



Agenda

Notice of a public meeting of Statutory Licensing Sub-Committee

To: Councillors Tim Grogan (Chair), Kevin Foster and Malcolm Taylor.

Date: Tuesday, 15th August, 2023

Time: 10.00 am

Venue: Belle Vue Suite, 1 Belle Vue Square, Broughton Road, Skipton, BD23 1FJ.

Members of the public are entitled to attend this meeting as observers for all those items taken in open session. Please contact the named democratic services officer supporting this committee if you have any queries.

This meeting is being held as an in-person meeting that is being recorded and will be available to view via the following link <https://www.northyorks.gov.uk/your-council/councillors-committees-and-meetings/live-meetings>. Please contact the named democratic services officer supporting this committee if you would like to find out more.

Recording is allowed at Council, committee and sub-committee meetings which are open to the public. Please give due regard to the Council's protocol on audio/visual recording and photography at public meetings. Anyone wishing to record is asked to contact, prior to the start of the meeting, the named democratic services officer supporting this committee. We ask that any recording is clearly visible to anyone at the meeting and that it is non-disruptive.

Business

- 5. Determination of a Variation Application to existing Premises (Pages 3 - 8)
Licence PL0857 which relates to The Hop & Vine, 111 Keighley Road, Cowling, BD22 0BE**

To seek the determination by the Statutory Licensing Sub-Committee of an application for the variation of a premises licence where one or more relevant representations has been received.

Agenda Contact Officer:

David Smith, Democratic Services and Scrutiny Officer
Tel: 07542 029870
Email: david.smith1@northyorks.gov.uk

Friday, 11 August 2023

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Please see attached the LAR1 form which confirms my attendance at the hearing on Tuesday 15th August at 10am. Also see attached my letters to both neighbours which were emailed on the 18th and 25th of August, I was hoping to discuss their concerns with a view to reaching a solution but unfortunately neither one of them have responded to my approach. Because I was unable to discuss the content directly with the neighbours I wish to comment on the content of their objections as follows:-

██████████ – Objection letter & videos

Video 1, 220423 - We had been having some exceptional hot days, normally the windows are closed, (since I received this video directly from her on the 22nd April at 20.28 along with the comment “you think your going to get a licence”, followed by “shut the window you Dick”) we have now taken to locking the upstairs window.

Video 2, 050723 – The rear entrance gate is used for deliveries, we have elderly customers and others with medical issues who struggle with our main entrance ‘11 steep steps’, should we be requested for assistance we allow them to exit via the ‘7 rear steps’.

Video 3, 070723 - This was one evening where the temperatures had been in the 80’s during the day and hardly cooled down during the evening, so for the comfort of our customers we opened the rear door and basement window to allow air flow within the basement.

Regarding the comment that the noise went on to 22.00 hours, I totally dispute that, as the doors and windows are closed before or at 21.00 hours

Additional actuations against the use of the rear yard area, where she has stated we are still using the outside area for smoking, again I totally dispute this, the rear yard has not been used since 1st December 2022.

██████████ – Objection letter, photos and video

Photo 1 and 2 – He has submitted what he believes to be evidence of people urinating in the side passageway in between my bar and his property.

I have a right of way down this alley along with post man or other deliveries, I have looked at his photos and been to site, and in my opinion, you can see the dried rain water run marks down the wall from above head height, which to me indicates water ingress from above.

Video – I really do not see what relevance this has to my application, these ‘3’ people are stood on the pavement outside his shop, they may have been in his shop or going in? you can clearly see none of them have any bottles or glasses in their hands.

Additional comments which I wish to make:-

Before applying for this application I spoke with ‘Graham Tarn of Environmental Health’ along with ‘David Furlong of North Yorkshire Police’ the feed back was of a positive note, being that they did not have any objection to the internal later hours, I have had numerous TEN’s and no issues have been reported, I trust this shows responsible management of the premise.

Being granted this slightly later licence is paramount to the continued trading of the premise, I have invested over 100k of my own funds to transform this office building, once café bar, into a Micro-bar along with ‘2’ years of my unpaid labour of love, then hit by the delayed opening due to covid. The local villagers have supported me and my business amazingly well, in return I have invested and supported the local football teams, along with funding the development of a new football field, also after the games, I lay food on for approximately 40 people every week during the football season. In addition to the local football teams, the local ‘Rounders’ team are wishing to come back on a Thursday for food and sandwiches (laid on be me) but they don’t finish until around 8pm, and last orders at 9pm is not long enough to accommodate their requirements. Any midweek games of both football or ‘Rounders’ makes it not possible support them.

Kind regards

Steve

Stephen Davy.

Notice of actions following receipt of notice of hearing

Application Name: Stephen Bryan Davy

Application Address: The Hop & Vine, 111 Keighley Road, Cowling BD22 0BE

I am	The Applicant/Licence Holder	X
	A Responsible Authority	
	An Interested Party	

Name: Stephen Bryan Davy

Address: [REDACTED]

hereby confirm that I have received the Notice of Hearing dated 24 July 2023 in respect of the above named premise

I will be attending the hearing

I will not be attending the hearing

If you consider that that a hearing can be dispensed of please tick here . Please provide details of why you think a hearing can be dispensed with. (e.g. because you have reached agreement with the other party(ies) on conditions/operating schedule)

Further details if applicable including the agreements reached:

Witnesses

Please set out below the name of any person you wish to appear at the hearing (other than your representative) and give brief details of what you want the witness to tell the Committee. You will only be allowed to call the witness if the committee gives permission.

Name	Evidence to given

Documents

Please list below and attach any documents (other than your application) that you wish the Committee to consider and indicate whether copies have already been sent to other parties.

Document	Copy Sent
ONE - LETTER EMAILED TO [REDACTED]	EMAILED 18th JULY 23 AT 13.14
TWO - LETTER EMAILED TO [REDACTED]	EMAILED 25th JULY 23 AT 11.30



Dear [REDACTED]

18th July 2023

Ref: Hope and Vine, 111 Keighley Road

Application for the variation of a premise licence

By way of introduction, my name is Stephen Davy the current owner and licence holder of Hop and Vine. I am writing to you in relation to the above matter. As such, I have had sight of your objection.

As you may already be aware, the Licensing Act 2003 (which is the primary piece of legislation covering this type of matter) and the associated Guidance strongly encourage a spirit of "partnership working" whereby there are open lines of communication between interested parties, and they work together to address any concerns that exist. I have no desire to work against the wishes of local residents and was therefore concerned to hear of your worries. I know previously there has been concerns in relation to the use of the outside area. The new proposals exclude this area and the additional hours are for the internal premise area only.

As such, I would welcome the opportunity to discuss the matter with you, and to explore whether there are any steps we could take that would alleviate your concerns. Ideally, we would find solutions that would alleviate your concerns sufficiently that you felt comfortable withdrawing your objection and thereby avoiding the need for the matter to be determined at a contested hearing, although it should go without saying that you will of course be under no obligation to do so.

If you are willing to explore whether there are steps that could be taken to alleviate your concerns, I would be grateful if you would make contact with me. My direct line is [REDACTED] and my e-mail address is [REDACTED]

I look forward to hearing from you.

Kind Regards



Mr Stephen Davy



Dear 

24th July 2023



Ref: Hope and Vine, 111 Keighley Road

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