I was concerned that if we had issues once the venue was operational we would be told we should have objected at an earlier stage I was told that our comments and concerns had been logged with the application.

After months of worry, hours reading through planning documents and legislation and not having any of our concerns dealt with effectively we felt that the opportunity to be able to have conditions put in place to guarantee the peaceful enjoyment of our property was lost and that there was no point in going to committee as we would still have to deal with an EH or Enforcement complaint if we had issues as such we felt that there were no other options but to agree to your officers conditions of the restricted hours for the bin store.

Please find attached email correspondence and a copy of our concerns sent to be added to the licencing application.

I do appreciate the additional condition of the courtyard not being used after 20:00hrs although I suppose this will not be monitored by anyone and we will have to make a complaint and provide evidence of any breaches to EH if it becomes an issue.

I hope this clarifies my stance on this licencing application.



VED

09 DEC 2020

LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details	
Name..	HO LINDA WORTH
Address.	[REDACTED]
Postcode.	[REDACTED]

Licence application you wish to make a representation on	
You do not need to answer all of the questions in this section, but please give as much information as you can:	
Application Number...	PL0818
Name of Licensee...	Coby Dale Hospitality
Name of Premises (if applicable)...	The Old Bank Cross Hills
Premises Address (where the Licence will take effect)...	The Old Bank Cross Hills
Postcode.....	? No info on line

Reason/s for representation
Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered
Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

RECEIVED

09 DEC 2020

The Prevention of Crime and Disorder

Additional conditions not covered in application
- North Yorkshire Police.

4. What is the applicant proposing to do to manage anti-social behaviour from drunk people ejected from premises?
This is a residential neighbourhood and he is simply moving the problem outside.

Public Safety

5(c) There is nothing covering COVID public health in application about gatherings too close together inside/outside premises.

The Prevention of Public Nuisance

Concern about lots of people gathering on or off premises at top of Station Road end of Park Road - so noise and smoke too near to residential properties.
What is regulated entertainment he is proposing?

The Protection of Children from Harm

The opening hours of this licensed premise is all day every day. He has gone into protecting minors from being served alcohol. This is a residential area with children as well as a well used thoroughfare for children from Craven School. How are they to be protected from drunkenness?

I, HOLLAND, hereby declare that all information I have submitted is true and correct.

Signed:

Date:

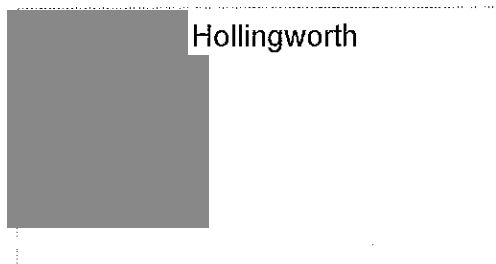
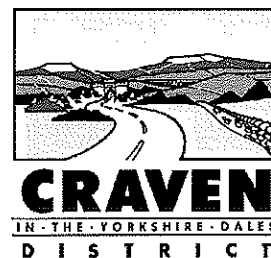
6/12/20.

Please send the completed form to:

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

Alternatively, the form may be emailed to: licensing@cravenc.gov.uk

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



Telephone: 01756 706251
Email address: licensing@cravendc.gov.uk

Date: 10/12/2020

Dear Mrs Hollingworth

RE: YOUR REPRESENTATION FORM REGARDING THE OLD BANK

We are in receipt of your Representation Form dated 6th December 2020 regarding the licence application made by Cobbydale Hospitality Ltd for The Old Bank, Main Street, Cross Hills, BD20 8TB.

Please find attached the Conditions for this proposed licence which have been substantially enhanced since the application was made by Police, Planning and Environmental Health, among others. More immediate neighbours who had also made representations are now satisfied for the application to proceed. You will note that the attached Conditions are set out in a prescribed manner which includes General Conditions and then Conditions attached to support each of the four Licensing Objectives. These Conditions will become part of the premise licence and will therefore be enforceable. Any inspection by the Licensing Authority would validate that these Conditions are being met. Please refer to these in conjunction with our comments to your representations below.

Please also find attached a document entitled 'Consultee Comments for Planning Application' which sets out some additional measures imposed by Environmental Health which will need to be satisfied before the premises can open and maintained for the life of the premises.

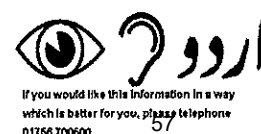
We will address each of your concerns in the order in which they appear on the form you returned:

Licensing Objective: The Prevention of Crime & Disorder

You remarked that the additional conditions by North Yorkshire Police are not covered in the application.

The application was made on 11th November and we (the Licensing Authority) sent it, as is the norm, to North Yorkshire Police as well as the other Responsible Authorities (Planning, the Fire Service, Environmental Health, the Home Office etc.). North Yorkshire Police responded to us, having been in touch with the Applicant, on 23rd November. Their additional comments about CCTV and staff training and these stipulations were subsequently incorporated into the

Paul Shevlin, Chief Executive
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www.cravendc.gov.uk



Conditions. North Yorkshire Police are satisfied with the Applicant's proposals and their conditions include measures to minimise and manage drunken behaviour. Therefore your comments in this category have already been addressed and met to the satisfaction of North Yorkshire Police.

Licensing Objective: Public Safety

You have commented how there is nothing covering COVID public health in the application.

The requirement to meet COVID measures for the protection of public health are separate to a Licensing application. The Licence Holder will of course be required to meet such standards but this does not form part of the licence.

Licensing Objective: The Prevention of Public Nuisance

You have expressed concern about lots of people gathering on or off premises in nearby streets and the impact of noise and smoke.

The Applicant has in our view been more than amenable in acting to address concerns about the potential for public nuisance of neighbours who live in very close proximity. Following much discussion, those neighbours have been satisfied by the many conditions put in place. These include the fact that the entire premises (inside and out) will be non-smoking; that CCTV will be in place; that only drinks in sealed containers can be removed from the premises (i.e. outside the front courtyard); the time restrictions on the use of the front courtyard; and that windows and internal doors will be kept closed, amongst other measures.

You also asked what regulated entertainment the Applicant is proposing.

The application was made for the provision of late night refreshment (indoors) and the supply of alcohol (both on and off the premises). For the purposes of clarity, the outside courtyard is classed as on the premises. The application did not include any provision for 'regulated entertainment', however please be aware that some specific entertainment was deregulated in 2015 and therefore does not require a licence. See <https://www.gov.uk/guidance/entertainment-licensing-changes-under-the-live-music-act> for more information.

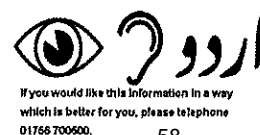
Licensing Objective: The Protection of Children from Harm

You state that the opening hours are all day every day.

The hours applied for have been amended and reduced by Planning as follows, so the hours when licensable activities will be permitted (in this case late night refreshment and supply of alcohol) will be altered to reflect the hours approved by Planning:

Hours applied for	Hours approved by Planning
Monday to Sunday 11:00 - 23:00	Monday to Saturday 10:00 - 23:00 Sunday 10:00 - 22:00
New Year's Eve 11.00 – 01.00 Christmas Eve 11.00 – 00.00 Christmas Day 11.00 – 14.00 Boxing Day 11.00 – 00.00	Bank Holidays 10:00 - 22:00

Paul Shevlin, Chief Executive
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www.cravencd.gov.uk



You are concerned about children being served alcohol and local school children being protected from drunkenness.

The applicant has agreed as a condition on the licence that no child under the age of 16 may enter the premise without an adult. A Challenge 25 age verification policy will also be in place. Conditions will also be on the licence regarding staff training in basic licensing law and the conditions attached to the licence. I am satisfied that these measures will satisfy your concerns regarding safety for children.

Please be aware that any licence, once issued, may be subject to review if there are problems around noise/nuisance etc relating to the premises. You would also always have the right to complain about any noise nuisance under statutory nuisance legislation. Of course the ideal scenario is that the premises does not cause you any nuisance and it is never required to revert to the licence review procedure. For ease, I attach some information about the Licence Review procedure.

As the deadline for representations has now passed, it is imperative that this matter is resolved quickly and therefore if you are not satisfied with our response can I please ask you to get in touch with us via email at licensing@cravenc.gov.uk and provide us with an email address and/or telephone number by no later than **midday on 18th December 2020**.

Thank you

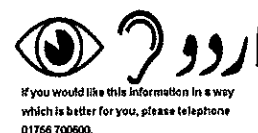
Yours sincerely



Tim Chadwick
Licensing Manager

Encs: Licensing Conditions for The Old Bank
Consultee Comments for Planning Application
Licence Review Procedure

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



Tim Chadwick

From: [REDACTED] Hollingworth [REDACTED]
Sent: 16 December 2020 17:43
To: Licensing; [REDACTED]
Subject: The Old bank letter from Tim Chadwick. 10.12.2020

Dear Mr. Chadwick

Thank you for your letter dated as above including Licensing conditions, Information for review of a licence certificate and consultee comments by Andrew Dent at Environmental Health.

I would, first and foremost, like to gain more understanding of your claim that "More immediate neighbours who had also made representations are now satisfied for the application to proceed." I have just spoken to the owner of the flat above the proposed bar/ restaurant and that is simply not the case. I have provided him with a copy of the letter you sent to me and he is going to email you separately. I am an immediate neighbour and I am certainly not happy.

If the council relied upon the written representation of only one person, I think you will find that he no longer lives in the vicinity of this ill-considered development. I think you will find this is not just my subjective view but also the view of the person appointed for the heritage statement regretfully only appointed recently. The vast majority of neighbours' comments on the Planning Portal are objections to this development. It is simply not true to assert otherwise. If there have been few objections to the licence application then my suspicion is it is because the only notification is a small notice outside the proposed development, as well as the residents' opinions falling on deaf ears.

The Prevention of crime and disorder comments still do not address my concern about what will happen to people being refused service based on drunkenness or any other reason. The licence holder is simply transferring this problem in to the immediate neighbourhood that is outside my home. My home is directly opposite the site of this venture. Due to a serious health condition I retire to bed at 10 p.m. every evening. If the behaviour of anybody disturbs the peace of my home, I shall be contacting the appropriate people including yourself as I have this right enshrined in law through Article 8 of the Human Rights Act concerning peaceful enjoyment of my home.

I hope your and the Police's view of noise are correct. This residential street is very quiet, especially in the evenings. Should it become otherwise I shall be complaining to you.

I am really surprised to hear that there has been "much discussion..being satisfied by the many conditions put in place." I am not sure to whom you are referring. I live directly opposite this proposed bar and neither the applicant nor any council representative has ever had any discussion with me about the impact of public nuisance. Andrew Dent spoke to me some time ago to sympathise about my concerns around noise and smells opposite my bedroom window. The extractor fan is sited directly opposite to it. Again, I have poorly controlled asthma and will be complaining to the appropriate people if I feel it is aggravated by the impact of kitchen operations as outlined in operating hours you have provided for me.


I would reiterate my concern that school children are using this road as a thoroughfare on a daily basis Monday to Friday during term time. Additionally, the licence holder is capturing images of children on CCTV without the permission of them or their parents and storing them without their permission also.

I should add that I have no intention of approaching the proposed licence holder should he, in my opinion, be in breach of any of the terms of his licence. Neither he, nor crucially, anybody from Craven District

Council have ever extended me the courtesy of contacting me other than the conversation I had with Andrew Dent and this letter from yourself. Indeed, it has been reported to me that when the proposed licence holder is challenged, he can become aggressive. So, I shall approach the appropriate body as outlined in the objectives of the licence.

I also feel it worth mentioning here that I have made a formal complaint to the Council following consultation with the Local government Ombudsman. I am not sure if you want copy sending of the basis of the complaint or you can access it through your colleagues at the Council. It is simply for your information should wish to see it.

Regards

 Hollingworth

Tim Chadwick

From: Licensing
Sent: 18 December 2020 13:06
To: [REDACTED] Hollingworth
Cc: Licensing
Subject: RE: The Old bank premise licence application

Dear Ms Hollingworth

Thank you for your email of 16th December (below).

I can clarify that when I stated, "More immediate neighbours who had also made representations are now satisfied for the application to proceed" this was a simplification of fact that following much negotiation, Mr & Mrs Perkins had formally withdrawn their Representations. They emailed us to confirm this on 9th December.

We have heard from Mr Perkins (as you are aware, as you were copied in to his email) and we do acknowledge that he and his wife are far from happy with the development of the property beneath your residence, but after discussions with the applicant and agreeing to additional conditions, their representations were withdrawn.

However, on reflection I have decided, given the representations received, that the matter will be referred to a Licensing Subcommittee to determine the application. This will be held within the first week of January. I will be providing further information about this shortly.

I, as Licensing Manager, cannot I'm afraid comment on the Planning Portal, heritage statement or anything outside of the Licensing Act 2003 application for this premises.

Licensing regulations require that the applicant displays a blue notice outside the property (which we verified was on display); that the application is advertised in a local paper (which it was in the Craven Herald) and that licensing applications are made available at the council (it was posted on our website for the duration of the 28 day consultation period). Unfortunately under the Licensing Act 2003, we do not contact residents regarding applications. Residents are made aware of applications by means of advertisements which invite them to contact the Licensing Department, should they be any questions or concerns about the application.

As to residents' opinions falling on deaf ears, we only became aware of any residents' concerns upon hearing from the Perkins. We then received your representations, and one other, on the actual deadline of 9th December.

The 'much discussion' refers to negotiations between the Perkins and Environmental Health (Andrew Dent) and my colleague Emma who was mainly liaising with the applicant, although she also spoke to the Perkins on several occasions, as did I. The result was that the Perkins and the applicant agreed to some revised conditions proposed by Environmental Health (such as not accessing the recycling bins after a certain time and not allowing the use of the outside area after 20:00) which you have seen. The conditions you have seen includes those enhanced conditions, agreed late in the day, which were not in the original application. These address a number of the concerns.

The use of CCTV has been imposed by NY Police to protect the public and reduce the risk of crime and neighbourhood nuisance. The use of CCTV is strictly controlled including how it is used and the data stored. It is common practice for North Yorkshire Police to request premise licences to have CCTV in place at premises.

I will be in touch again shortly with further information about the Licensing Subcommittee meeting.

Regards

Tim Chadwick
Licensing Manager

From: [REDACTED] Hollingworth <nancy_hollingworth@hotmail.co.uk>
Sent: 16 December 2020 17:43
To: Licensing <Licensing@cravendc.gov.uk>; [REDACTED] UK>
Subject: The Old bank letter from Tim Chadwick. 10.12.2020

Dear Mr. Chadwick

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I would, first and foremost, like to gain more understanding of your claim that "More immediate neighbours who had also made representations are now satisfied for the application to proceed." I have just spoken to the owner of the flat above the proposed bar/ restaurant and that is simply not the case. I have provided him with a copy of the letter you sent to me and he is going to email you separately. I am an immediate neighbour and I am certainly not happy.

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I also feel it worth mentioning here that I have made a formal complaint to the Council following consultation with the Local government Ombudsman. I am not sure if you want copy sending of the basis of the complaint or you can access it through your colleagues at the Council. It is simply for your information should wish to see it.

Regards

 Hollingworth

Tim Chadwick

From: [REDACTED] Hollingworth [REDACTED]
Sent: 18 December 2020 16:49
To: Licensing
Subject: RE: The Old bank premise licence application

Dear Mr. Chadwick

Thank you for your email.

I appreciate your decision to refer this matter to the Licensing subcommittee. I look forward to hearing from you with a date and time and who I can call upon to represent me there.

I have commented in my email to you about matters which fell outside of your remit because you enclosed Consultee comments for planning application whose author was Andrew Dent. Consequently, I felt I could touch on subjects which straddled these objectives and the planning issues. I'm sure you will agree I kept them brief and succinct.

The date of our representations to you are irrelevant as long as they were within the legal time frame required; I am not sure why you felt it necessary to state this.

I would reiterate to you that it is insufficient to make sweeping generalisations about discussions with neighbours when only neighbours immediately above the proposed bar were the only ones who were consulted. My home is directly across the street so I think that warrants being considered as "living in close proximity."

I wonder if you could point out to me North Yorkshire Police's assertion of the need for CCTV. The proposed licence holder drilled a hole through the property wall in early August, some time before the Police were involved in the decisions about the licence. Or is that an incorrect understanding of the timelines involved? There has never been any crime in this street; even a bank did not need it. Let us hope, as I said in my previous email, that street disturbance and crime does not result from this bar. Again if it does and it disturbs my right to a peaceful home life including my sleeping patterns I shall be asking the police to intervene and reporting to you about breaches of licensing objectives. I have already pointed out to you that the peaceful enjoyment of my home life is enshrined in law.

I will not have my health compromised because of this.

Regards

[REDACTED] Hollingworth

Sent from Mail for Windows 10

From: Licensing
Sent: 18 December 2020 13:06
Subject: RE: The Old bank premise licence application

Dear Ms Hollingworth

Thank you for your email of 16th December (below).

I can clarify that when I stated, "More immediate neighbours who had also made representations are now satisfied for the application to proceed" this was a simplification of fact that following much negotiation, Mr & Mrs Perkins had formally withdrawn their Representations. They emailed us to confirm this on 9th December.

We have heard from Mr Perkins (as you are aware, as you were copied in to his email) and we do acknowledge that he and his wife are far from happy with the development of the property beneath your residence, but after discussions with the applicant and agreeing to additional conditions, their representations were withdrawn.

However, on reflection I have decided, given the representations received, that the matter will be referred to a Licensing Subcommittee to determine the application. This will be held within the first week of January. I will be providing further information about this shortly.

I, as Licensing Manager, cannot I'm afraid comment on the Planning Portal, heritage statement or anything outside of the Licensing Act 2003 application for this premises.

Licensing regulations require that the applicant displays a blue notice outside the property (which we verified was on display); that the application is advertised in a local paper (which it was in the Craven Herald) and that licensing applications are made available at the council (it was posted on our website for the duration of the 28 day consultation period). Unfortunately under the Licensing Act 2003, we do not contact residents regarding applications. Residents are made aware of applications by means of advertisements which invite them to contact the Licensing Department, should they be any questions or concerns about the application.

As to residents' opinions falling on deaf ears, we only became aware of any residents' concerns upon hearing from the Perkins. We then received your representations, and one other, on the actual deadline of 9th December.

The 'much discussion' refers to negotiations between the Perkins and Environmental Health (Andrew Dent) and my colleague Emma who was mainly liaising with the applicant, although she also spoke to the Perkins on several occasions, as did I. The result was that the Perkins and the applicant agreed to some revised conditions proposed by Environmental Health (such as not accessing the recycling bins after a certain time and not allowing the use of the outside area after 20:00) which you have seen. The conditions you have seen includes those enhanced conditions, agreed late in the day, which were not in the original application. These address a number of the concerns.

The use of CCTV has been imposed by NY Police to protect the public and reduce the risk of crime and neighbourhood nuisance. The use of CCTV is strictly controlled including how it is used and the data stored. It is common practice for North Yorkshire Police to request premise licences to have CCTV in place at premises.

I will be in touch again shortly with further information about the Licensing Subcommittee meeting.

LICENSING ACT 2003 - REPRESENTATION FORM

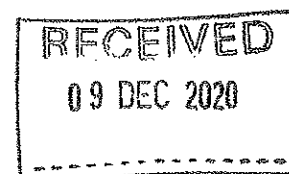
To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details	
Name...	ROGERS
Address	[REDACTED]
.....	
Postcode.	[REDACTED]

Licence application you wish to make a representation on	
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>	
Application Number.....	PL0868
Name of Licensee.....	CEB BY DAYE HOSPITALITY
Name of Premises (if applicable).....	THE OLD BANK.
Premises Address (where the Licence will take effect).....	
Postcode.....	

Reason/s for representation
<i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered</i>
<i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i>



<p>The Prevention of Crime and Disorder</p>	<p>This locality has been subject to police action in recent months. Drug dealing has been taking place 15 yds from our house! This licence if granted will increase the likelihood of this to increase.</p>
<p>Public Safety</p>	<p>The premises is on a very busy Junction. People coming out of the premises, particularly after alcohol will put themselves and other people in danger.</p>
<p>The Prevention of Public Nuisance</p>	<p>The hour applied for are excessive. The noise of people arriving and leaving could go on until midnight and beyond right in the middle of residential areas. Taxi and cars will park on yellow lines and cause congestion as the road is narrow.</p>
<p>The Protection of Children from Harm</p>	<p>There are a number of children living with 30 or 40 yds of the premises. All of the above will impact on them. In particular noise when they are in bed. I find it incredible that approval was given to this development in the first place. The licence applied for confirms our worst fears. No consideration for residents!</p>

I,  Robert S., hereby declare that all information I have submitted is true and correct.

Signed: 

Date:

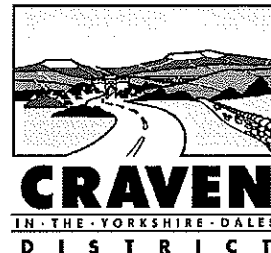
7 December 2020

Please send the completed form to:

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

Alternatively, the form may be emailed to: licensing@cravendc.gov.uk

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



Rogers

Telephone: 01756 706251
Email address: licensing@cravendc.gov.uk

Date: 10/12/2020

Dear Mr and Mrs Rogers

RE: YOUR REPRESENTATION FORM REGARDING THE OLD BANK

We are in receipt of your Representation Form dated 7th December 2020 regarding the licence application made by Cobbydale Hospitality Ltd for The Old Bank, Main Street, Cross Hills, BD20 8TB.

Please find attached the Conditions for this proposed licence which have been substantially enhanced since the application was made by the Police, Planning and Environmental Health, among others. More immediate neighbours who had also made representations are now satisfied for the application to proceed. You will note that the attached Conditions are set out in a prescribed manner which includes General Conditions and then Conditions attached to support each of the four Licensing Objectives. These Conditions will become part of the premise licence and will therefore be enforceable. Any inspection by the Licensing Authority would validate that these Conditions are being met. Please refer to these in conjunction with our comments to your representations below.

Please also find attached a document entitled 'Consultee Comments for Planning Application' which sets out some additional measures imposed by Environmental Health which will need to be satisfied before the premises can open and maintained for the life of the premises.

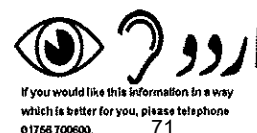
We will address each of your concerns in the order in which they appear on the form you returned:

Licensing Objective: The Prevention of Crime & Disorder

You have stated that this locality has been subject to police action and drug dealing in recent months.

North Yorkshire Police are amongst the Responsible Authorities who receive any new Premises Licence application in Craven and they have made their comments and added certain requirements requiring CCTV and around the level of training which staff should have. There is no evidence to link the opening of a new bar/restaurant with an increased likelihood of drug dealing. The police have also been in touch with the applicant and they have not relayed any

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concerns to us as a result. Therefore on the evidence available, it seems that this point has not been made out.

Licensing Objective: Public Safety

You have commented that the premises is on a busy junction and that people will, after consuming alcohol, spill out of the premises.

The premise licence applicant can only be held responsible for what occurs within the boundary of the proposed licensed premises. The installation of CCTV, staff training and other enhanced conditions should however minimise any risk to public safety.

Licensing Objective: The Prevention of Public Nuisance

You have stated that the hours applied for are excessive and that parking will be affected.

The hours applied for have been amended and reduced by Planning as follows, so the hours when 'licensable activities' will be permitted (in this case late night refreshment and supply of alcohol) will be altered to reflect the hours approved by Planning:

Hours applied for	Hours approved by Planning
Monday to Sunday 11:00 - 23:00	Monday to Saturday 10:00 - 23:00 Sunday 10:00 - 22:00
New Year's Eve 11.00 – 01.00 Christmas Eve 11.00 – 00.00 Christmas Day 11.00 – 14.00 Boxing Day 11.00 – 00.00	Bank Holidays 10:00 - 22:00

Your concerns of people parking on yellow lines is not a relevant representation in relation to the premises licence application.

Licensing Objective: The Protection of Children from Harm

Your concern is for children living nearby the premises and you are unhappy that the development was approved.

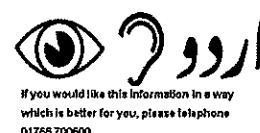
Neighbours who live in closer proximity to the premises than you have been satisfied by the additional conditions imposed, including that the entire premises will be no smoking; windows and internal doors are to be kept shut; soundproofing has been installed and will be tested before first use; and the use of the outside area will cease at 20:00.

Approval of the development itself is I'm afraid a matter for Planning, not Licensing, and is, I understand, permitted under the lease of the building, and this is therefore not a relevant representation in relation to the premises licence application.

I hope you are satisfied by this explanation and I can assure you that the additional conditions which have been applied to this licence are significant.

Please be aware that any licence, once issued, may be subject to review if there are problems around noise/nuisance etc relating to the premises. You would also always have the right to complain about any noise nuisance under statutory nuisance legislation. Of course, the ideal scenario is that the premises does not cause you any nuisance and it is never required to revert to the licence review procedure. For ease, I attach some information about the Licence Review procedure.

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



As the deadline for representations has now passed, it is imperative that this matter is resolved quickly and therefore if you are not satisfied with our response can I please ask you to get in touch with us via email at licensing@cravendc.gov.uk and provide us with an email address and/or telephone number by no later than **midday on 18th December 2020**.

Thank you

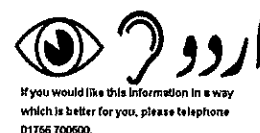
Yours sincerely



Tim Chadwick
Licensing Manager

Encs: Licensing Conditions for The Old Bank
Consultee Comments for Planning Application
Licence Review Procedure

Paul Shevlin, Chief Executive
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The Old Bank PL0868 Licensing conditions

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

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

There will be sufficient staff on the premises to ensure the safety of staff and patrons to ensure that the licensing conditions can be enforced.	In Mr Andrew's original application
<p>A digital colour, CCTV system will be installed to cover the premises and recorded coverage will include all internal and external areas to where the public have access to consume alcohol.</p> <p>It will be maintained, working and recording at all times when the premises are open.</p> <p>The recordings should be of good evidential quality to be produced in Court or other such hearing.</p> <p>Copies of the recordings will be kept available for any Responsible Authority for 28 days- subject to data Protection.</p> <p>Copies of the recordings shall be made available to any Responsible Authority within 48 hours upon request- subject to Data Protection.</p> <p>Copies of the recordings will display the correct time and date of the recording.</p> <p>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.</p>	<p>Specific wording as required by North Yorkshire Police 23.11.20 (although CCTV was in the original application)</p>

b) The prevention of crime and disorder

Signage will be placed on all customer exit points asking them to respect residents whilst leaving the premises.	In Mr Andrew's original application
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<p>Documented staff training will be given regarding staff's obligation under the Licensing Act in respect of the:</p> <ul style="list-style-type: none"> • 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. <p>Documented records of such training shall be kept for a minimum of one year and 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.)</p> <p>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 behaviour and ejections from the premises.</p> <p>Both Refusals and Incident Report registers shall be kept for at least one year and they will be made available immediately upon a reasonable request from any Responsible Authority.</p>	<p>Specific wording as required by North Yorkshire Police 23.11.20 (although staff training and the keeping of a refusals register were in the original application)</p>
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c) Public safety

Premises are to be checked by the Licence Holder, DPS or duly authorised person to ensure that it is safe for the premises to be opened to the public each day.	In Mr Andrew's original application
The Licence Holder will ensure that staff undergo appropriate training about emergency and general safety precautions and procedures.	In Mr Andrew's original application

d) The prevention of public nuisance

The external courtyard will not be used between the hours of 20:00 and 08:00 apart from for entrance and egress.	Agreed by the Perkins and Mr Andrews following the Perkins' representations
Any drinks purchased on the premises can only be taken off the premises in a sealed container.	In Mr Andrew's original application

No smoking shall be permitted anywhere on the premises (inside or outside) and appropriate signage will be in place.	Agreed by Mr Andrews following conversations between the Perkins and Environmental Health
All windows and doors to the premise (excluding the outer front door) must be closed, save for entrance and egress.	Added by Environmental Health on 17.11.20 and subsequently tweaked to allow for the outer front door to be kept open
No amplified music or other sound amplification equipment shall be produced or played within or outside of the premises (N.B. internally, incidental music will be permitted).	Planning condition, of which Licensing were informed on 18.11.20 – comments re incidental music added by Env'tl Health on 20.11.20
The glass and metal recycling bins shall not be used between the hours of 21:00 - 08:00.	Agreed by Mr Andrews following conversations between the Perkins and Environmental Health
No deliveries shall be received or dispatched from the premise between 21:00 and 07:30 nor at any time on Sundays or Public Holidays.	As per Planning (2019/20758/FUL) Decision Notice of 19.02.20
Signage will be placed on all customer exit points asking them to respect residents whilst leaving the premises.	In Mr Andrew's original application

e) The protection of children from harm

Children under 16 years of age shall only be allowed entry when accompanied by adults.	In Mr Andrew's original application
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Challenge 25 Policy is to be operated on the premises with the only acceptable proof of age identification being 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).	In Mr Andrew's original application
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