

APPENDIX B

Representations

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APPENDIX B – REPRESENTATIONS

Copies of the representations are attached to this Appendix; however a summary of the content of the representations is set out below. The representations are in line with the following Licensing Objectives:

Licensing Objectives:

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

Summary of Representations

1. The premises are the only commercial premises in an otherwise quiet residential area and that the local community will be deprived of sleep.
2. The surrounding residential area is already subject to extraordinary noise from Oliver's Mount race days and that the premises will create additional noise potentially 7 days a week.
3. That noise will cause a disturbance to local wildlife in what is a conservation area.
4. That it is impractical for the premises to keep its windows and doors closed thereby allowing noise to escape.
5. There will be noise nuisance from people leaving the premises late at night including noise from car doors banging.
6. An increase in the volume of traffic during night time hours which will create additional noise and significantly increase the risk of road traffic incidents resulting in serious injury.
7. Concerns over the safety of customers leaving the premises at night due to its location.
8. That the café could rapidly deteriorate into something akin to a 'fringe of town nightclub' attracting a particular clientele and trade.
9. There is no CCTV or lighting in the area other than that provided by the premises.
10. That due to the nature and location of the premises it will become a magnet for people, other than lawful customers, intent on carrying out

criminal and anti-social activities, including substance misuse and the targeting of vulnerable people. In addition the police do not have the resources to patrol this area.

11. Granting the application will not be following any guideline for building out crime and anti-social behaviour.
12. May lead to inappropriate behaviour near the cenotaph or to it being defaced.
13. The application would significantly downgrade the whole area.
14. Customers leaving the premises after consuming alcohol may decide to try out the racetrack with potentially disastrous results.
15. Residents of this area who all pay £2000+ on Council Tax should be offered some kind of protection against this kind of thing.
16. Consider that 11pm is late enough for premises to open in this situation.
17. That there is insufficient parking leading to potential damage to grass verges.
18. Concerns in respect of the protection of children from harm licensing objective.

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20 APR 2015

Oliver's Mount Café/Bar
Oliver's Mount
Scarborough
YO11 2UG

To whom it may concern,

I am writing to formally object to the application to vary the licence at Oliver's Mount Café – Bar. Ref 021275

My grounds for objecting are as follows –

1. Prevention of Crime and Disorder

The relevant premises is a totally isolated and remote premises at the top of Oliver's Mount, overlooking the South Cliff area and town of Scarborough.

There is no street or other lighting in the area, other than that provided by the premises itself.

There is no CCTV other than any that the premises itself may provide/ be required to provide.

There will be no control, other than perhaps an occasional police patrol, which will have to make an exceptional rather than routine journey to this remote location, and for an extended area around the property there will be, during the hours of dusk/dark, a high chance of increase in opportunity for incidents of crime and anti-social behaviour, including illegal substance misuse.

With no other residential or business property in the surrounding and extended area, regular passing motorists / people will be non-existent, and with no such deterrent, it will present a safe haven for all sorts of activities.

Whatever the intentions of the applicant with regard to the use of the premises, it will by its very nature and location, be a magnet for people, other than lawful customers, intent on carrying out criminal and anti-social activities, including substance misuse and the targeting of vulnerable people.

As a remote late night refreshment house providing late night music / entertainment, it will be an ideal location for the students from the 'soon to be' University of Coventry campus, whose living accommodation will include student accommodation in the South Cliff area.

Granting this application will not be following any guideline for building out crime and anti-social behaviour.

2. Public Safety

As previously described, this a remote and isolated premises. It can be reached either on foot or by vehicle.

There is no lighting, either street or borrowed from surrounding premises.

The vehicular road access, whichever of three starting points is used, is by narrow, winding and unlit roads. It is designed as a race track for motor cycles and cars, during daylight hours.

Even off the race track route, which all vehicles will have to negotiate, the roads are only just wide enough for two to pass with care.

At the side of nearly all of the road access route, the road is edged by one side that is usually a steep drop into heavily wooded area.

Sober, this is a route that has to be driven up and down with a degree of care.

On foot, there is a choice of either totally unlit, pitch black and dangerously uneven woodland paths, or on roads where no pavement or safe refuge from passing vehicles is provided or possible.

At night time there will be a significantly increased risk of serious injury road traffic accidents, involving single cars leaving the road, or vehicles colliding with either other vehicles or pedestrians.

3. Prevention of Nuisance

The applicant related premises are relatively small, and even with just 60 seated people, plus heat from cooking and entertainment related equipment, and even with air-conditioning (if that was to be installed) the requirement to keep the windows and doors closed during the period when live or recorded music is played, the total generated heat will be such that there will be a need to open windows and/or doors to ventilate the premises.

As soon as that happens, the noise will carry across Scarborough and in particular the South Cliff area closest to the premises.

Having the experience of other events organised on Oliver's Mount, and in particular the motor racing events and the dog events, we know that sometimes noise carries over the properties on the closest mountside to the applicant premises, and is most intrusive in properties along the Filey Road and as far as premises in West St / Holbeck Hill, and all roads in between.

There is no sound reducing barrier, whether built or natural eg trees, between the premises which is directly on the edge of the top of the mount, and those properties most likely to suffer from intrusive sound related nuisance.

Just recently, an application by Club Auto 66 to extend eventing by one race per season, was turned down by the Borough Council, and one reason given was in recognition of the additional nuisance to residents.

Once granted, whatever the initial intentions of the applicant, the licence would allow 7 days a week, until the early hours of each morning, a night club, however that

definition might be dressed up, and that would cause a significant nuisance to residents for a considerable distance.

There will be an additional noise / nuisance factor with people walking home, late at night, affected by the influence of alcohol or other substances, through the residential areas on the side of Oliver's Mount and the nearby South Cliff area.

4. Protection of Children from harm

For all of the reasons previously given – remote and isolated location, no lighting, no CCTV, no passing police or other people deterrent, the close surrounding area will be a magnet for young and vulnerable young people, and also for those who would seek to exploit that vulnerability.



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No one would believe that they would keep doors and windows closed. Smokers would be in and out constantly and with warmer weather customers will open doors and windows to allow air in such a small venue to circulate.

The nuisance from live and recorded could be every night of the year not on just a few occasions as in the case of motor cycle races which are very noisy but during the day and on only a few occasions per year.

Public Safety

When I drive up Oliver's Mount during daylight hours, I am mindful of the road system, narrow roads with unexpected sharp bends, there are some very steep drops if a vehicle left the road the results could be devastating.

There is no lighting up there and it incredibly dark at night.

The risk of serious traffic accidents, even before you add alcohol, legal or illegal highs in to the equation will be very high.

For customers who don't wish to drive, walking there and back. there are many hazards, no footpaths, no lighting and very steep slopes. Anyone thinking of trying to take a short cut could get into difficulty; parts are quite boggy and slip and trip hazards are everywhere. Someone could lay injured and not be found for many hours.

With a busy town centre at night time, it is totally unreasonable to expect the Police to monitor / patrol this area to the extent it would be required.

Prevention of Crime and Disorder

There is a potential risk of increased crime and antisocial behaviour. The area is not covered by CCTV. If there is a requirement for the actual premises to have CCTV, as soon as someone steps outside into the dark their behaviour or a person with criminal intent will not be monitored.

It may be the intention of the applicant of this license to run a respectable establishment but it could attract people who have other intentions.

Drug dealing and drug abuse is prevalent in the Scarborough area and this late night venue could attract drug dealers and others who do not wish to be monitored as occurs in the town centre.

Well run establishments in the town centre can 'police' such venues by the use of door staff, refusing admission to those who appear to be under-age or seem to be intoxicated.

The police do not have the resources to have this area patrolled as a matter of course and if a lone officer was on Oliver's mount doing a routine patrol and she/he got into difficulty back up could take some time to arrive.

[REDACTED]

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16 APR 2015

[REDACTED],
Deepdale Avenue,
Scarborough [REDACTED]

15. iv. '15.

Licensing Services,
Town Hall,
Scarborough YO11 2HA.

Dear Sir/Ma'am,

I write in respect of the Variation under Section 34 of the Licensing Act 2003 for Oliver's on the Mount - Cafe-Bar.

I wish to be noted as objecting to the extension of the hours until 01⁰⁰ am. I also object to the performance of live and recorded music until 01⁰⁰ am. All of this on seven days a week.

The above would, in fact, mean the effect of a large megaphone broadcasting to the whole of Scarborough. Peace and quiet would be lost to all of us!

[REDACTED]
/

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20 APR 2015

Licensing Services

[REDACTED]

Town Hall

Weaponness drive

St Nicolas Street

Scarborough

Scarborough YO11 2HG

[REDACTED]

17/4/15

Variation to license: Olivers On The Mount Ltd

Dear Sir,

We wish to object to the proposed variation to extend hours for the retail sale of alcohol until 1 am . We also wish to object to the extension of hours for live music , recorded music and late night refreshment until 1 am.

We live in a quiet residential area directly below the Olivers mount café and we believe that the proposed extension will deprive us of our entitlement to enjoy peace and quiet during night time hours. It will increase traffic from the top of Olivers Mount down Mountside to Filey road during night time hours that will cause noise.

These extensions to the licence will change the nature of the venue from people enjoying drink with food to a

music venue with a bar which is a fundamentally different type of business.

The area below the café already resembles a rubbish dump and a late night bar with music can only increase the rubbish problem which includes bottles thrown from the top.

We would be willing to appear in person to express our views so strongly do we feel about this issue.

Yours faithfully

A redacted signature consisting of two horizontal blue brush strokes.

cc Councillor Penny Marsden

Councillor Tom Fox

20 APR 2015

Mark Heaton

To: Cllr.Tom Fox
Subject: RE: OLIVERS MOUNT CAFE BAR

From: A [REDACTED]
Date: 19 April 2015 18:34:01 BST
To: "Cllr.Tom.Fox@scarborough.gov.uk" <cllr.tom.fox@scarborough.gov.uk>
Subject: OLIVERS MOUNT CAFE BAR

[REDACTED]

[REDACTED]

St Johns Road

Scarborough

[REDACTED]

[REDACTED]

Dear Councillor Tom Fox

As a British Legion member of almost 40 years I strongly object to the extending of licensing hours of the above mentioned cafe bar from Monday to Sunday 10 am till 1 am in the morning. The live music that will be played in these hours and the clientele that will use this facility are too close in my opinion to the Scarborough cenotaph at Oliver's Mount. I feel that this arrangement could lead to inappropriate behaviour in such a sensitive area which could possibly result in vandalism and a general disrespect of the cenotaph through over exuberance due to excessive consumption of alcohol.

I see this as completely inappropriate in an area which is designated as a respectful place for the nations war dead.

Best Regards

[REDACTED]

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Mark Heaton

From: Licensing Services
Sent: 20 April 2015 09:24
To: Mark Heaton
Subject: FW: olivers mount cafe bar licence application

From: [REDACTED]
Sent: 20 April 2015 09:23
To: Licensing Services
Subject: olivers mount cafe bar licence application

Having looked at the application for the extension of licences for these premises I am concerned about the vagueness of the terms of the application.

Having been a previous holder of occasional licences at slightly remote locations (the Open Air Theatre in Regents Park),I am aware of the concerns of selling liqueur in normally unpoliced areas where the control is solely down to the person in attendance.

Does the applicant have experience in controlling late night drinking venues.

Concerning the vagueness of the application, it is not clear as to what type of entertainment / music is anticipated.

If I assume that this venue is not normally policed, what would be the plans to observe this area upto 1am. or later ?

Whithout wishing to be accused of 'NIMBYISM' I am concerned about late night noise, (yes here in West Street we can here the motor cycles, but that is only a few times a year).

Finally, it seems due to the vagueness of this application more needs to be known about the ultimate intentions of this application.

Ray Birch
[REDACTED] West Street
Scarborough

[REDACTED]

Tel: [REDACTED]

E Mail [REDACTED]

Concerning the vagueness of the application , it is not clear as to what type of entertainment/music is anticipated.

Penny Bevan

From: [REDACTED]
Sent: 08 April 2015 23:42
To: Licensing Services
Subject: Olivers Mount

[REDACTED]

[REDACTED]

[REDACTED] West street
Scarborough

[REDACTED]
[REDACTED]

I support Oliver's café in their application to extend their hours to sell alcohol.

I object to their application for live or recorded music. An application for one event at a time could be acceptable.

[REDACTED]

South Cliff Community Group

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[REDACTED]
Weaponness Park,
Scarborough
[REDACTED]

16 APR 2015

15/4/15

Dear Sirs,

Oliver's on the Mound Ltd.
Premises Licence Variation

With reference to the application made by the owners of the above premises, I feel I must object to the extension of licensable hours at these premises. Whilst not wishing to stifle local business enterprise, I regard the application as too wide-ranging. There can be little objection to a restaurant which stays open till 11.00pm and has a drinks licence to cover these hours.

However, it seems that the owners are proposing that from 11.00 onwards the premises become a sort of combination of disco and night-dub until 1.00am. In this peaceful residential area there would be the coming and going of vehicles, the sound of pop music, especially loud on warm summer nights when doors and windows would be open, and no doubt some heavy drinking amongst the mostly young customers who would be attracted to such a venue.

For this reason, I repeat my objection: no problem up to 11.00pm, but please no additional licensable activities after 11.00pm.

Yours sincerely,
[REDACTED]
[REDACTED]

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Gillian Mealor

From: [REDACTED]
Sent: 20 April 2015 13:03
To: Licensing Services
Subject: Licensing Application - Oliver's Mount

20 APR 2015

To whom it may concern,

I am David Auton and have already mad a comment in this process.

Please find below a letter from a neighbour, Mrs S Cripps, who is unable to get her comments to you by any other means, so I am forwarding her letter through my email.

Dear Sir/Madam,

As a resident living on the side of Oliver's Mount, I wish to record my objection to the above application.

The noise nuisance that comes from the various events that are organised on Oliver's Mount is significant. There are already motor racing events that are held about 12 times a year, and I recently and successfully objected to an application to increase the number of those events. Several times a year dog events are also held at the top of the mount.

The noise from these carries for a great distance, and they are held in daylight hours, and they cause a significant disturbance to residents.

The noise, from what I understand will be a late night refreshment house, where drinking and live entertainment will continue into the small hours of the morning, potentially every day of the week, will also be quite intolerable. Although I understand that part of the condition of the licence would be that windows and doors would be kept closed whilst music is playing, realistically they will have to be opened to create some ventilation, even with just 60 people inside.

I also worry about the safety of people, whether in cars or walking, when it is dark, on narrow, sharply winding and unlit roads. There will be serious accidents, and general noise at late hours, from people talking and cars, will be a great nuisance.

I am also very concerned by what I believe will be an increase in crime and anti social behaviour in the area, which I have heard about through my local Community Group, caused by the types of people who not only frequent the place, but also others who come to deal in drugs or take part in other criminal activity.

I am an elderly lady, living on my own, in this unlit area, and I am also greatly concerned for my safety and sense of well being. For this reason I would also ask that my personal details are not disclosed to the applicant, although of course I have provided them to you.

Yours sincereley

[REDACTED]
[REDACTED]
Weaponness Drive
Scarborough
[REDACTED]
[REDACTED]

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Mark Heaton

From: Cllr.Tom Fox
Sent: 16 April 2015 09:14
To: Mark Heaton
Cc: Una Faithfull; Cllr.Bill Chatt
Subject: Representations to:- Oliver's on the Mount Coffee Bar, Oliver's Mount:- application to vary the licence.

16 APR 2015

- i) I am the Ward Councillor for Weaponness Ward in which area the premises as above sit.
- ii) I have been approached by a number of residents who live in the area of Deepdale Ave and surrounding area whose properties abut the road that leads up to Oliver's Mount and the said premises. I have invited them to write to you with their representations and indeed forwarded copies I have already received.
- iii) You have also on request kindly sent me redacted copy of the application to vary the existing licence and invited me to circulate it to others should they require.

I have taken opportunity to circulate as you suggested.

iv) I have asked for copy of the existing licence as reference is made to removal of Schedule 2 from the pre-existing conditions applicable to 'on licence with no children's certificate'; and I believe by reading the application there is a request for the schedule to be replaced by certain conditions which I believe are included at the end of the application. If that is the case and as I have not had sight of the licence to be amended, it raises issues of concern re failing to protect children from harm as no reference would now appear to be made to them.

As I am still awaiting response to and copy of the 'current licence' and on the basis of various representations made to me and my own observations to date I make the following representations at this time:-

v) The variation for the licence creates emphasis for a minimum of 60 seats:-
Representation:- In the interest of public safety a declared and agreed maximum is required.

The variation seeks to condition the venue 'primarily' to 'no vertical' drinking beyond 11pm and at the same time extend the period for 'late night refreshment' (until 1am) and for the playing of live (until 12midnight) and recorded music (until 1am):-

vi) The legislation indicates that 'Late Night Refreshment' is as follows:-

The provision of late night refreshment

1(1)For the purposes of this Act, a person "provides late night refreshment" if—

(a)at any time between the hours of 11.00 p.m. and 5.00 a.m., (I **note the application is to 1am**) they supply hot food or hot drink to members of the public, or a section of the public, on or from any premises, whether for consumption on or off the premises, or

(b)at any time between those hours when members of the public, or a section of the public, are admitted to any premises, he supplies, or holds himself out as willing to supply, hot food or hot drink to any persons, or to persons of a particular description, on or from those premises, whether for consumption on or off the premises,

unless the supply is an exempt supply by virtue of paragraph 3, 4 or 5.

(2)References in this Act to the “provision of late night refreshment” are to be construed in accordance with sub-paragraph (1).

(3)This paragraph is subject to the following provisions of this Schedule.

vii)(a) The reference to 'primarily' (para v) means however that 'vertical' drinking can and therefore is likely on occasion to take place. As referenced in the application and if granted implies that the premises could change significantly in nature enabling it to be used as a 'take away' (para vi) as well as changing its function from a bistro/cafe into a 'bar' as well as a 'vertical drinking bar' on occasions without food obligations (see application and proposed 'conditions')

vii)(b) In stating this and with no condition required for alcoholic drinks to be served only with a meal then the significant changes will see what we now experience on the Scarborough sea front where cafe/bistro bars have been licensed but there is no requirement for food to be provided to people who purchase alcohol. We are all aware that a simple request for a change in the licence will see them as 'pubs' and more!

viii)(a)The fears of the local community for people visiting and returning from an 'isolated' licensed premise along unlit roads, passing residential properties in so doing, whether in a vehicle or walking gives rise to concern for noise and **public nuisance** as well as **public safety (through the nature of the roads and lack of paving and street lights) beyond the existing hours and into the early hours of the morning.** In addition the police have in the past been critical to the permissiveness of licensing hours and how it impacts on their resources and ability to police effectively. This facility is outside of their 'typical' patrolling regime and a change of operation to being typically a 'bar' without obligation for use the premises exclusively as a bistro/cafe (para vii(b)) and with the extended hours will add to that problem of their ability to police this environment effectively and therefore add to realistic concerns to **public safety, nuisance and crime and disorder.**

viii)(b) With no conditions or references to 'children on the premises' (see para iv and the application to remove Schedule 2 from the pre existing conditions of the original licence) and not having been able to access the relevant schedule, this gives rise for the **protection of children from harm;** as it implies there would be no restriction to their presence at any time!

viii)(e) And with the variation of the licence and suggested 'conditions' then the change to the premises as a place where alcohol is sold risks materially changing the premises from a bistro/cafe with a non alcoholic eating area and closing at 11pm into a possible 'take away' (see para (v), (vi)) as well as a drinking establishment/nightclub where the serving of meals is not even ancillary to, nor even secondary to the drinking and playing of music. This smoothes the way to a 'nightclub' type premise being established in a park area, on the outskirts of the town adjacent to a residential area through which many would travel if attending or returning from the venue and equally concerning, extending policing needs and responsibilities away from their typical patrolling and response regimes. This gives rise to real concerns **to the prevention of crime and disorder, public safety and the prevention of public nuisance as well as protecting children from harm!**

Thank you, tom fox

Mark Heaton

From: Licensing Services
Sent: 20 April 2015 08:16
To: Mark Heaton
Subject: FW: olivers-on-the-mount variation application

From: AGPhoto [REDACTED]
Sent: 18 April 2015 11:24
To: Licensing Services
Subject: olivers-on-the-mount variation application

ref: application number 021275....premises licence number PL0560

We oppose the application for the following reasons.....the potential for increased noise filtering down the mount to the South Cliff late at night and disturbance from leaving revellers' cars and other vehicles to residents living on the road from the cafe to Filey Road.

[REDACTED] Granville Square, Scarborough YO11 2QZ... [REDACTED] 18th April 2015

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Deepdale Avenue
Scarborough

12th April 2015

Licensing services
Town Hall
50 Manolas Street
Scarborough YO11 2HT

17 APR 2015

Dear Sirs

Quivers on the Mount Licensing Application (see doc)

I would like to express extreme concern with regard to this application and believe it should be rejected for the following reasons:-

1. Weaponness is a residential area, with many elderly and family units in the ward. There is no economic activity other than the Golf Club and the race track. It is in a Conservation Zone and this license would significantly downgrade the whole area.
2. A licensed premises as being applied for, will increase traffic on all surrounding roads who in our view do not have the capacity to handle this.
3. The race-track will be a great temptation - someone leaving the Cafe with a drink or two made them, may decide to try out the race track with potential devastating results.
4. Are there not already enough "Clubs" in Scarborough?
5. To allow this to proceed would be like placing a large loudspeaker on the Mount for all of Scarborough to hear. At St. Mary's church on Sunday morning, the noise from the race track was very clearly heard.
6. There is insufficient parking - will we see the War Memorial garden being damaged by people parking on verges? Almost certainly.

There are many other points one could bring up, but the above I hope are adequate for you to reject this application.

Yours faithfully

[Redacted signature]

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14 April 2015

Licensing Services
Town Hall
St Nicholas Street
Scarborough
YO11 2HG

15 APR 2015

[REDACTED]
Weaponness Park
Scarborough
North Yorkshire
[REDACTED]

Dear sirs

LICENSING APPLICATION FOR OLIVER'S MOUNT CAFÉ - BAR

I refer to the recent application by the owners of the Cafe on Oliver's Mount, having recently moved into our property, which is directly under "The Mount", both myself and my wife are extremely concerned about the consequential noise pollution and inevitable disruption which will ensue.

There was a race meeting on The Mount recently, where loud music was played on Saturday until about 11.00pm, it was clearly audible from our premises, however it was at a weekend and only occurs for a few weekends of the year and does bring many economic benefits to the area which we consider to be quite acceptable.

As a consequence please accept this letter as a formal objection to the granting of the Licensing Application in its entirety.

Yours faithfully

[REDACTED]
[REDACTED]
[REDACTED]

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20 APR 2015

[REDACTED]
Deepdale Avenue
South Cliff
Scarborough
[REDACTED]

18 April 2015

Dear Sir

re licence application for Oliver's on the Mount -Cafe- Bar

Olivers Mount
Scarborough
YO11 2UG

I object Strongly to more noise impact on this area.

The noise will be considerable in what is a conservation and residential area .
The parking for this is not adequate and damage will certainly be done to verges
and is a potential hazard to pedestrians.

This is effectively used has a racetrack apart from the usual motorbike venue.

This application should not be given consent, it is disruptive aurally. potentially
dangerous and without adequate parking facilities. and with total disregard for the
residents of Deepdale Avenue who already have to contend with the motorbike
racing on weekends which impact a great amount of noise on the residents of
Deepdale Avenue.

I do hope you will consider the above when making a decision on this application

Yours Faithfully

[REDACTED]

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10-4-15.

[Redacted]

Weaponness Drive
Scarborough.

Scarborough
Council.

13 APR 2015

Concerning Clivers Mount Cafe/Bar.
licensing Act.

Mr & Mrs Kirkby

Wish to object to the extending of the
Bar lounge area, and the extending of
licenced hours for the sale of alcohol,
& food, & music until 1AM.

We think it will cause a lot of
traffic disturbance & noise as ~~park~~ parking
would be plentiful up there & could
bring gangs of motor cyclists to gather
there for the music etc.

[Redacted]

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Licences Services
Scarborough Borough Council
Town Hall
St Nicolas Street
Scarborough, YO11 2HG

14 APR 2015

10 April, 2015

Dear Sir/ Madam

RE: OLIVER'S ON THE MOUNT- CAFÉ –BAR APPLICATION FOR A PREMISES
LICENSE VARIATION UNDER SECTION 34 OF THE LICENSING ACT 2003.

I strongly object to this application as I believe that by granting the applicants this type of license, can only result in bringing to our quiet and peaceful residential neighbourhood profound and drastic damages in term of days and nights of continuous, unacceptable and considerable level of noise through loudspeakers which will echo for miles, needlessly depriving our community from peaceful sleep with the added problems of having a rowdy people parking all over the place and on the grass verges. Then, driving late in the early hours of the morning heading home and speeding across the racing track whilst full of booth which in no doubt can only lead to the inevitable accidents.

The overall idea of granting a license for a Mont Carlo casino style on Oliver's Mount would be simply outrageous.

I do sincerely hope that the Licencing Authority would sensibly reject this application

Yours faithfully



Deep Dale Avenue
Scarborough, YO11 2 UF

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Licences Services
Scarborough Borough Council
Town Hall
St Nicolas Street
Scarborough, YO11 2HG

14 APR 2015

10 April, 2015

Dear Sir/ Madam

RE: OLIVER'S ON THE MOUNT- CAFÉ –BAR APPLICATION FOR A PREMISES
LICENCE VARIATION UNDER SECTION 34 OF THE LICENSING ACT 2003.

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The overall idea of granting a license for a Mont Carlo casino style on Oliver's Mount would be simply outrageous.

I do sincerely hope that the Licencing Authority would sensibly reject this application


Yours faithfully

[Redacted signature]

[Redacted address]

Deep Dale Avenue
Scarborough, YO11 2 UF

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Deepdale Avenue
Scarborough
North Yorkshire
YO11 2UQ

20 APR 2015

16 April 2015

Licensing Services
Town Hall
St Nicholas Street
Scarborough
YO11 2HG

Dear Sirs

Re: Notices of Application for a Premises Licence Variation - Oliver's on the Mount - Cafe Bar

We are writing with regards to the above application by Oliver's on the Mount Cafe-Bar to extend their licensable hours for the retail sale of alcohol until 1.00 am - Mon to Sun 10.00 am - 1.00 am which also includes three additional licensable activities of performance of live music;

Monday to Sunday 10.00 am to midnight playing of recorded music
Monday to Sunday 9.00 am to 1.00 am provision of late night refreshment
Monday to Sunday 11.00 pm to 1.00 am.

We are writing to express our severe concerns at this proposal and wish to make representation to that effect so that you are aware of our objection of these proposals.

As you will already be aware this is a residential area which during times of races at the Mount is severely disrupted. This is not only by the added volume and noise from traffic going to and from the Mount but also the loud music blaring out until the early hours when people attend the events there. Only recently the noise on the weekend of 10-12th April was unacceptable with very loud music going on well after midnight, this prevented our children from sleeping, and this was despite the fact we closed our double glazed windows to try to diminish the noise. It was that loud we could actually hear every word of songs played alongside people singing along to them! I have put in a separate complaint about this.

Our concerns therefore in view of the fact that the Cafe wish to dramatically extend their licence to 1.00 am and on every day of the week, this will have dramatic implications to the residential area and noise pollution. In the summer evenings, they will no doubt have windows and doors open and their loud music will travel again preventing us to sleep or open our own windows.

Another concern is that as the Mount is known and used as a race track, what measures will be put into place to prevent some people who have attended a function at the Cafe, enjoyed live music, extended drinks to then decide to have their own "race" around the track? This is potentially an accident waiting to happen and again an unacceptable disruption for this residential area.

Currently the only entertainment outlets being used within the area are South Cliff Golf Course who obviously respect their location as we do not have any noise or traffic problems from them. And also Scarborough College, at times we have had problems with noise from them, on a warm evening their discos, keep fit classes open their doors and the music is very loud, but they have on

request turned this down. There is also a significant increase with traffic when they have functions, shows etc on which can make it very difficult to park and enter our own drive as they park over it! But again as this is occasional, it is acceptable.

As the Mount Cafe is requesting for Monday-Sunday licensing we believe this will have a significant detrimental effect on the residents in the area, with increased noise pollution, increased traffic flow, potential anti social behaviour by people leaving the premises at such a late hour and as such we feel strongly that the application should be rejected or significant restrictions are placed upon them.

For example; instead of Monday to Sunday, they could have only a few days a week so residents and the area have some respite from the noise and traffic pollution caused. Therefore perhaps only Friday and Sunday?

Also the licences until 1.00 am is totally unreasonable for a residential area. Therefore we feel strongly that in view of the problems we have with events currently at Olivers Mount, like the motorbike races the licence should be until 11.00 am only on the days of Friday and Saturday. This should also take into account the music licence to stop by 11.00 or 11.30 at the latest. This then allows event goers to leave the area at a reasonable time to have the least impact on the area as possible.

As you already know, events taking place at the Scarborough Open Air Theatre have to cease by 10.00 pm so the local residents aren't disrupted too much into the evening. We think this is reasonable and could be utilised for this area to. Therefore a compromise by the event holders or premises taking into account the needs and views of the residents.

We hope you look seriously into this application and considered carefully the concerns of the residents effected by this proposal.

Yours sincerely

A redacted signature consisting of several lines of blacked-out text.

Penny Bevan

From: Maureen Luey <mo2antigua@gmail.com>
Sent: 10 April 2015 12:37
To: Licensing Services
Subject: Oliver's Mount Licensing Application


From ;



I object to the above licensing application going through on the grounds that motor bikes and alcohol do not mix never mind the increasing crowds and traffic attracted by bars and music.

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Licensing Services
Town Hall
St Nicholas Street
SCARBOROUGH
YO11 2HG

 Deepdale Avenue
Scarborough
YO11 2UF
14 April 2015

13 April 2015

Dear Sir

OLIVER'S ON THE MOUNT – Café-Bar: Notice of application for a Premises Licence Variation

Dear Sir

Having just returned from the first of my seven annual self-imposed long weekends away in order to escape the noise, disruption and dangerous speeding traffic on Deepdale Avenue resulting from the motor cycle race, I find a copy of the above-mentioned planning application. I would like to make the following observations, to which I hope you will give serious consideration before making your final decision.

Deepdale Avenue has now become a rat-run, at certain times of the day, between Filey Road and Seamer Road. This situation can only become worse once the Middle Deepdale development has been completed, the new Lidl supermarket opens and the proposed premises licence variation be granted. It is no co-incidence that six properties have come on to the market, on Deepdale Avenue, since the beginning of March 2015.

The proposed additional licensable activities to the above Premises, in the tranquil setting of the War Memorial are totally unacceptable and irreverent and are surely more fitting in the environment of similar other business interests on the Foreshore. I know that Defra and the new Secretary of State would agree.

I am asking, therefore, that the impact of noise pollution, an increase in the volume of late-night traffic on approach roads and the suitability of the location for activities that involve live music and alcohol consumption be given serious consideration before making an informed decision on the application and this, hopefully, regardless of the other business interests that the applicant's family might have in the Town.

Yours faithfully



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Penny Bevan

From: [REDACTED]
Sent: 09 April 2015 09:30
To: Licensing Services
Subject: The mount cafe licence application

Dear Sir Madam,

As a resident of the South Cliff, I'm very concerned about the recent request by the cafe for live music and a late night licence.

It is totally inappropriate at this peaceful site and the residents on the Mount and down below on Filey Road would be disturbed by the noise of the music and the late night traffic.

Please keep our peaceful beauty spot free from such disturbances!!

Yours faithfully,

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Penny Bevan

From: Norman [REDACTED]
Sent: 09 April 2015 09:07
To: Licensing Services
Subject: olivers mount

I have no problems with this application

[REDACTED]

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S.B.C.
Licensing Services,
Town Hall
Scarborough.

20 APR 2015

[Redacted]
Weaponess Park
Scarborough,
N. Yorks
[Redacted]
18/4/15

Ref. Premises Licence Variation App.
for Oliver's on the Mount - Cafe-Bar.
Oliver's Mount.

Dear S.B.C,

I wish to object to this application submitted below.

- 1/ Noise - During Motor Cycle events the noise and volume of bikes and tannoy announcements is just unbearable. The sound is transmitted loud and clear over a very large area of S. Cliff and especially Deepdale and Weaponess Park. It is acceptable because it occurs for very few days of the year and ends before nightfall.
The prospect of the Live or Recorded music, traffic and general loud behaviour in and around the licensed premises Mon - Sundays 9.0 am to 1 am is appalling!
- 2/ Traffic. The Mount area already absorbs a large volume of traffic.
Parking, driving over verges, speeding on the road, traffic ringing the Mounts already affecting what should be a quiet, relaxing, "Green Lung" amenity area.
Residential roads and verges by properties in Weaponess Park and Deepdale already are used as extra parking by passing motorists, litter levels are rising.
Even under existing traffic levels, speeds used on these roads are quite high and visibility limited in many places. There is a risk of unfamiliarity leading to accidents.
- 3/ The Mount is an easily accessible area where animals, birds, trees and plants can flourish and be enjoyed - quietly. These proposals menace this environmentally sensitive area.

The properties within and around the base of the Mount are to some extent isolated and occupied by people seeking a quiet enjoyment of an entirely residential area and part considerably for the privilege. This quality would be rapidly undermined by these proposals.

Security and Safety.

The local police are already under pressure in the Town and beyond.

Overdevelopment of "nighttime entertainment" facilities like those proposed inevitably add to their workload. In the event of "incidents" it will take time for emergency services to locate the people involved and the disaffected elements will have long vanished into the surrounding undergrowth or residents' gardens. Confrontations between residents and "tanked up" groups of drunks on roads are almost inevitable. Nighttime driving on O.M. requires care with sober - prospects of enhanced by drink driving skills on urban journeys is an obvious hazard.

Alternative Provision.

There is already a deal of catering for night entertainment for drink, music and clubbing in Scarborough town centre and amongst its near rural roadside pubs. All are easily accessed and few interfere with residents' enjoyment. Police and other facilities have these places well covered and containable. Plenty of variety already exists.

Finally, such extensive facilities as proposed for long drinking sessions in a fairly remote area will almost inevitably generate a situation which will de-general and get out of hand.

Yours faithfully

[Redacted signature]

Gillian Mealor

From: [REDACTED]
Sent: 20 April 2015 16:15
To: Licensing Services
Subject: Licensing Application for Oliver's Mount Restaurant

20 April 2015

20 APR 2015

Re: Licensing Application for Oliver's Mount Restaurant

Dear Sirs,

We are writing to object to this application.

In recent sale details for the Oliver's Mount Restaurant lease, issued by CPH Property Services, the property is described as "A Hugely Successful Licensed Leasehold Business" and "The current leaseholder does not currently open in the evenings and therefore there is a huge opportunity to increase trade". It seems that the current applicant has taken this description to mean that there is an opportunity to open a night club on this site.

The Oliver's Mount Café is an excellent concept and enables people visiting the area to take refreshments in a unique location. This site is an important element of Scarborough's tourist offer and many coach operators use the Mount in their sightseeing programme. I would suggest that a night club (or business which offered live music) would mean the existing daytime business would suffer as a result and this would be a loss to the area.

An essential element of the ambience of the Mount is that it is an area of Scarborough which is designated as a country park. The woods around the café are home to owls and many other animals because it is not disrupted by noisy businesses/people at night. How would it be possible to enforce a restriction that the doors and windows remain closed on a warm summer night?

Why provide this wide ranging license for this business in a country park? Surely there are enough venues in Scarborough town centre which already offer such entertainment.

The noise, disruption and general safety issues associated with poor access roads having to cope with increased traffic levels would add a dangerous dimension to this application. In addition a business more suited to the town centre operating in a residential area would impose a serious loss to the Weaponness residents' quiet enjoyment of their homes.

Therefore this application should be refused.

Yours faithfully, [REDACTED]

[REDACTED]
[REDACTED]
Deepdale Avenue
Scarborough
[REDACTED]

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Deepdale Avenue,
Scarborough,
North Yorkshire,

13 APR 2015

T [REDACTED]
email: [REDACTED]
Wednesday 15th April 2015.

Dear Sir/Madam,

Re: Application for a Premises Licence Variation at Olive's Mount Cafe' Bar.

In relation to the above application we would like to object on the following grounds:

1. Olive's on the Mount - Cafe' - Bar is located in a country park setting above the Conservation Area of Weapomeess and Deepdale. There are issues over access for both pedestrians and drivers. The only proper footpath up to Olive's Mount is via Deepdale Avenue. The path is in very poor condition and only goes as far as the first hairpin bend. Alternative routes for pedestrians would be either via steep forest paths or on an unlit road, both of which are problematic and dangerous. Vehicular access via Deepdale Avenue is difficult and narrow from Jackson's Lane to the hairpin bend. The road is unlit. There are already examples of motorists speeding on their way up and down to the cafe' in question via Deepdale Avenue. The significant increase in traffic which would follow on from a successful application would create real dangers. There is no access for public transport.
2. Parking facilities are inadequate and the surrounding grass verges would suffer.
3. The noise impact would be considerable, 7 days a week, in what is primarily a residential area.
4. The cafe' is next to Olive's Mount War Memorial. It could be considered as both disrespectful and inappropriate to allow late night drinking and live or recorded music 7 days a week in such a sensitive location.

Thank you.

Yours faithfully,

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

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2.1 APRR 2015

[REDACTED]
Weaponness Park,
Scarborough,
North Yorks [REDACTED]

18 April 2015

Dear Sir,

Oliver's on the Mount Café Bar: Licence Variation Application

I am writing to express my objections to the extensions requested in the above application.

1. To extend licensable hours and continuous live and recorded music to the Mount Cafe adjacent to the town's impressive War Memorial (which many visit in the expectation of moments of peace and quiet "to remember") would be an unsuitable development.
2. The proposed extensions would damage this well managed and maintained space, causing nuisance and the loss of another of the town's valuable assets which is enjoyed by many, not only the local residents but also other townspeople and visitors. This view is based on reports of the anti-social behaviour and criminal damage which has resulted from the granting of such facilities to bars and all night drinking clubs in other parts of Scarborough.
3. The residents of the Weaponness Park Conservation Area are also entitled to the peaceful enjoyment of their property. Customers driving off after a night's drinking down a winding, unlit race track and through this quiet residential area will inevitably cause nuisance and possibly also accidents and damage to property. Noise pollution (from the continuous all day/all night live and recorded music) must also be avoided to enable local residents to enjoy the amenity of their homes.
4. For all these reasons I hope the application can be rejected.

Yours sincerely,

[REDACTED]
[REDACTED]

cc Cllr Tom Fox (by email).

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[REDACTED]
Deepdale Avenue,
South Cliff
Scarborough
North Yorkshire
YO11 2UF

15 APR 2015

13th April, 2015

Reference - Licensing Application for Oliver's Mount Restaurant

Dear Sirs,

Being a resident of Deepdale Avenue for nearly 20 months we must say what a pleasant area it is to live in. As you well know we have the golf club at the back and Oliver's Mount at the front, along with a very pleasant and desirable cafe at the top. We have visited this establishment a few times for lunch and have also enjoyed having a drink with it being licensed. It is very convenient to have this restaurant situated where it is. However, after picking up a local free paper from the supermarket we were quite amazed and surprised when we read of the proposals for changes to this venue.

We are both absolutely against these plans and have no wish to have our peace and tranquillity shattered by living close to a licensed restaurant/club/disco! Our first thoughts were for the total disrespect of the War Memorial, which as you know is very close by. It is possible that revellers will leave the disco a little worse for wear and probably walk along to look at the splendid view and get up to all kinds of antics in and around the Memorial. We find the idea of this totally disgusting and absolutely disgraceful.

Our second objection is, of course, the noise that will be generated from this place, especially with being on top of the hill it will carry a long, long way. We are worried the disco will perhaps start with a closed area but then in time could perhaps spread to a patio area with doors and windows open etc., which could make the noise quite unbearable. We do think that the residents of this area who all pay £2000 plus on council tax should be offered some kind of protection against this kind of thing. We do feel that it would be more in keeping being situated in the town or along the seafront and not in a residential area, or indeed next to a conservation area. QUESTION Deepdale Avenue is a conservation area so does this include Oliver's Mount? Obviously if the answer is yes then I wasn't aware that discos operate in conservation areas??

The third issue is traffic. The last thing we need is for traffic to be screaming up and down Deepdale Avenue in the early hours of the morning! It will obviously attract the boy racers who parade up and down the seafront most weekends. I am sure they will revel at the idea of going for a quick burn up to the disco at the top of Oliver's Mount, with little regard for any speed limits etc. The road is a dangerous road at the best of times but after dark with having no street lighting it can be extremely hazardous. It only needs one hothead under the influence of alcohol to clip the grass verge and he could be straight down the bank onto one of the resident's garages (which have little protection anyway apart from the trees). Also lack of footpaths and lighting for any pedestrians that are walking up will I'm sure be an accident waiting to happen.

One also has to ask the question where the cars will park when they get up there. There is very limited parking, so this will mean that the majority of the cars will either be clogging up a very narrow road or alternatively they will be churning up the grass verges etc. This would be bad enough in summer but obviously when winter arrives it will turn the area into an absolute eyesore, which will not represent Scarborough in a very good light owing to the fact a lot of holiday makers visit Oliver's Mount for the splendid views.

We did experience live music at the first race meeting last weekend. This was playing after 10pm and you could hear the deep boom, boom, boom while lying in bed. This we did accept as we do know that it is the only race meeting that has music and is only for one night of the year. We have no problems with any of the motorbike racing and although it is a wee bit noisy it is a long standing tradition of Scarborough and brings money to the town. So we are prepared to give and take on certain things but not to have music every weekend or even worse seven nights a week.

Also we both think the police force will not be too happy with a venue like this opening, which is out of town. I do believe that the police are already overstretched at weekends dealing with the problems that occur in the town centre. Obviously, this kind of venue will attract some undesirables and some troublemakers, so if the police are called out this will possibly overstretch their resources.

I would like to ask the question why this application has only appeared in a free newspaper, which has not got a big circulation as many people do not bother to pick one up? We do not recall seeing it in the weekly Scarborough paper, which is surely where it should have appeared. This seems to me to be a rather underhand tactic being applied by person or persons unknown. We hope you will consider these points as we both feel very strongly against this application, because as we all know once somebody gets their foot in the door and changes things it does usually have a knock on effect and opens doors for others to follow.

I am sure the residents of Deepdale Avenue and the surrounding area do not wish this to happen.

Yours faithfully,

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Licensing Services
Scarborough Borough Council
Town Hall
St Nicholas Street
Scarborough
YO11 2HG

20 APR 2015

16 April 2015 ~~04/17~~

Dear Sir/Madam

Variation of Premises Licence for Olivers on the Mount Café/Bar

We wish to object to the extension of licensing hours for alcohol and for music, etc for this restaurant.

The effect of this change is to transform what has been, until now, effectively a limited hours restaurant into a late night bar with music.

Although the immediate vicinity of the building is isolated, our property is immediately below the location and we know from experience of race weekends that music and loud noise carries easily from the top of the Mount to here.

Whilst we have no objection to live music, or indeed any music, within limits we do not see that changing the nature of the licence is necessary or, otherwise, it changes the nature of the premises.

We, along with our neighbours, are living here because we like peace and quiet and to enjoy the many varieties of wildlife. Music, and people entering and exiting the premises and their vehicles, until late will mean we are likely to be disturbed significantly.

We would consider that 11pm is late enough to be open for a premises in this situation. Late music and bars are aplenty in the town centre, and aren't suitable for this semi-rural location.

Yours faithfully

David G. [Redacted] n

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Penny Bevan

From: [REDACTED] <[REDACTED]@gmail.com>
Sent: 10 April 2015 19:59
To: Licensing Services
Cc: South Cliff Group
Subject: Oliver's on the Mount - Cafe-Bar - Application to vary Premises Licence

Dear Licensing Officer,

This email is written on behalf of John and Margaret Trebble of 18 Weaponness Park, Scarborough, YO11 2UB, and our contact telephone number is 01723 360346. We can also be contacted via our email address above.

We wish to object to the application for a Premises Licence Variation under Section 34 of the Licensing Act 2003 in respect of the Oliver's on the Mount – Cafe-Bar. We believe that this application would create a noise nuisance late into the night, to the detriment of the amenity of our home and this residential area in general. It would also have the potential to increase traffic movements, again late into the night, and to give rise to a concern about disturbances from patrons as they leave the Cafe-Bar at unsociable hours. This Cafe-Bar is the only commercial premises in an otherwise quiet residential area, and, until now, it has operated in a low-key way, in keeping with the local environment. This application, if approved, would have the effect of completely transforming the type of operation of the Cafe-Bar into something which would be alien and intrusive in our community. It is for these reasons that we object to the application.

Olivers Mount has already witnessed a creeping commercialisation over recent years, with new activities which have a negative impact on our quality of life. In all the circumstances, we hope that this application will be refused for the reasons given above.

Yours sincerely,

[REDACTED]

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17 APR 2015

Licensing Services,
Town Hall,
St Nicholas Street,
Scarborough
15th April 2015

M. [REDACTED]
[REDACTED] Deepdale Avenue,
Scarborough,
YO11 2UF

Dear Sir or Madam,

**Re: Application to vary the Premises License/Club Premises Certificate for Oliver's on the Mount
Café/Bar**

We strongly object to the proposed notice of application to vary the premises license/club premises certificate under section 34 of the Licensing Act 2003, for Oliver's on the Mount – Café-Bar, Oliver's Mount, Scarborough. YO11 2UG. Our reasons for objection are as follows:-

1. Where we live is a prime residential area and as such it is not acceptable to have live music from early morning through to midnight and piped music until 1.00 am 7 days a week, the noise implication would be intolerable and as such our quality of life would be greatly decreased.
2. The traffic during the evening and late at night would substantially be increased. The road up to the mount is very narrow in places and is very badly serviced by road-side lighting hence with the proposed variation and the resultant increase in traffic this would prove to be an extremely dangerous situation especially when alcohol is freely available.
3. As Oliver's Mount is a natural beauty spot and surrounded with woodland, a natural habitat for wildlife and many nocturnal creatures we feel the increase in traffic could be detrimental and harmful to them.
4. Lastly as this area is viewed as a natural park and tourist attraction with the presence of the cenotaph nearby we feel that the Oliver's on the Mount Restaurant with the proposed variation will be, to all intents and purposes, a night-club which would be greatly detrimental to the area and give a wrong impression to locals and visitors alike.

Yours sincerely,

[REDACTED]

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20 APR 2015

North Yorkshire YO11 2UF

19 April 2015

Licensing Services
Town Hall
St Nicholas Street
Scarborough
North Yorkshire

**RE: Application to vary the premises License/Club Premises Certificate for Oliver's
Mount Cafe/Bar**

On a number of points we object in the strongest possible terms to the proposal to vary the license/club premises certificate under Section 34 of the Licensing Act 2003 for Oliver's Mount-Cafe-Bar, Oliver's Mount, Scarborough YO11 2UG.



In the first place, this residential area is already subject to extraordinary noise from Oliver's Mount on race days, and we are well aware of how the sound carries. However, this inconvenience is mitigated by the fact that it occurs only on a few days a year and only during daylight hours. Live music—potentially from morning to midnight (and recorded music until one AM) and seven days a week—would be intolerable.

There is also the issue of road safety. Deepdale Avenue and Jacksons Lane, especially, are ill-lit, relatively narrow and have one particularly sharp bend where drivers have to exercise considerable caution. The availability of 'late-night refreshment' would be a matter of great concern in these circumstances.

Finally, Oliver's Mount is a considerable tourist attraction for its natural beauty, the dignity of its war memorial, and its wonderful views, day and night, over Scarborough. The Oliver's Mount Cafe offers a welcome part of this attraction at present. In our view the licence variations proposed would work against all these advantages.

Thank you for consideration of our concerns regarding this matter.

Yours sincerely




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[REDACTED]
**Weaponness Drive,
Scarborough. YO11 2TZ**

14 APR 2015
Sunday, 12 April 2015

Licensing Services
Town Hall
St Nicholas' Street
Scarborough YO11 2HG

Dear Sirs,

Objection to Application
Premises Licence Variation
Oliver's on the Mount-Café-Bar

As one of the nearer residents to Olivers Mount Café-Bar, we formally object to the variations requested to the above Premises Licence on the following grounds-

(a) This is a residential area, described as having "a sense of spacious sylvan setting"; (Council Planning Services Character Appraisal 2007). The area has retained a particular aura of peace and beauty enjoyed by residents and visiting tourists alike. Any extension to the Licence involving the playing of recorded music and/or to the performance of live music would destroy this immediately.

The traditional motor cycle events are very closely controlled and monitored as to frequency and environmental impact. Late-night entertainment facilities for competitors, (provided only during the race meetings), are also closely controlled.

(b) The Council resolved that this be designated as a Conservation Area. In our 40 years as a resident at this address, there has recently been a considerable increase in the wildlife in the area with frequent sightings of deer, foxes and badger – many of which are nocturnal in habit and are likely to be so disturbed by the effect of the proposals, as to flee the area. Badgers are particularly susceptible to noise and vibration; they have considerable protection.

(c) The present limited licensing arrangements attract many residents, tourists and walkers to what they view as a "family" restaurant welcoming all ages from children to those of advanced years. The Variations in Licence requested could completely change the character of the establishment and make it far less attractive.

(d) Being some distance from the centre of the town, the establishment will be difficult to police effectively. If the Variations in Licence requested were granted, the Café-Bar could easily and rapidly deteriorate into something akin to a "fringe of town night club" – attracting a particular clientele and trade.

(e). Any extension to the hours during which alcohol may be sold will almost inevitably lead to over-imbibing by a few irresponsible clients. The premises are situated just by the side of the race track there will be the temptation for some to try to emulate sober, far more skilled drivers. The circuit is intentionally tortuous and disaster would result.

(f) On a purely personal view, it would be distasteful to hear loud music (recorded or live) just a few yards from the War Memorial dedicated to and honouring those from Scarborough who made the ultimate sacrifice that we may live in peace.

We hope these views may be taken into account.

Yours sincerely,

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21 APR 2015

[REDACTED]
Scarborough
Y011 2UF
[REDACTED]
[REDACTED]

Monday 13th April 2015

Re Application for a Premises Licence Variation at Oliver's Mount Café Bar

Dear Sir,

Regarding the above application we would like to register our objection to any changes in the licence conditions and please note our reasons listed below.

1. The current café bar is located in a country park in a local area of natural beauty with access on both sides by an unlit road only. Any access by foot is either by this unlit road or by steep, rough forest paths. There is no public transport access.
2. This café bar is next to the Oliver's Mount war memorial. To site a late night bar offering drink, live and recorded music so close to the memorial could be considered as disrespectful and inappropriate.
3. The only proper footpath up Oliver's Mount is by way of Deepdale Avenue and this only ascends to the first hairpin bend. This footpath is in urgent need of repair but as no funds are available there seems little likelihood that NYCC will repair this in the foreseeable future. We would suggest that the licencing authorities visit this area to see for themselves how easy it would be for someone to fall from this footpath in the dark and lay undetected for some time. Also should walkers stray from the grass verge along the side of the road at the top of the Mount they could fall into the disused quarry.
4. If people are allowed to drink until the early hours of the morning they will either drive or walk down the narrow unlit roads or even attempt to climb down the unlit forest paths. The area and the road leading away from the restaurant is currently quiet and calm in the late evening but the inevitable increase in both pedestrian and vehicular traffic in the early hours will change the nature of this quiet area to the detriment of the local inhabitants.
5. The road leading to the restaurant is used occasionally as a motorcycle racetrack. This road is regularly used by "boy racers" in cars and motorcycles racing up and down, usually breaking the speed limit. We can only assume that some of the visitors to this late night drinking establishment will gain great pleasure in racing up and down the roads creating unwanted noise and a real danger to any of the visitors who have decided to walk home after an evening out. On the few occasions when the motorcycle meets take place the music stops well before 1am.

6. Oliver's Mount is not located in the town centre but this change in licence proposal intends to open up the area to a late night drinking establishment. Just down the hill from the café is a quiet, pleasant residential area which will be forced to suffer intolerable noise until the early hours of the morning, seven days a week. Surely the place for late night drinking and music is not in a quiet residential area but in the town centre where it belongs.
7. This week (Thursday April 9th) there was an article in The Scarborough News explaining that cars and taxis are to be banned from St Nicholas Street because drunken revellers pose a danger to themselves as they spill onto the road. The idea that the Licensing Authority would give permission for a late night bar which is inaccessible by any other means than by motor vehicle or on foot and where there is no street lighting or footpaths would seem perverse. It is common knowledge that the police are sometimes overstretched because of anti-social behaviour resulting from drink. Surely it is easier to police such places if they are centralised.
8. With limited parking in the car park opposite the café, some visitors will no doubt park on the narrow road or even worse on the grass verges. At the moment these are well kept but if parking is allowed they will deteriorate rapidly.
9. The residents around this area pay an average of more than two thousand pounds a year in council tax and the proposal to inflict noise and nuisance on these residents seven days a week until the early hours of the morning is totally unreasonable.

While we are not against a licenced restaurant we feel that this application with its emphasis on late night drinking with live and recorded music until 1am seven nights a week is totally inappropriate for the location.

We feel that the description "café/bar" is a little disingenuous and a more appropriate description could be "nightclub".

Yours faithfully,

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16 APR 2015

**Deepdale Avenue
Scarborough
YO112UF
13 April 2015**

Tel. 01723364497

Dear sir,

Oliver's on the Mount Café – Bar

I refer to the application for a premises licence variation under section 34 of the Licensing Act 2003 and wish to object to its granting on the following grounds. The area of Oliver's Mount is designated on the Town Map as Country Park and is for the quiet enjoyment of residents etc, meaning these proposals and in particular the planned music entertainment and late hours will destroy this concept and impinge unbearably on nearby residents.

There are no footpaths or street lighting on the mount nor any public transport meaning the cafe is basically only accessible by car, leading to a great increase in vehicular journeys both to and from the café along Jackson Lane and Deepdale Avenue which have no street lights after midnight.

With the War Memorial being very close to the café it could suffer vandalism from drunken revellers.

It would seem that these proposals are the first steps in creating an all year round "night" club type facility on the mount and I would urge the committee to carefully consider all the ramifications that could ensue should approval be given. After all, closing streets round the mount to protect revellers as is the case in town, would be disastrous!

Yours faithfully

**Licensing Services
Scarborough Council
Town Hall
St Nicholas Street
YO11 2HG**

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09 APR 2015

M
WEAPONNESS DRIVE
SCARBOROUGH
YO11 2TZ
T

6th APRIL 2015

REFERENCE:- OLIVERS ON THE MOUNT CAFE/BAR
Application to Vary the premises Licence.

Dear Sir,
We write with respect to the above application and comment as follows:-

The said cafe/bar borders the Weaponness Conservation Area. This designation is for the conservation of the environment. This includes not only the trees and bushes, ie the visual impact, but also the wild life and the tranquility and peacefulness, ie the noise.

Wildlife does not ~~in~~ inhabit noisy environments.

The Wooded area between the cafe/bar and Weaponness Drive has numerous deer, foxes, etc, etc.

We see three particular deer almost daily and they actually visit our garden weekly. On motorcycle race days they often come into the garden to escape the noise of revving engines.

We also on occasions have four foxes in the garden. When we lived at Hackness we could hear everyline of 'Stakus Quo' rock music from Dalby Forest and that was from five miles away. This cafe/bar is a few feet from the Conservation Area and only a few hundred feet from houses.

So on behalf of ourselves, our three deer and all the other wildlife we object to live music at 12 pm. on the edge of our Conservation Area.

In addition we object to the additional traffic at night on the adjoining country lanes putting these animals at risk.

Yours sincerely

[Redacted signature]

Sarah Goodwin

From: [REDACTED]
Sent: 16 April 2015 14:59
To: Licensing Services
Subject: Oliver's Mount cafe/bistro licensing

Dear Sirs,

I have already contacted Tom Fox and Mark Heaton about my concerns and it was suggested that I also send them to you.

My address is;- [REDACTED] Deepdale Ave, YO11 2UF we are adjoining Jackson's Lane.

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

These are my objections to the application in its present form.

Regarding the above issues I would like to say that the hours of opening until 1am would indicate that this is going to be more of a nightclub rather than a Bistro. To my mind a Cafe/Bistro is a place where people **sit and eat and can have a drink with their meal and take their children in safety.** I would suggest that 11pm is quite late enough for this.

What does '*supply refreshments from 11pm - 1am*' mean? It indicates a takeaway which would mean more rubbish on the roadway and in the woods. This is not acceptable.

The people leaving in the small hours of the morning are not going to creep quietly home and this makes noise, loudish behaviour and vandalism a worry.

How will this be policed? How can it be enforced that windows and doors are closed when the weather is hot? Most people go up there for peace and tranquility and to enjoy the scenery haven't we enough noise everywhere else?

Regards

[REDACTED]

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Penny Bevan

From: [REDACTED]
Sent: 09 April 2015 09:45
To: Licensing Services
Subject: Olivers Mount

Hi there

I am writing to object to the extended licencing hours and music applied for by the Oliver's Mount Cafe/Bar.

I do not think live music and dancing appropriate at all on a regular basis at this location, we have got the open air theatre for live noisy live events. The location is looking over all of the South Cliff residential housing and care homes.

When we have the bikes, we can here them all day long, day tho, and also it is not offensive where as the music would disturb so many people.

Kind regards
[REDACTED]

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