



## Agenda

### Notice of a public meeting of Statutory Licensing Sub-Committee

**To:** Councillors Tim Grogan, Andy Paraskos and Mike Schofield.

**Date:** Thursday, 13th July, 2023

**Time:** 10.00 am

**Venue:** Council Chamber - Civic Centre, St Luke's Avenue, Harrogate, HG1 2AE

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 live-streamed and will be available to view via the following link [www.northyorks.gov.uk/livemeetings](http://www.northyorks.gov.uk/livemeetings) 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**

**1. Election of Chair**

To select a Member to act as Chair of the meeting.

**2. Apologies for Absence**

**3. Disclosures of Interest**

All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

**4. Procedure for Licensing Hearings**

**(Pages 3 - 4)**

To confirm the procedure to be followed at the meeting.

**5. 1858 Bar and Restaurant - Application for a New Premises Licence**

**(Pages 5 - 88)**

To consider a report of the Corporate Director of Environment.

**Agenda Contact Officer:**

Harriet Clarke, Democratic Services Officer

Tel: 01423 556068

Email: harriet.clarke@northyorks.gov.uk

Wednesday, 5 July 2023



## Statutory Licensing Sub-Committee

### Procedure

#### Introduction

1. The Sub-Committee will conduct its hearings fairly, observing the basic rules of natural justice.
2. Each hearing will take the form of a discussion led by the Chair and cross examination will not be permitted unless the Sub-Committee considers that cross examination is necessary.
3. Hearings will be held in public but the Sub-Committee may decide to exclude the public from all or part of a hearing where it considers the public interest in doing so outweighs the public interest in the hearing taking place in public. In this context "public" includes any party to the hearing or any representative of a party.

#### Procedure

4. At the beginning of the meeting the Chair shall:-
  - a) ask those present to introduce themselves;
  - b) explain the procedure;
  - c) ask the parties whether they wish permission for another person to appear at the hearing.
5. The Sub-Committee will consider requests from the parties for permission for other persons to appear at the meeting. Such permission will not be unreasonably withheld.
6. The Chair will conduct the hearing taking representations from the parties in the following order:
  - a) the Licensing Officer who will outline the background to the case. The Licensing Officer's role is to provide factual information to the Sub-Committee.
  - b) the applicant/licence holder (including any person appointed to represent the party or any other persons who have been given permission to assist the party).
  - c) any party making representations (including any person appointed to represent the party or any persons who have been given permission to assist the party).

7. Before determination, the applicant/licence holder will be given the final opportunity to address the Sub-Committee.
8. Each party will be given an equal maximum period of time in which to put forward any additional information requested by the Council, to question other persons (if given permission by the Sub-Committee) and address the Sub-Committee.
9. The Sub-Committee may exclude disruptive persons in certain circumstances.
10. The Sub-Committee may adjourn the hearing in certain circumstances.
11. The Sub-Committee will ask the parties to withdraw so that it can consider its determination. In considering its determination, the Sub-Committee may ask its Legal Advisor to provide it with legal and procedural advice. The nature of this advice will be notified to the parties.
12. The Sub-Committee will make its determination at the end of the meeting and this will be confirmed in writing.

#### **Failure of Parties to Attend a Hearing**

13. If a party has informed the Council that they do not intend to attend or be represented at a hearing, the hearing may proceed in their absence.
14. Where a party has not so indicated fails to attend or be represented at a hearing the Sub-Committee may:
  - a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date; or
  - b) hold the hearing in the party's absence.
15. Where the hearing is held in the absence of a party, the authority shall consider at the hearing of the application, representation or notice made by that party.
16. Where a hearing is adjourned to a specified date the Council will notify the parties of the date, time and place to which the hearing has been adjourned.

April 2023

## North Yorkshire Council

### Statutory Licensing Sub-Committee

Thursday 13 July 2023

#### 1858 Bar and Restaurant - Application for a New Premises Licence

#### Report of the Corporate Director of Environment - Karl Battersby

#### 1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to determine a premises licence application under the Licensing Act 2003.

#### 2.0 BACKGROUND

- 2.1 An application for the grant of a premises licence has been made by 1858 Bar and Restaurant, 42 High Street, Knaresborough, HG5 0EQ. A copy of the application and associated plan is attached at appendix 1.

- 2.2 The applicant is Jaime Roy Wilkinson, Mires Cottage, Low Moor Lane, Scotton, Knaresborough, HG5 9JB.

- 2.3 The application is for the following licensable activities:

**Sale by Retail of Alcohol, Late Night Refreshment, Live Music, Recorded Music,**

#### **Sale by Retail of Alcohol**

Monday to Sunday 1000hrs until 0000hrs

#### **Late Night Refreshment**

Monday to Sunday 2300hrs until 0000hrs

#### **Live Music**

Thursday to Saturday 1200hrs until 2300hrs

#### **Recorded Music**

Monday to Sunday 0800hrs until 0000hrs

Note: The Live Music Act 2012 removes the licensing requirement for amplified live music taking place between 0800hrs and 2300hrs before audiences of no more than 500 persons on premises authorised to supply alcohol for consumption on the premises. Background music is also exempt.

#### **Non-Standard Timings**

**Sale by retail of alcohol, Live music & recorded music:**

- Christmas Eve (24th December)- 0800hrs until 0200hrs
- New Year's Eve (31st December)- 0800hrs until 0200hrs
- National Bank Holidays (Various)- 0800hrs until 0200hrs

**Late night refreshment:**

- Christmas Eve (24th December)- 2300hrs until 0200hrs
- New Year's Eve (31st December)- 2300hrs until 0200hrs
- National Bank Holidays (Various)- 2300hrs until 0200hrs

**3.0 PROMOTION OF LICENSING OBJECTIVES**

3.1 Section 4 of the Licensing Act 2003 places a duty on the Licensing Authority to carry out its functions under the Act with a view to promoting the licensing objectives. The licensing objectives are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

3.2 Each objective is of equal importance. It is important to note that there are no other licensing objectives, so that these four objectives are paramount considerations at all times.

**4.0 REPRESENTATIONS**

4.1 No representations were received from Responsible Authorities.

4.2 A number of additional conditions were proposed by North Yorkshire Police to promote the licensing objectives. These conditions are attached at appendix 4.

4.3 The applicant has agreed to all the conditions requested by North Yorkshire Police and these will form part of the operating schedule. This correspondence is attached at appendix 4.

4.4 There have been five representations received from other persons which are attached at appendix 5.1 to 5.5.

**5.0 ALTERNATIVE OPTIONS CONSIDERED**

5.1 Not applicable

**6.0 FINANCIAL IMPLICATIONS**

6.1 Not applicable

**7.0 LEGAL IMPLICATIONS**

7.1 The Legal section has been consulted during preparation of this report.

**8.0 EQUALITIES IMPLICATIONS**

8.1 An Equality and Diversity Impact Assessment has been undertaken and the impact of this proposal on race, disability and gender equality in the local community or in the Council is set out below.

8.2 No risks were identified.

## **9.0 CLIMATE CHANGE IMPLICATIONS**

9.1 Not applicable

## **10.0 POLICY CONSIDERATIONS**

10.1 The following sections of North Yorkshire Council's Statement of Licensing Policy are relevant in considering the licensing objectives in relation to this application:

- Disturbance and environment - sections 4, 6 and 9
- Crime and disorder - sections 4 and 6
- Public safety - section 4
- Protection of children - sections 4 and 6

### **OTHER CONSIDERATIONS**

10.2 The following sections of the Guidance issued under section 182 of the Licensing Act 2003 (updated April 2018) issued by The Secretary of State for Culture, Media and Sport are relevant in considering the licensing objectives in relation to this application:

- Crime and disorder Section 2.1
- Public safety Section 2.7
- Public nuisance Section 2.15
- Protection of children from harm Section 2.22

## **11.0 HUMAN RESOURCES IMPLICATIONS**

11.1 Not applicable

## **12.0 CONCLUSIONS**

12.1 An application has been made for the grant of a premises licence by 1858 Bar and Restaurant, 42 High Street, Knaresborough, HG5 0EQ. Conditions agreed with North Yorkshire Police will form part of the conditions proposed in the operating schedule.

12.2 There are five representations from interested parties for the Sub-Committee to consider, attached at Appendix 5.1 to 5.5.

## **13.0 RECOMMENDATION**

To take any of the following steps as the Sub-Committee considers appropriate for the promotion of the licensing objectives:

- To grant the licence
- To grant the licence with conditions
- To reject the application in whole or in part

## **APPENDICES:**

- Appendix 1 – Copy of application and plan
- Appendix 2 – Mandatory Conditions imposed under Licensing Act 2003
- Appendix 3 – Plan of premises vicinity
- Appendix 4 – Agreement to conditions proposed by North Yorkshire Police
- Appendix 5.1 – Representation from other person
- Appendix 5.2 – Representation from other person
- Appendix 5.3 – Representation from other person
- Appendix 5.4 – Representation from other person
- Appendix 5.5 – Representation from other person

Karl Battersby  
Corporate Director – Environment  
County Hall  
Northallerton

5 July 2023

Report Author: Gareth Bentley, Food, Licensing and Occupational Safety Manager  
Presenter of Report: Gareth Bentley, Food, Licensing and Occupational Safety Manager

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.



## 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 JAIME ROY WILKINSON

*(Insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
42 High Street			
Post town	Knaresborough	Postcode	HG50EQ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£30,750

### Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as**




a)	an individual or individuals *	X	please complete section (A)
b)	a person other than an individual *		
	i as a limited company/limited liability partnership		please complete section (B)
	ii as a partnership (other than limited liability)		please complete section (B)
	iii as an unincorporated association or		please complete section (B)
	iv other (for example a statutory corporation)		please complete section (B)

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

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or 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 X	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b> Wilkinson			<b>First names</b> Jaime Roy		
<b>Date of birth</b>		I am 18 years old or over		Please tick yes X	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town	Scotton, Knaresborough			Postcode	HG59JB
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

--

**Second individual applicant (if applicable)**

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

**(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
Address

Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
1	8	062023

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

DD	MM	YYYY

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>1858 Bar Restaurant.</p> <p>Plans also attached.</p>
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If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

--

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

(please see sections 1 and 14 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)	
b) films (if ticking yes, fill in box B)	
c) indoor sporting events (if ticking yes, fill in box C)	

d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	x
f)	recorded music (if ticking yes, fill in box F)	x
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

<b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box I)	x
<b><u>Supply of alcohol</u></b> (if ticking yes, fill in box J)	x

**In all cases complete boxes K, L and M**

**A**

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

**B**

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	
Day	Start	Finish		Outdoors	
Mon				Both	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur					
Fri			<b><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></b> (please read guidance note 6)		
Sat					
Sun					

**C**

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			<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)
Fri			
Sat			
Sun			



**D**

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

**E**

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	x
				Outdoors	
Day	Start	Finish		Both	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)  Could be both amplified and un-amplified music. This will only occur in the event of private hire or occasions such as national bank holidays.		
Tue					
Wed			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur	12:00	23:00			
Fri	12:00	23:00	<b><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></b> (please read guidance note 6)  Christmas Eve (24 <sup>th</sup> December)- 08:00-02:00 New Years Eve (31 <sup>st</sup> December)- 08:00-02:00 National Bank Holidays (Various)- 08:00-02:00		
Sat	12:00	23:00			
Sun	12:00	23:00			

**F**

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	x
Day	Start	Finish		Outdoors	
				Both	
Mon	08:00	00:00	<u>Please give further details here</u> (please read guidance note 4) Background music played in both the bar area and restaurant area. Music will be amplified as it will be played through a speaker or radio.		
Tue	08:00	00:00			
Wed	08:00	00:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	08:00	00:00			
Fri	08:00	00:00	<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)  Christmas Eve (24 <sup>th</sup> December)- 08:00-02:00 New Years Eve (31 <sup>st</sup> December)- 08:00-02:00 National Bank Holidays (Various)- 08:00-02:00		
Sat	08:00	00:00			
Sun	08:00	00:00			

**G**

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

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Fri					
Sat			<b>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</b> (please read guidance note 6)		
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	Indoors	X
Day	Start	Finish		Outdoors	
				Both	
Mon	23:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	23:00	00:00			
Wed	23:00	00:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Thur	23:00	00:00			
Fri	23:00	00:00	<b><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></b> (please read guidance note 6)  Christmas Eve (24 <sup>th</sup> December)- 23:00-02:00 New Years Eve (31 <sup>st</sup> December)- 23:00-02:00 National Bank Holidays (Various)- 23:00-02:00		
Sat	23:00	00:00			
Sun	23:00	00:00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	x
				Off the premises	
				Both	
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	00:00			
Fri	10:00	00:00			
Sat	10:00	00:00			
			<b>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</b> (please read guidance note 6)		
Sun	10:00	00:00			
			Christmas Eve (24 <sup>th</sup> December)- 08:00-02:00 New Years Eve (31 <sup>st</sup> December)- 08:00-02:00 National Bank Holidays (Various)- 08:00-02:00		

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):

<b>Name</b>	ELLIE WILKINSON
<b>Date of birth</b>	[REDACTED]
<b>Address</b>	[REDACTED]
<b>Postcode</b>	[REDACTED]
<b>Personal licence number (if known)</b>	C23/00427/LAPERS
<b>Issuing licensing authority (if known)</b>	Livius Training Centre

**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).**

Not applicable.

No gaming machines are to be installed and no films of restricted age groups are to be played.

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	00:00	
Tue	08:00	00:00	
Wed	08:00	00:00	
Thur	08:00	00:00	
Fri	08:00	00:00	
Sat	08:00	00:00	
Sun	08:00	00:00	

**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** (please read guidance note 6)

Christmas Eve (24<sup>th</sup> December)- 08:00-02:00  
 New Years Eve (31<sup>st</sup> December)- 08:00-02:00  
 National Bank Holidays (Various)- 08:00-02:00



## 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)**

1. Quickly and politely dismiss any customers who appear drunk and are causing a disturbance.
2. Have a higher retail price for alcohol than other venues in Knaresborough to restrict over drinking and commotion.
3. Ensuring all members of staff are fully trained regarding the licensing objectives to make sure staff and customers are kept safe.

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

1. Install CCTV inside and outside the premises and have staff do regular checks of the footage throughout shifts.
2. Have staff on shift observing customers and do regular checks of the toilets for signs of drug abuse.
3. Install security lighting outside the premises to deter crime after closing.

**c) Public safety**

1. Do regular glass collections to avoid injury from smashed glass.
2. Always asking for ID when someone looks under 25.
3. Using the "Ask Angela" initiative so if a customer feels unsafe with the person/people they are with they can ask a member of staff for "Angela" and we will subtly order them a taxi home. This initiative will be sign posted in the toilets.
4. Making sure customers have a clear point of contact and know who to come to with any issues they may have.

**d) The prevention of public nuisance**

1. Limit alcohol consumption of customers so they do not leave the premises and cause nuisance in the streets.
2. No glasses outside policy to avoid smashing or injury.
3. Have signage outside the premises for example, "Please Respect our Neighbours" as there is housing to the back of the premises.
4. Always keep music to a respectable level.

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

1. Use "Think 25" and always ID someone if they look under 25.
2. Restrict times minors are allowed in the premises for example, no children after 8pm.
3. Employ "Secret Shoppers" to ensure all staff are using "Think 25".

**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.	Please forward on my behalf.
•	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).	


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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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</li> </ul>
--------------------	---

	<p>will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, 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)</li> </ul>
Signature	
Date	18/05/2023
Capacity	Director of A Mind of Figures (Accountant)

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

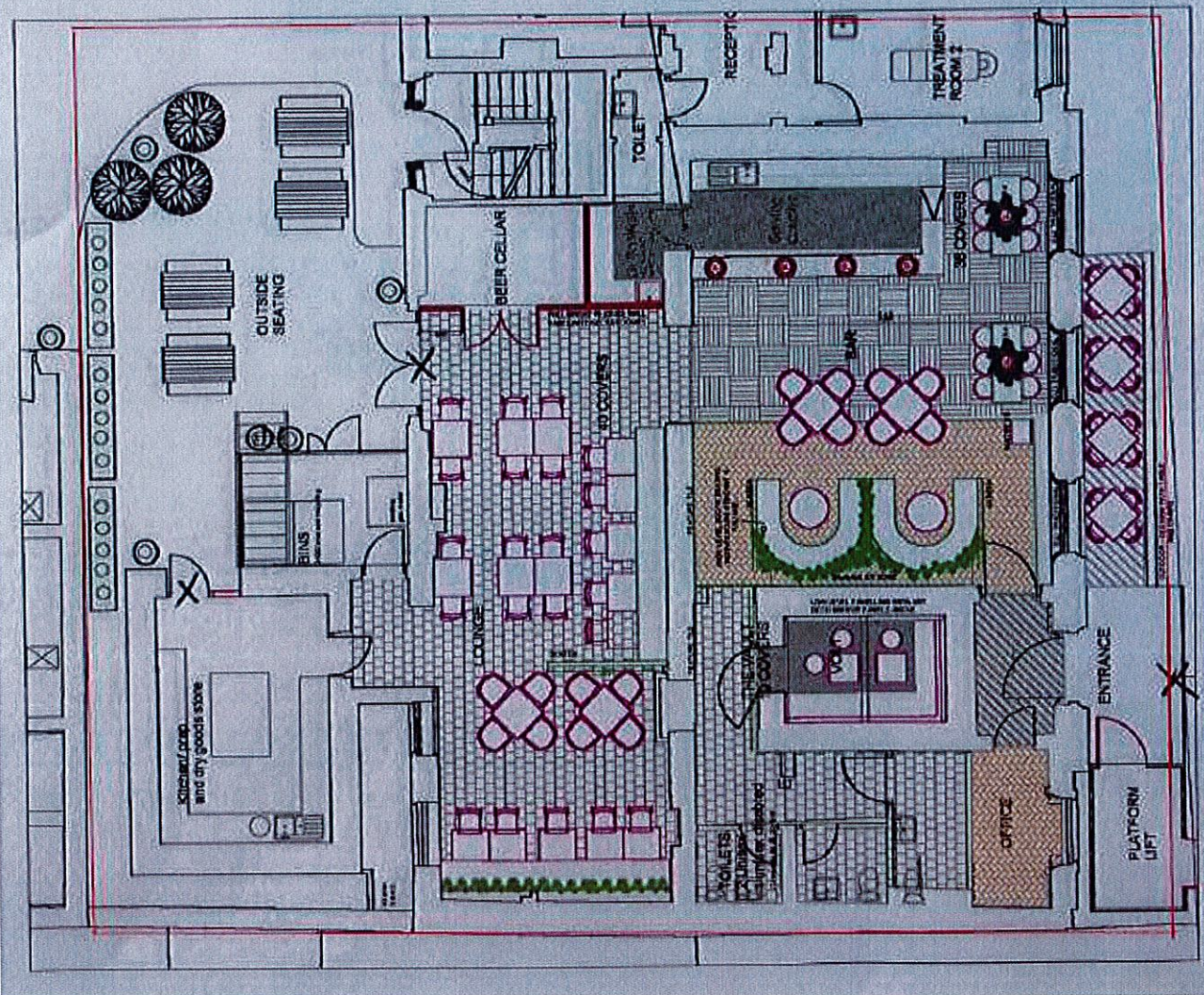
Signature	
Date	
Capacity	

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

Notes for Guidance

X Exits out the building

Boundary of area to be licensed.



OFFICIAL



**Extract from Licensing Act 2003**

**19 Mandatory conditions where licence authorises supply of alcohol**

(1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.

(2) The first condition is that no supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

**20 Mandatory condition: exhibition of films**

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

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

(3) Where-

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

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

(4) In this section-

“children” means persons aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

**21 Mandatory condition: door supervision**

(1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.

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

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or

(b) in respect of premises in relation to-



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

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

(3) For the purposes of this section-

(a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

The Licensing Act 2003 (Mandatory Conditions) Order 2014

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(b).



3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

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

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

The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the

following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises —

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to —

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. (2) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

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

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



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

(a) a holographic mark, or

(b) an ultraviolet feature.

4. The responsible person must ensure that -

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

(i) beer or cider: ½ pint;

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

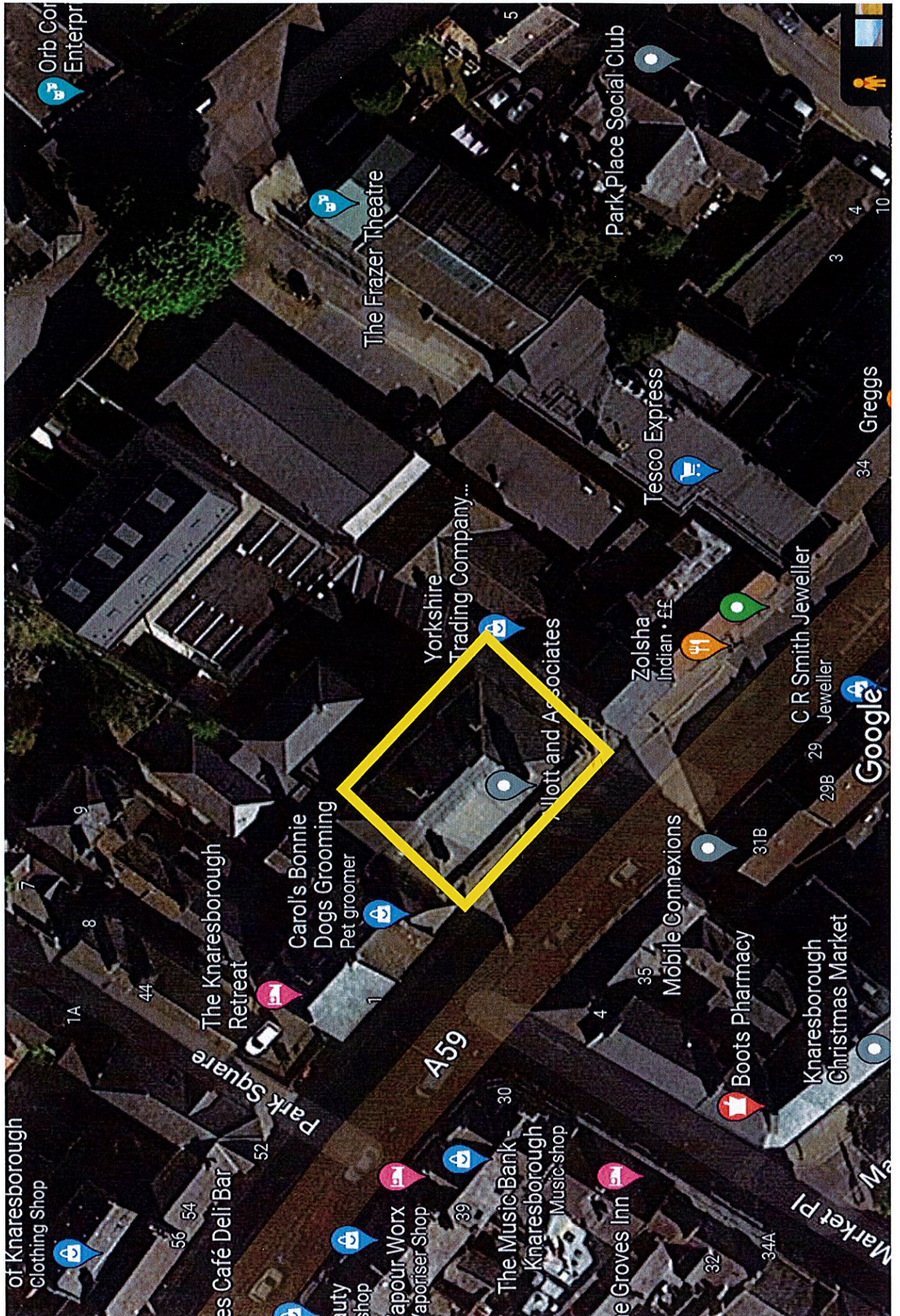
(iii) still wine in a glass: 125 ml;

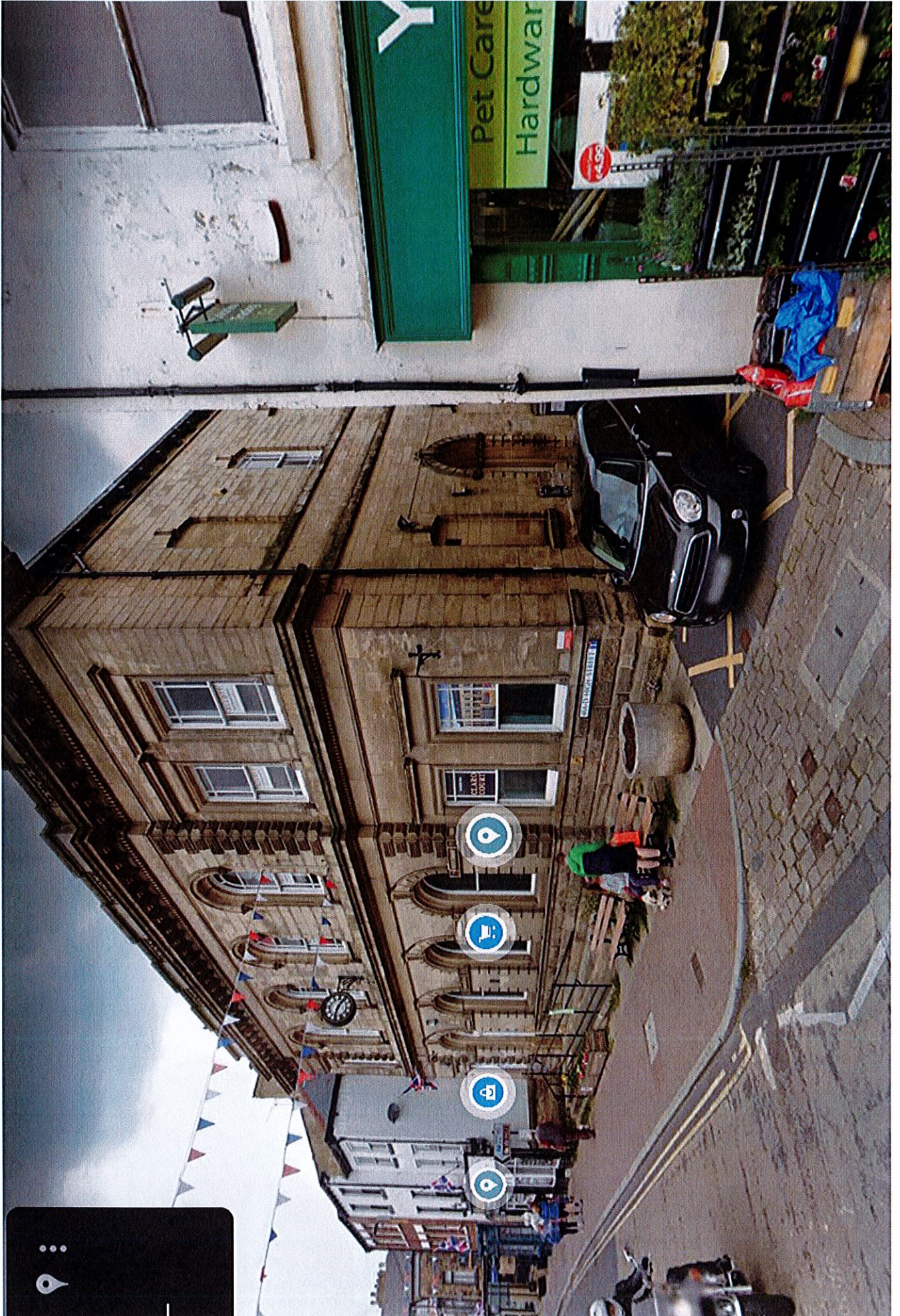
(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

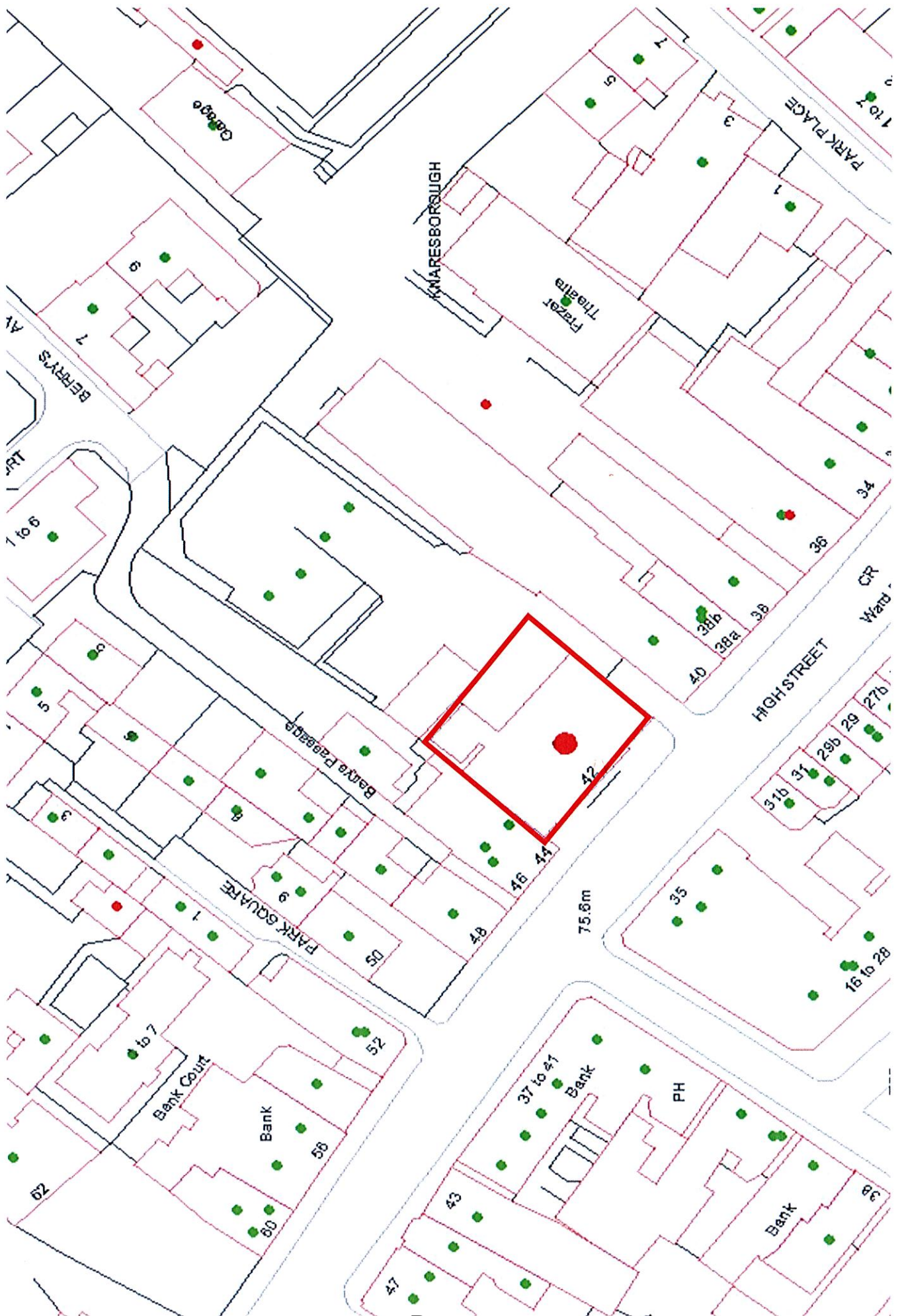
(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."



Appendix 3 Plan of premises vicinity







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**From:** Jaime Wilkinson  
**Sent:** Sat, 10 Jun 2023 10:56:26 +0100  
**To:** Licensing (HAR)  
**Subject:** Re: 1858 Bar & Restaurant New Application - C23/00596/LAPREM

Good morning.

I can confirm that I Jaime Wilkinson agree to all the laid out conditions and requirements for the licence.

Kind regards

Jaime Wilkinson

On Fri, 9 Jun 2023 at 07:49, Licensing (HAR) <[licensing.har@northyorks.gov.uk](mailto:licensing.har@northyorks.gov.uk)> wrote:

Good morning,

I refer to Jackie's email below. Unfortunately the applicant must be the person who agrees to any conditions which have been proposed; therefore we require confirmation from Jamie that he agrees to the proposed NYP conditions. I have also sent a request for a food registration which should be submitted.

Kind regards

**Nicola Kemp**

Senior Technical Support Officer

Licensing

Regulatory Services (Harrogate Area)

North Yorkshire Council

PO Box 787

Harrogate

HG1 9RW

☎ **Tel:** 0300 131 2 131

✉ **E-mail:** [Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)

🌐 **Website:** [www.northyorks.gov.uk](http://www.northyorks.gov.uk)



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**From:** Allen, Jackie <Jackie.Allen@northyorkshire.police.uk>  
**Sent:** 09 June 2023 07:15  
**To:** Jaime Wilkinson <[REDACTED]>; NYP Licensing <NYPLicensing@northyorkshire.police.uk>; Licensing (HAR) <licensing.har@northyorks.gov.uk>  
**Subject:** RE: 1858 Bar & Restuarant New Application - C23/00596/LAPREM

Morning Nicola, Kim responded on the 26<sup>th</sup> May, looking at the e-mail she forgot to copy you in, they do agreed to all NYP proposed conditions, please see below.

Regards

Jackie Allen

PC1503

Licensing Officer (Harrogate)

Contact number tel:- [REDACTED]

Committed to the Code of Ethics

---

**From:** Jaime Wilkinson <[REDACTED]>  
**Sent:** 26 May 2023 16:02  
**To:** NYP Licensing <NYPLicensing@northyorkshire.police.uk>  
**Subject:** Re: 1858 Bar & Restuarant New Application - C23/00596/LAPREM

Hi Jackie

Thank you for your time yesterday.

I can confirm we will meet all your requirements for the license.

Regards

Kim Lancaster

On Thu, 25 May 2023 at 12:40, NYP Licensing <NYPLicensing@northyorkshire.police.uk> wrote:

Good afternoon, Kim,

Thank you for taking the time to meet with me earlier today, it is always better to meet the applicant and visit the premises (although I only saw the outside, and location) as it gives

me a better understanding of your business model and assists me with conditions that are proportionate to the style of operation.

As you are aware I am the Police Licensing officer for Harrogate, 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, for 1858 Bar & Restaurant, for a Premises Licence to be granted.

I have read the operating schedule to ensure that the Licensing Objectives are met, and with the meeting today I would like to confirm what was discussed and the measures agreed to promote the four Licensing objectives.

**Four Licensing Objectives:-**

The prevention of crime and disorder

Public Safety

The prevention of public nuisance

The protection of children from harm

Annex 2 Conditions consistent with the operating schedule

Proposed conditions - Crime and Disorder

CCTV- NYP's preferred wording

1a. A digital colour, cctv system will be installed to cover the premises and recorded coverage will include all internal areas to where the public have access to consume alcohol, also to cover the entrance/exit and any external area.

b. It will be maintained, working, and recording at all times when the premises are open.

c. The recordings should be of good evidential quality to be produced in Court or other such hearing.

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

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

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

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

Staff Training- NYP's preferred wording

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

Retail sale of alcohol

Age verification policy

Conditions attached to the Premises License

Permitted Licensable activities

The Licensing objectives and

The Opening Times of the venue.

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.

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. [For the avoidance of doubt, the one-year period relates to each respective entry in the logbook and runs from the date of that particular entry]:

6. There shall be always a minimum of 70 chairs/seats for customer use inside the premises the venue is open to reduce the need for vertical drinking.

7. On Sales Only.

8. No open glass drinking vessels shall be taken out of the licensed premises (or licensed area) onto the pavement or highway. NYP's preferred wording.

9. The license holder will operate a Challenge 25 Age Verification Policy.- NYP'S preferred wording.

10. 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.

11. The PLH/DPS is responsible for risk assessing the need for SIA door staff at the venue. Special considerations should be given to the need for door staff on Fridays, Saturdays or Mondays entering a bank holiday or other local/National events.

17. Where door staff are on duty they shall sign in and out of the premises logbook, providing full details of their names and SIA number.

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

13. Notices are on display at entrances and exits requesting patrons to minimize noise when smoking and/or leaving the premises.

These will be added to the premises license, along with the steps you have offered to promote the licensing objectives.

Can you please confirm that you are in agreement with the above proposed conditions by North Yorkshire Police as these will form part of the Premises Licence.

Regards

Jackie Allen

PC1503

Licensing Officer (Harrogate)

Contact number tel: [REDACTED]

Committed to the Code of Ethics

**From:** Licensing (HAR) <[licensing.har@northyorks.gov.uk](mailto:licensing.har@northyorks.gov.uk)>

**Sent:** 18 May 2023 14:32

**To:** [alcohol@homeoffice.gov.uk](mailto:alcohol@homeoffice.gov.uk); Alison Wilson <[Alison.Wilson@northyorks.gov.uk](mailto:Alison.Wilson@northyorks.gov.uk)>; BusinessSupport <[BusinessSupport@northyorks.gov.uk](mailto:BusinessSupport@northyorks.gov.uk)>; Community Safety (HAR) <[community.safety.har@northyorks.gov.uk](mailto:community.safety.har@northyorks.gov.uk)>; Environmentalprotection (HAR) <[environmentalprotect.har@northyorks.gov.uk](mailto:environmentalprotect.har@northyorks.gov.uk)>; Fire ([capabilities@northyorksfire.gov.uk](mailto:capabilities@northyorksfire.gov.uk)) <[capabilities@northyorksfire.gov.uk](mailto:capabilities@northyorksfire.gov.uk)>; Foodandoccupationalsafety (HAR) <[foodandoccupational.s.har@northyorks.gov.uk](mailto:foodandoccupational.s.har@northyorks.gov.uk)>; Julie Parrish <[Julie.Parrish@northyorks.gov.uk](mailto:Julie.Parrish@northyorks.gov.uk)>; NYP Licensing <[NYPLicensing@northyorkshire.police.uk](mailto:NYPLicensing@northyorkshire.police.uk)>; nypublichealth <[nypublichealth@northyorks.gov.uk](mailto:nypublichealth@northyorks.gov.uk)>; LicensingOfficer Children <[LicensingOfficer.Children@northyorks.gov.uk](mailto:LicensingOfficer.Children@northyorks.gov.uk)>; Greg Chapman <[Greg.Chapman@northyorks.gov.uk](mailto:Greg.Chapman@northyorks.gov.uk)>

**Cc:** Licensing (HAR) <[licensing.har@northyorks.gov.uk](mailto:licensing.har@northyorks.gov.uk)>

**Subject:** 1858 Bar & Restuarant New Application - C23/00596/LAPREM

Good afternoon,

We have received an application from the following Premises. Please advise if you have received the application and wish to make representation by the 15<sup>th</sup> June 2023

**Date received: 17/05/2023**

**Date properly made: 18/05/2023**

**Premises Address: 1858 Bar Restaurant, 42 High Street, Knaresborough, HG5 0EQ**

**Type of Licence:** Premises Licence

**Amended application form:** N/A

Kind regards

**Freja Lythgow**

Technical Support Officer

Licensing

Regulatory Services (Harrogate Area)

North Yorkshire Council

PO Box 787

Harrogate

HG1 9RW

**Tel:** 0300 131 2 131

**E-mail:** [Freja.Lythgow@northyorks.gov.uk](mailto:Freja.Lythgow@northyorks.gov.uk)

**Website:** [www.harrogate.gov.uk](http://www.harrogate.gov.uk)

**Web:** [www.northyorks.gov.uk](http://www.northyorks.gov.uk)



OFFICIAL



**From:** \*Personal Information removed\*  
**Sent:** 08 June 2023 12:14  
**To:** Licensing (HAR) <[licensing.har@northyorks.gov.uk](mailto:licensing.har@northyorks.gov.uk)>  
**Cc:** \*Personal Information removed\*  
**Subject:** Premises license representation - 1858 BAR RESTAURANT \_ 42 HIGH STREET HG50EQ

Dear North Yorkshire council licensing team,

I am writing in regards to the application for premises license:  
 JAMIE WILKINSON, 1858 BAR RESTAURANT - 42 HIGH STREET HG50EQ

As a resident of \*Personal Information removed\*, our property and a number of elements to residency are directly affected by the **proposed application for license**, the anticipated operational impacts and the terms laid out, more specifically the **timings** of the application to which I refer.

Recent planning permissions and **use classes granted** for this address were in the name and intent of 'cafe' and 'physio rooms'. I now note that the latest license application appears in **direct contradiction of these formerly permitted plans** and intentions made to council, with the business entity and name with reference to 'Bar' and application for sale of alcohol and Latenight refreshment.

I also note a number of **comments were made by conservation officer** consulted (attached jpg.), documented as an attachment to the application, which appear to not have been adhered to in recent works - for example the glazed transparent doors installed (direct view of our property) to rear, where **timber stipulated** in comments for permission.

Finally, I would like to state that Harrogate borough council **conducted a public hearing** for a former license application (**Major Point Ltd**)(**SEP 2021**) and the resulting decision **limited operation and licensing hours to strict terms and much earlier hours** than those being applied for again here. We kindly ask the team and NY council to review the former hearing outcome and consider this in review of this latest application, where all points we believe are relevant, as are the views of those objecting and as such the **restrictions should adhere again here to this license at the least, if indeed permitted at all.**

I would like to record my strong opposition in representation to this application for the following reason categories; **Pollution (Noise, Air, Light), Parking and Access, Hygiene & Maintenance degradation of conservation area, Public safety and disorder, Security**, and the above stated use class and planning application contradictions which we deem to be misleading.

I attach a formal letter making reference to points of objection in more detail.

I would also ask that in reviewing of this application, the committee considers that this building was historically approved for change of use class, of which the primary use was intended and communicated as A1 office, or cafe and any reference to licensed property was for the sale as an off-property sales in former iterations, not a public house. As such I am requesting that the application is considered if fit for purpose in the current proposed building, especially given the conservation and heritage merit of the building, which this proposed application could compromise and would lead to additional applications for adaptation.

At the very least I please request the permitted hours are reconsidered and reduced to a reasonable earlier evening end time, which would mitigate some of our concerns.

I attach some **photos** (zip folder) which correspond to the **impact of works endured by residents** of **\*Personal information removed\*** for almost 12 months (unsightly, noise and dust), with **many occasions of blocked access** to or from **\*Personal Information removed\*** by skip or work vehicles. We are restricted by covenants in our own property whereby **commercial vehicles/vans cannot be parked on the land** - however per photos this has been in the case for many months often left overnight and weekends. Also, a picture making reference to the glazed door in question and relation to comments on planning.

We have not been approached by Owner/applicant, only members of community or hearing rumours, and it seems our concerns have not been taken into consideration in this application progressing as it has. Out of respect to impacted residents we would have appreciated direct contact from applicant to discuss beforehand and update given the constant change and construction delays. We are therefore disappointed to learn of this progression for application to hours requested, which we feel will have serious repercussions to our health, wellbeing and the value **\*Personal Information removed\***

Yours Sincerely,

**\*Personal Information removed\***

08.06.2023

## Representation Form

[REDACTED]

Making a representation about 1858 Bar and Restaurant

Address – [REDACTED]

Four category Licensing Objections:

**To prevent crime and disorder****Anti-Social Behaviour**

- The intended application is likely to encourage inquisitive public access of this private land, compromising the seclusion of the plot and possible hygiene and maintenance degradation if and when clients leave the licensed premises at late hours and use the secluded rear for anti-social behaviour such as urination, altercations, very loud disturbing noises as presently in the nearby areas of Frazer theatre and Berry's Passage.

**Drug and Substance Distribution & Abuse:**

- The distribution and abuse of illegal substances is often rife around the surrounding areas of such premises. The permitted hours of the premises being potentially operating until midnight will encourage such behaviour especially if the back outdoor area of the property which is immediately in front of our own and our ONLY right of way/access for vehicles and pedestrians. Even preventative measures in place on property, may only encourage illicit behaviour to take place in the surrounding local high-street area where license holders' jurisdiction is not applicable.

**Graffiti and Defacement:**

- Due to the rights of access not having been brought to the public's attention before the works we have thus far had no issue with the titled above. Encouraging use with this proposed operation, will we believe increase occurrences, as seen in local Frazer theatre and berry's passage access ways.

**Public safety**

- Safety of our residency and the unwanted inquisition of intoxicated members of the public, inviting unwanted attention via the rights of access at the front of and into our private dwelling.
- Intoxicated members of the public becoming intimidating, abusive and confrontational towards residents of claro court (particularly the safety of female residents) as we pass the outdoor bar seating area in particular.
- No seating/safety capacities for the building and intended business have been communicated to us and there is a concern for residents where safe evacuation routes for public and staff would be situated again potentially in conflict with my properties own safe exit to main highway.
- We are concerned for our own safety and other residents [REDACTED] when customers of the premises with view of the access drive and particularly those using any granted outdoor facilities to rear, possibly late at night, would be witness to residents accessing our homes, often alone. This could significantly compromise our security and give

08.06.2023

potential for public visibility into our homes and car parking area, where currently private and out of sight from any public domain.

#### To prevent public nuisance

- The courtyard of the proposed future use and proposed hours (until midnight) would generate amplified noise until the intended (midnight) operation and beyond especially for staff and back of house operations running after license time granted in close down operations, directly affecting our ability to sleep in our main room facing the establishment, on weekdays especially, affecting our ability to work and the additional problems for young infants when in residence.
- Music playing continuously through to the applied for times will add additional noise, in a building with some single glazed elevations (grade 2 imposed Georgian build), adding to an already busy highway noise - I ask for a test DB reading to be taken at the premises and considered against permitted DB readings in the vicinity for residents.
- We have a concern at the impact of noise from Deliveries, at potentially early hours to residents, hauling and storing heavy and often metallic items such as barrels or other stock, to which we would have little control or protection.
- With the newly installed AC units to rear we are already experiencing significant noise and continuous drone of air extract vents – additional hours of operation permitted would only enhance this and allow until late evening at unsociable hours.
- Bike storage encouraged at rear of property in current plans will be in use late at night after close as staff leave and for any customers who travel via this means with noisy locks and potential loud voices.
- The smell from the aforementioned air extracts venting to rear as well as from cooking extract vents is a major concern to the detriment of our own property ventilation systems, filtration and inability to open windows in hot summer months due to smell and air quality.
- The intended alcohol permitted garden / outside seating area is generating a significant concern amongst the residents with clients being allowed to smoke until late and all the smell going into our house as well as a significant concern in its consequential additional light pollution for safe and aesthetic operation, to this conservation area and compromised residential plot.
- Light pollution is a concern and want to ensure the license holder would be able to adhere to restrictions for this conservation area. The current tenants of the premises operate in daytime office weekday hours only and so by nightfall all light from the building is off and only sensor driven lighting operative overnight.
- Additional light which will be coming through the glass door fitted at the rear of the premises will have a huge impact of light pollution especially into our property looking right in our bedroom and living room. We understand these to be emergency lights which will constantly be on throughout night-time compromising ability to sleep and enhance light pollution into this currently dark courtyard off the high street.
- Bin storage to rear of property will be unsightly and [REDACTED] again with noise of bottles being emptied on a night. There is also the potential for encouragement of vermin given the intended refuse will be food and beverage waste.

08.06.2023

**To protect children from harm**

- My partner and I are due to get married and have a strong desire to start a family in our first house. The property was sold to us under the premise that this was a quiet residential plot [REDACTED]  
[REDACTED] The proposed licensed opening hours and intended hours to which music (live and recorded) can be active and have obvious detrimental effects to any baby / toddler/ young child present during the operational hours of the above in terms of all the facts mentioned above with regards to safety, noise, anti-social behaviour and other public nuisance factors.

As such I am requesting that the application is seen not fit for purpose in the current proposed building, especially given the conservation and heritage merit of the building, which this proposed application could compromise and would lead to additional applications for adaptation.

At the very least I please request the permitted hours are reconsidered, especially given the imposed restrictions put on the previous applicant in 2021 (claro social and turning point) and reduced to a reasonable earlier evening end time limitation, which would mitigate some of our concerns on sleeping through noise, light and air pollution curbing beyond 9pm operation daily.

We were not made aware on purchasing our residential property by CFK developments, the former Landlord for the building in question, who subsequently sold to another Owner on premise of coffee shop operation only, this was a possibility for the building and instead told in confidence it was an office space utilised by them and their current contracted Tenant on floors above.

Thank you for your consideration of the above notices and rationale for objection.

Yours Sincerely,

[REDACTED]

[REDACTED]



**From:** Licensing (HAR)  
**Sent:** 13 June 2023 11:28  
**To:** \*Personal Info Removed\*  
**Cc:** \*Personal Information removed\*; Licensing (HAR) <licensing.har@northyorks.gov.uk>  
**Subject:** 1858 Bar & Restaurant premises licence application (our reference C23/00596/LAPREM)  
**Importance:** High

Good morning \*Personal Information removed\*,

I am writing to you with reference to your email below, the contents of which are noted. The reference number is C23/00596/LAPREM; please include this in any correspondence relating to this matter.

The submitted application is for a new premises licence issued under the Licensing Act 2003 and, as such, any determination is based specifically on this application and does not take into account any previous determinations or granted licences.

Representations made against the grant of a licence should evidence how an application has an adverse effect on the promotion on one or more of the licensing objectives under the Licensing Act. Unfortunately we cannot accept any comments relating to Planning Legislation or comments/determinations made by a Conservation Officer as indicated in your email as any issues would be dealt with under this primary legislation.

Although some aspects of your representation would not be considered under the Licensing Act it has been accepted. In accordance with the Licensing Act 2003 (Hearings) Regulations 2005 a copy of your representation will be forwarded to the applicant. If an agreement cannot be made and any representations are not withdrawn, then the application will be determined by a Licensing Sub Committee at a hearing. You will be notified of the hearing date in due course.

Kind regards

**Nicola Kemp**  
Senior Technical Support Officer  
Licensing  
Regulatory Services (Harrogate Area)  
North Yorkshire Council  
PO Box 787  
Harrogate  
HG1 9RW

**Tel:** 0300 131 2 131  
 **E-mail:** [Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)  
 **Website:** [www.northyorks.gov.uk](http://www.northyorks.gov.uk)



**From:** Licensing (HAR)  
**Sent:** Tue, 13 Jun 2023 10:43:26 +0000  
**To:** Jaime Wilkinson  
**Cc:** Licensing (HAR)  
**Bcc:** Wan Malachi;Gareth Bentley  
**Subject:** FW: 1858 Bar & Restaurant premises licence application (our reference C23/00596/LAPREM) Representation 1  
**Attachments:** 1858 Bar Restaurant - 42 high st Knaresborough - license objection - 07.06.23\_Redacted.pdf  
**Importance:** High

Good morning Mr Wilkinson

**1858 Bar Restaurant , 42 High Street, Knaresborough, North Yorkshire, HG5 0EQ**

**PREMISES LICENCE APPLICATION  
LICENSING ACT 2003**




Please find below a representation and attached raised by an interested party in respect of the above application (Representation 1).

You should give this representation your careful consideration and you are encouraged to resolve the issues raised by negotiation through the Licensing Team. You should address the concerns in the representation in writing and send these to the Licensing Team who will forward your response to the interested party.

If resolution cannot be reached and the representation is not withdrawn the application will be dealt with at a Licensing Sub-committee hearing which will be arranged within 20 days of the end of the consultation period. Please be aware that the Licensing Authority has a maximum of two months from the original submission of the application to make a final determination so it is important that any negotiation is swiftly conducted.

Kind regards

**Nicola Kemp**  
Senior Technical Support Officer  
Licensing  
Regulatory Services (Harrogate Area)  
North Yorkshire Council  
PO Box 787  
Harrogate  
HG1 9RW

 **Tel:** 0300 131 2 131  
 **E-mail:** [Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)  
 **Website:** [www.northyorks.gov.uk](http://www.northyorks.gov.uk)

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**From:** Licensing (HAR)  
**Sent:** Mon, 12 Jun 2023 13:43:55 +0000  
**To:** Wan Malachi;Gareth Bentley  
**Subject:** FW: 1858 Bar & Restaurant, 42 High Street, Knaresborough (our reference C23/00596/LAPREM)

Hi both,

Please see below and advise if you are happy to accept the representation.

Nic

**Nicola Kemp**  
Senior Technical Support Officer  
Licensing  
Regulatory Services (Harrogate Area)  
North Yorkshire Council  
PO Box 787  
Harrogate  
HG1 9RW

 **Tel:** 0300 131 2 131  
 **E-mail:** [Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)  
 **Website:** [www.northyorks.gov.uk](http://www.northyorks.gov.uk)



**From:** karenhollingworth [REDACTED]  
**Sent:** 12 June 2023 14:40  
**To:** [licensing@harrogate.gov.uk](mailto:licensing@harrogate.gov.uk)  
**Subject:** 1858 Bar & Restaurant, 42 High Street, Knaresborough

Please see below my objections to the Licence Application associated with the above premises, using only the four allowable objectives:

**Prevention of Crime & Disorder**

Anti-Social Behaviour

I have concerns that this (including but not limited to, altercations, urination, loud noise) may be experienced as a consequence of the late hours that clients may be leaving the premises, perhaps in an intoxicated condition . It's noted that preventative measures may be in place on the property, but noted also that illicit behaviour on the High Street and surrounding areas outside the jurisdiction of the Applicant may be encouraged by the proposal. This may directly impact on

myself and the residents of the 3 other properties immediately behind the premises seeking licence.

#### Drugs and Substance Distribution & Abuse

It's believed that the late hours of operation sought by the Applicant may well lead to an increase in such activities, already seen in very close proximity to the premises. This may well take place in the ONLY right of way / access (both vehicular and pedestrian) to the four residential properties immediately behind the Bar / Restaurant.

#### **Public Safety**

As a member of the Public, I have grave concerns in relation to the ability of myself and my immediate neighbours to admit large vehicles to our private car park, given the siting of the proposed outdoor seating. These may include Emergency Response vehicles, Removal Vans or even those associated in carrying out repairs or modifications to our properties. (I have personally experienced obstructions during the modification to construction phase, one of which resulted in the entire cancellation of an existing appointment). No attempt to speedily resolve the issue or to make apologies after the event were forthcoming.

#### **Prevention of Public Nuisance**

As the aforementioned outdoor seating does not appear to have a specified boundary, I have concerns also that clients may choose to occupy the open courtyard up to and including the boundary wall leading to our private car park when consuming alcohol. This would clearly be viewed as Public Nuisance by the owners of the four properties immediately behind the premises seeking licence.

In addition, I fully endorse all of the comments made by other residents of the four properties immediately behind the premises, in relation to noise, light pollution, odour and hygiene matters.

#### **Protection of Children from Harm**

The four properties immediately behind the premises seeking licence are all 3 bedroomed FAMILY homes. As such, it's anticipated that it's likely that there will be children, or grandchildren, in residence too, be it either on a temporary or permanent basis. The impact on them, if the licence is granted, is likely to be significant in terms of safety, noise, anti-social behaviour and other public nuisance factors.

Thank you for your consideration, clearly I will address any remaining concerns that lie outside the four specified areas, by other means.



---

**From:** \*Personal Information removed\*

**Sent:** 13 June 2023 12:50

**To:** Licensing (HAR) <licensing.har@northyorks.gov.uk>

**Subject:** Re: 1858 Bar & Restaurant premises licence application (our reference C23/00596/LAPREM)

I can confirm that I'm content that the representations are forwarded to the applicant.

Sent from my iPhone

On 13 Jun 2023, at 12:30, Licensing (HAR) <[licensing.har@northyorks.gov.uk](mailto:licensing.har@northyorks.gov.uk)> wrote:

Good morning \*Personal Information removed\*,

I am writing to you with reference to your emails below, the contents of which are noted. The reference number is C23/00596/LAPREM; please include this in any correspondence relating to this matter.

The submitted application is for a new premises licence issued under the Licensing Act 2003 and, as such, any determination is based specifically on this application and does not take into account any previous determinations or granted licences. Please note the licence would allow live music up to 23:00, however as this is not regulated under the licensing act (Live Music Act 2012) there was no requirement for this to be in the application. Permissions for the non-standard timings for live music would need to be considered as these are not deregulated under the live music act. As advised background recorded music is not licensable therefore not required in the application and therefore should not be considered.

Representations made against the grant of a licence should evidence how an application has an adverse effect on the promotion on one or more of the licensing objectives under the Licensing Act. Unfortunately we cannot accept any comments relating to Planning Legislation or comments/determinations made by a Conservation Officer as any issues would be dealt with under this primary legislation.

Although some aspects of your representation would not be considered under the Licensing Act it has been accepted. In accordance with the Licensing Act 2003 (Hearings) Regulations 2005 a copy of your representation will be forwarded to the applicant. If an agreement cannot be made and any representations are not withdrawn, then the application will be determined by a Licensing Sub Committee at a hearing. You will be notified of the hearing date in due course.

Please confirm if you wish your representation to be accepted by the end of today so we can forward to the applicant for response.

Kind regards

**Nicola Kemp**  
Senior Technical Support Officer  
Licensing  
Regulatory Services (Harrogate Area)  
North Yorkshire Council  
PO Box 787  
Harrogate  
HG1 9RW

☎ Tel: 0300 131 2 131  
✉ E-mail: [Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)  
🌐 Website: [www.northyorks.gov.uk](http://www.northyorks.gov.uk)

<image001.jpg>

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**From:** \*Personal Information removed\*  
**Sent:** 13 June 2023 11:40  
**To:** Licensing (HAR) <[licensing.har@northyorks.gov.uk](mailto:licensing.har@northyorks.gov.uk)>  
**Subject:** Fwd: 1858 Bar & Restaurant premises licence application (our reference C23/00596/LAPREM)

On further reflection, I note that the reply below from Nicola Kemp, received yesterday, explained that licence was not required for music played between 12.00 and 23.00. As the applicant has requested consideration that music may be played between the hours of 8am and 2am on Christmas Eve, New Year's Eve and Bank Holidays, could I now ask whether that WOULD require licence?

Many thanks in anticipation of your early reply.

\*Personal Information removed\*

Sent from my iPhone

Begin forwarded message:

**From:** \*Personal Information removed\*  
**Date:** 12 June 2023 at 10:51:34 BST  
**To:** \*Personal Information removed\*  
**Subject:** Re: 1858 Bar & Restaurant premises licence application (our reference C23/00596/LAPREM)

Thank you for that, Nicola. I did realise, after sending, that I'd addressed you incorrectly. You will now have received it, of course.

Kind regards

Karen

Sent from my iPhone

On 12 Jun 2023, at 10:49\***Personal Information removed\*** wrote:

Sent from my iPhone

Begin forwarded message:

**From:** "Licensing (HAR)"  
<[licensing.har@northyorks.gov.uk](mailto:licensing.har@northyorks.gov.uk)>  
**Date:** 12 June 2023 at 09:26:54 BST  
**To:** \***Personal Information removed\***  
**Cc:** \***Personal Information removed\***<[licensing.har@northyorks.gov.uk](mailto:licensing.har@northyorks.gov.uk)>  
**Subject:** FW: 1858 Bar & Restaurant premises licence application (our reference C23/00596/LAPREM)

Good morning,

I refer to your email attached. Please ensure you send any emails to licensing not individual officers (please note the email you entered for me was incorrect therefore was not received by me). If you could reply to any emails sent to you this will ensure a full and accurate trail is kept. Please ensure the reference above is included in all correspondence.

With reference for your request for the plans from a previous application this plan is not the plan being considered for the premises licence application above therefore not relevant to this application; you were sent the plan which accompanies the current application which is currently under consultation. The premises licence for Claro Social was granted in October 2021 however it was then surrendered on 13 September 2022.

Kind regards

**Nicola Kemp**

Senior Technical Support Officer  
Licensing  
Regulatory Services (Harrogate Area)  
North Yorkshire Council  
PO Box 787  
Harrogate  
HG1 9RW

☎ **Tel:** 0300 131 2 131

✉ **E-mail:**

**[Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)**

🌐 **Website:** **[www.northyorks.gov.uk](http://www.northyorks.gov.uk)**

<image001.jpg>

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**From:** Licensing (HAR)  
<[licensing.har@northyorks.gov.uk](mailto:licensing.har@northyorks.gov.uk)>  
**Sent:** 12 June 2023 07:28  
**To:** \*Personal Information removed\*  
**Cc:** Licensing (HAR)  
<[licensing.har@northyorks.gov.uk](mailto:licensing.har@northyorks.gov.uk)>  
**Subject:** 1858 Bar & Restaurant premises licence application (our reference C23/00596/LAPREM)

Good morning,

As requested please find attached a copy of the proposed plans. With reference to the planning permissions the licensing act cannot refuse an application based upon any permissions under planning legislation, this would be for Planning enforcement to enforce. Any objections to the application for a premises licence must be based upon the four licensing objectives in respect of the licensable activities which have been applied for. The licensing objectives are:

1. Prevention of Crime and Disorder
2. Public Safety
3. Prevention of Public Nuisance
4. Protection of Children from Harm

All representations must be about the likely effect of granting the licence on the promotion of at least one of the four licensing objectives. You must therefore, explicitly link any representation to one or more of the



objectives. Representations should be specific to the premises and evidence based.

As part of the application process any relevant representations are forwarded to applicants to encourage mediation between all parties. Applicants would be expected to mitigate specific issues raised by addressing these and applying suitable control measures, whether voluntarily or by way of appropriate conditions attached to the premises licence. It is an important part of the process that applicants are given the opportunity to address specific matters raised in any representations.

I can confirm the following conditions have been agreed with North Yorkshire Police and would form part of the premises licence if granted:

**CCTV-**

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

**Staff Training-**

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.

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. [For the avoidance of doubt, the one-year period relates to each respective entry in the logbook and runs from the date of that particular entry]:

6. There shall be always a minimum of 70 chairs/seats for customer use inside the premises the venue is open to reduce the need for vertical drinking.

7. On Sales Only.

8. No open glass drinking vessels shall be taken out of the licensed premises (or licensed area) onto the pavement or highway.

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

10. 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).

11. The PLH/DPS is responsible for risk assessing the need for SIA door staff at the venue. Special considerations should be given to the need for door staff on Fridays, Saturdays or Mondays entering a bank holiday or other local/National events.

17. Where door staff are on duty they shall sign in and out of the premises logbook, providing full details of their names and SIA number.

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

13. Notices are on display at entrances and exits requesting patrons to minimize noise when smoking and/or leaving the premises.

Please note that although the application states that the applicants have applied for live music Thursday to Sunday between the hours of 12:00 – 23:00 this is not regulated under the live music act and therefore not required. The application also states they have applied for recorded music, however as the applicant also states this is background music only this is not licensable and therefore also not required.


As part of the licensing act consultation all responsible authorities are consulted with, this includes (but is not limited to) Police, Fire & Rescue, Environmental Protection, Planning, Health Authority.


Should you wish to make a representation this must be received by us before midnight on 15 June 2023.

Kind regards

**Nicola Kemp**  
Senior Technical Support Officer  
Licensing  
Regulatory Services (Harrogate Area)  
North Yorkshire Council  
PO Box 787  
Harrogate

HG1 9RW

 Tel: 0300 131 2 131

 E-mail:

[Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)

 Website: [www.northyorks.gov.uk](http://www.northyorks.gov.uk)

<image001.jpg>

**From: \*Personal Information removed\***

**Sent:** 11 June 2023 14:57

**To:** Licensing (HAR)

<[licensing.har@northyorks.gov.uk](mailto:licensing.har@northyorks.gov.uk)>

**Subject:** Fwd: 42 High Street Knaresborough 1858 Bar (Clue in the name, perhaps!) Jamie Wilkinson

Sent from my iPhone

Begin forwarded message:

**From: \*Personal Information removed\***

**Date:** 11 June 2023 at 14:52:51 BST

**To: \*Personal Information removed\***

**Subject: 42 High Street Knaresborough 1858 Bar (Clue in the name, perhaps!) Jamie Wilkinson**

Good morning, Freja. I'm about to compile my stated objections to the Licence Application above.

Whilst I understand that you're not able to take note of Planning concerns in considering objections relating to licence applications, I do believe that you must consider licensing issues in the context of the planning permission in place.

As I remain unsure as to whether the premises would be operating

lawfully within the planning regime, it would be most helpful if you would provide me with a copy of the plans submitted with the licence application referring to this site in 2022, in respect of a cafe / sports therapy business.

Thank you very much in anticipation of your URGENT response, given the proximity of the date by which objections must be received .

Sent from my iPhone

Any opinions or statements expressed in this email are those of the author of the email, and do not necessarily reflect those of North Yorkshire Council.

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Incoming and outgoing email messages, IT systems and applications are routinely monitored for compliance with the law, relevant policies and to ensure the integrity and effective operation of our ICT network and digital estate. In line with this, the content of this email and any attachments have been checked for the presence of viruses, but we advise that you take your own steps to ensure that they are actually virus-free.

If you receive an automated response stating that the recipient is away from the office and you wish to request information under the Freedom of Information Act, the Data Protection Act or the Environmental Information Regulations, please resend your email to the Council's Information Governance Team([infogov@northyorks.gov.uk](mailto:infogov@northyorks.gov.uk)) who will process your request.

For information about how we process data, please see our Privacy Notice at [www.northyorks.gov.uk/privacynotice](http://www.northyorks.gov.uk/privacynotice).

<Plans 1858 May 2023.pdf>

<mime-attachment.eml>

Any opinions or statements expressed in this email are those of the author of the email, and do not necessarily reflect those of North Yorkshire Council.

This email (and any files transmitted with it) is confidential, may contain privileged information and is intended for the addressee only. If you are not the intended recipient, please be aware that any disclosure, copying or distribution is prohibited and may be unlawful – you must not disclose the information to anyone, but must instead notify the sender at the above address and then destroy all copies.

Incoming and outgoing email messages, IT systems and applications are routinely monitored for compliance with the law, relevant policies and to ensure the integrity and effective operation of our ICT network and digital estate. In line with this, the content of this email and any attachments have been checked for the presence of viruses, but we advise that you take your own steps to ensure that they are actually virus-free.

If you receive an automated response stating that the recipient is away from the office and you wish to request information under the Freedom of Information Act, the Data Protection Act or the Environmental Information Regulations, please resend your email to the Council's Information Governance Team ([infogov@northyorks.gov.uk](mailto:infogov@northyorks.gov.uk)) who will process your request.

For information about how we process data, please see our Privacy Notice at [www.northyorks.gov.uk/privacynotice](http://www.northyorks.gov.uk/privacynotice).

**From:** Licensing (HAR)  
**Sent:** Tue, 13 Jun 2023 12:12:32 +0000  
**To:** Jaime Wilkinson  
**Cc:** Licensing (HAR)  
**Bcc:** Wan Malachi;Gareth Bentley  
**Subject:** FW: 1858 Bar & Restaurant premises licence application (our reference C23/00596/LAPREM) Representation 3  
**Importance:** High

Good afternoon Mr Wilkinson

**1858 Bar Restaurant , 42 High Street, Knaresborough, North Yorkshire, HG5 0EQ**

**PREMISES LICENCE APPLICATION  
LICENSING ACT 2003**




Please find below a representation raised by an interested party in respect of the above application (Representation 3).

You should give this representation your careful consideration and you are encouraged to resolve the issues raised by negotiation through the Licensing Team. You should address the concerns in the representation in writing and send these to the Licensing Team who will forward your response to the interested party.

If resolution cannot be reached and the representation is not withdrawn the application will be dealt with at a Licensing Sub-committee hearing which will be arranged within 20 days of the end of the consultation period. Please be aware that the Licensing Authority has a maximum of two months from the original submission of the application to make a final determination so it is important that any negotiation is swiftly conducted.

Kind regards

**Nicola Kemp**  
Senior Technical Support Officer  
Licensing  
Regulatory Services (Harrogate Area)  
North Yorkshire Council  
PO Box 787  
Harrogate  
HG1 9RW

 **Tel:** 0300 131 2 131  
 **E-mail:** [Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)  
 **Website:** [www.northyorks.gov.uk](http://www.northyorks.gov.uk)



**From:** Karen  
**Sent:** Thu, 15 Jun 2023 16:00:25 +0100  
**To:** Licensing (HAR)  
**Subject:** Fwd: Supplementary submissions re premises licence application relating to the old bank building at 42 High Street, Knaresborough  
**Attachments:** Supplementary submissions dated 15 June 2023.docx

Further to my email of yesterday's date, please find attached supplementary objections referred to in that email in respect of 1858 Prem Lic app c23/00596/LAPREM. I can confirm that I am content for these supplementary objections to be communicated to the applicant.

Grateful if you would acknowledge receipt.

Kind regards

Karen Hollingworth  
[REDACTED]

15 June 2023

Sent from my iPhone

Begin forwarded message:

**From:** Joanne Lewis [REDACTED]  
**Date:** 15 June 2023 at 15:32:21 BST  
**To:** karenhollingworth [REDACTED]  
**Subject:** Supplementary submissions re premises licence application relating to the old bank building at 42 High Street, Knaresborough

Further to our recent discussions, please find attached supplementary submissions drafted on your behalf.

Kind regards

Joanne Lewis



**Supplementary submissions to those submitted by email on 12 June 2023 - Objections to licence application relating to the old bank premises at 42 High Street, Knaresborough ('the Premises')**

In the licence application, the Premises are described as '1858 Bar Restaurant' with an internal and external plan attached ('the Plan'), which includes a large bar separate to and of similar size to the restaurant, and with a similar amount of seating as the restaurant. However, the current listed buildings consent and planning permission granted to the Premises on 3 May 2022 are for a café and sports therapy rooms, which I understand is a different use class to that required for a bar restaurant.

The licence application is for the supply of alcohol on the premises, which includes the proposed outdoor seating area in the open courtyard to the rear of the Premises, and for the provision of indoor late night refreshment and recorded music, every day of the week until 12 midnight. The application is also for the performance of live music on Thursdays to Sundays inclusive until 11 pm. Proposed non-standard timings for all of the above are stated to be 2 am on Xmas Eve, New Year's Eve and bank holidays.

I am very concerned that the licence application has serious implications for three of the four licensing objectives. These being (1) the prevention of crime and disorder; including drug-related problems, drunkenness and anti-social behaviour; (2) the public safety not only of the people using the venue, but also of myself and my neighbours who live in the four houses at the back of the open courtyard in which the proposed outdoor seating area is situated; and (3) the prevention of public nuisance, including noise, litter, light pollution, and loss of general and residential amenity.

Key points when considering the above three licensing objectives are:

1. The very close proximity of the four houses ('the Houses') to the rear of the Premises. These are family homes occupied by residents of all ages, who have frequent family visitors, including young children.
2. The fact that the Houses' only pedestrian and vehicular access to and from the main road is through the shared entrance to the open courtyard at the rear of the Premises.
3. This open courtyard leads directly to the pedestrian and vehicular access gates to the Houses, i.e., the Premises themselves, including the open courtyard, do not have rear boundary walls of their own.
4. When sitting in our own living rooms or trying to get to sleep at night, we would (if the licence application was granted) be able to see and hear the Premises' customers using the proposed outdoor seating area in the open courtyard, and be forced to witness any and all noise, drug-related problems, drunkenness and other anti-social behaviour.
5. When leaving and returning to our homes on foot or by car, at whatever time of day or night, we would have to pass through this open courtyard, within a few feet at most of the proposed outdoor seating area, and again be forced to witness any and all noise, drug-related problems, drunkenness and other anti-social behaviour, as well as having to deal with any physical obstruction that this may cause (see further 6 below).
6. As I have explained, the Premises do not have any rear boundaries of their own. There is no room for the proposed outdoor seating area in the open courtyard to be properly cordoned off, as this would further infringe pedestrian and vehicular access to and from the Houses. It is therefore extremely likely that customers would not confine themselves to the proposed

outdoor seating area, but would gather in and wander round the open courtyard as a whole. There would be nothing to prevent customers from congregating and drinking right outside the pedestrian and vehicular access gates to the Houses and leaving their (proposed plastic) glasses and litter by them. These gates are only a few feet from our front doors as our parking area immediately behind the gates is only four cars deep.

7. The proposed outdoor seating area, and the unrestricted access that customers would have over the open courtyard, would also raise a serious public safety issue. Firstly, the customers themselves would be at risk of harm from the many vehicles entering and exiting the open courtyard, including our own vehicles and the delivery and other commercial vehicles servicing the Houses and the Premises themselves. Secondly, my neighbours and I would be at risk of harm as the proposed outdoor seating area in the courtyard would prevent emergency vehicles, including fire engines and ambulances, from being able to access the Houses. This is particularly as there are several parking bays in the courtyard which are frequently in use by the company that leases them from the owner of the Premises. These parking bays are directly opposite the proposed outdoor seating area, meaning that such emergency vehicles would be unable to get through. I am not even sure that the residents' own vehicles would be able to get through. This is because the Plan does not seem to be to scale and is also cut off: it does not show the shared entrance to the open courtyard from the main road, or the above-mentioned parking bays directly opposite the proposed outdoor seating area. Only that part of the courtyard containing the proposed outdoor seating area is shown, and the Houses are not shown at all.
8. In fact, I am very surprised that the Plan includes an outdoor seating area in the open courtyard, given that this would also create substantial access problems for the Premises' own commercial vehicles and suppliers. The likelihood is that blockages would be created, as is the case now even without the proposed outdoor seating area, with the pedestrian and vehicular access gates to the Houses frequently being blocked due to all the buildings works going on. The residents are being shown no consideration whatsoever and there is never any apology or effort made to move vehicles whenever a blockage occurs.
9. Even if the Premises decided not to proceed with an outdoor seating area in the open courtyard, the fact that there is unrestricted access to the courtyard from the front of the Premises means it is highly likely that customers will still enter the courtyard, and display anti-social behaviour and cause a public nuisance, when using or exiting the Premises. This is particularly as, according to the Plan, there is to be an outdoor seating area at the front of the Premises. This proposed outdoor seating area is very close to the shared entrance to the courtyard.
10. I note that the steps the Premises intends to take to promote the four licensing objectives do not include any meaningful/effective steps to address any of the concerns outlined at 1 to 9 above.
11. I am also concerned about the noise emitting from inside (not just outside) the Premises, from customers and the proposed live and recorded music. This is especially given the close proximity of the Premises to the Houses; the proposed opening hours of the Premises until 12 midnight; and the proposed non-standard timings for all of the licensable activities (the supply of alcohol, the provision of late night refreshment, the provision of recorded music and the performance of live music) until 2 am on Xmas Eve, New Year's Eve and bank holidays. I note that the steps the Premises intends to take to promote the four licensing

objectives does not include any steps to prevent noise and vibration nuisance arising from regulated entertainment such as the installation of soundproofing and sound limitation devices.

12. I understand that you have been provided with photographs relevant to all the above points; it would be helpful if the Licensing Sub-Committee members could visit the Premises and see the open courtyard, and the proximity of the Houses to the Premises, for themselves.
13. As regards the proposed installation of CCTV and security lighting outside the Premises to deter crime and disorder, I am concerned about the privacy implications of CCTV, as surely this would mean that my and my neighbours' movements would be recorded on CCTV as we entered or exited the open courtyard to and from our homes. The proposed security lighting also causes me concern given the proximity of the Houses to the rear of the Premises.
14. As regards the Premises' licensing hours, I note it is proposed that the Premises should be open to the public from 8 am to 12 midnight every day of the week, extended until 2 am on Xmas Eve, New Year's Eve and bank holidays. For all of the reasons explained above, I strongly object to these proposed opening hours.
15. Moreover, while realising that the Licensing Sub-Committee is a separate body to Planning, I note that paragraph 4.12 of the Statement of licensing policy for Harrogate (2020 - 2025) states that:

'...There may be circumstances when as a condition of planning permission, a terminal hour is set for the use of commercial premises. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their Planning Permission may be liable to enforcement action by the Planning Authority. *Licensing applications therefore will not be a re-run of the planning application process and licensing decisions will not cut across decisions taken by the Planning Committee or permissions granted on appeal.*' (My emphasis)

16. It is therefore difficult to understand why the Premises are proposing opening hours of 8 am to 12 midnight when the current planning permission granted to the Premises on 3 May 2022 includes a condition that no commercial activities shall be carried out on the Premises outside the hours of 8 am to 11 pm. A further condition states that external areas of the Premises (i.e., including the proposed outdoor seating area in the open courtyard) shall not be in use outside the hours of 8 am to 7 pm. There are also other conditions, including in relation to the timings of commercial deliveries to and dispatches from the Premises. The stated reason for these conditions is 'In the interests of the residential amenity of the area in accordance with Local Plan Policy HP4'.
17. The planning condition stating that the external areas of the Premises shall not be used outside the hours of 8 am to 7 pm is, of course, in the context of the permitted use as a café and sports therapy rooms. A bar restaurant is clearly a very different proposition to the current permitted use, given the very different type of clientele it is likely to attract and the emphasis on the supply of alcohol.
18. In conclusion, my main concerns are that the Premises' opening hours; the playing of live and recorded music; and commercial deliveries to and dispatches from the Premises, should be curtailed as much as possible, and that, for all the reasons detailed above, the proposed

outdoor seating area in the open courtyard leading to the Houses should not be permitted. I am also very concerned that, even if there is no outdoor seating area, customers will still have unrestricted access to the open courtyard leading to the Houses for the reasons explained in paragraph 9 above.

19. I should also be grateful if, as part of their deliberations, the Licensing Sub-Committee would consider my additional concerns about the proposed installation of CCTV and security lighting outside the Premises.

**15 June 2023**

**From:** Licensing (HAR)  
**Sent:** Fri, 16 Jun 2023 07:31:55 +0000  
**To:** Jaime Wilkinson  
**Subject:** 1858 Bar & Restaurant premises licence application (our reference C23/00596/LAPREM) Representation 3 (additional info)  
**Attachments:** Supplementary submissions dated 15 June 2023.pdf

Good morning Mr Wilkinson

**1858 Bar Restaurant , 42 High Street, Knaresborough, North Yorkshire, HG5 0EQ**

**PREMISES LICENCE APPLICATION  
LICENSING ACT 2003**




Please find attached additional information submitted yesterday; this is to be included in the original submission (Representation 3)

You should give this representation your careful consideration and you are encouraged to resolve the issues raised by negotiation through the Licensing Team. You should address the concerns in the representation in writing and send these to the Licensing Team who will forward your response to the interested party.

If resolution cannot be reached and the representation is not withdrawn the application will be dealt with at a Licensing Sub-committee hearing which will be arranged within 20 days of the end of the consultation period. Please be aware that the Licensing Authority has a maximum of two months from the original submission of the application to make a final determination so it is important that any negotiation is swiftly conducted.

Kind regards

**Nicola Kemp**  
Senior Technical Support Officer  
Licensing  
Regulatory Services (Harrogate Area)  
North Yorkshire Council  
PO Box 787  
Harrogate  
HG1 9RW

 **Tel:** 0300 131 2 131  
 **E-mail:** [Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)  
 **Website:** [www.northyorks.gov.uk](http://www.northyorks.gov.uk)



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**From:** Licensing (HAR) <licensing.har@northyorks.gov.uk>  
**Sent:** 15 June 2023 08:34  
**To:** \*Personal Information removed\*  
**Cc:** Licensing (HAR) <licensing.har@northyorks.gov.uk>  
**Subject:** RE: 1858 Bar, High Street, Knaresborough (our reference C23/00596/LAPREM)

Good morning \*Personal Information removed\*

**1858 Bar Restaurant , 42 High Street, Knaresborough, North Yorkshire, HG5 0EQ**

**PREMISES LICENCE APPLICATION  
LICENSING ACT 2003**

Thank you for your email received on 14 June 2023 regarding the above application. Please use the reference above when corresponding with us about this matter.

Representations must relate to one or more of the four licensing objectives of crime prevention, public safety, public nuisance and child protection.

1. The prevention of crime and disorder. This relates to any crime, disorder or anti-social behaviour at the premises or related to the management of the premises. A licence holder/applicant cannot generally be held responsible for the conduct of individuals once they leave the premises;
2. Public safety. This relates to the safety of the public on the premises, for instance, fire safety, electrical circuitry, lighting, building safety or capacity, and first aid.
3. Prevention of public nuisance. This can relate to issues such as hours of operation, noise emanating from the premises, vibrations, lighting and litter.
4. Protection of children from harm. This relates to protecting children from the activities carried out on the premises whilst they are there. The law already provides special protections for children under 18 to buy alcohol.

Any comments cannot be considered if they relate to anything else, such as planning permission, the need for the premises, trade competition, or the effect on house prices. Frivolous and vexatious representations will also be rejected.

Your representation has been accepted and will be sent to the applicant who will be advised to give careful consideration and to contact this department should they wish to start negotiating with a view to resolving the issues you have raised. Should your concerns be resolved by this process you can withdraw your representation at any point.




If resolution cannot be reached and the representation is not withdrawn the application will be dealt with by a Licensing Sub-Committee hearing which will be arranged within 20 working days of the end of the consultation period. Please be aware that the Licensing Authority has a maximum of two months from the original submission of the application to make a final determination so it is important that any negotiation is swiftly conducted.

**Any representations submitted to the Licensing Authority will be forwarded to the applicant, or their representative, in an edited format removing any personal contact details, however your name and locality will be disclosed as per the Licensing Act 2003.**

**Should the application require a Licensing sub-committee hearing your full details will be disclosed in the papers required for any such hearing.**

Kind regards

**Nicola Kemp**  
Senior Technical Support Officer  
Licensing  
Regulatory Services (Harrogate Area)  
North Yorkshire Council  
PO Box 787  
Harrogate  
HG1 9RW

 **Tel:** 0300 131 2 131  
 **E-mail:** [Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)  
 **Website:** [www.northyorks.gov.uk](http://www.northyorks.gov.uk)



**From:** \*Personal information removed\*  
**Sent:** 14 June 2023 17:55  
**To:** Licensing (HAR) <[licensing.har@northyorks.gov.uk](mailto:licensing.har@northyorks.gov.uk)>  
**Subject:** 1858 Bar, High Street, Knaresborough

Good afternoon

I would like to object to request for a licence for the above premises,

**Prevention of Crime and Disorder:**

The town already sees crime and disorder after all the bars and restaurants have closed, especially at the weekend. Only a couple of weeks ago police and fire had to be called as traffic cones were set on fire. In the same weekend, at least two cars were damaged when late night revellers climbed over the bonnet and on to the roof of each car, causing residents to ring the police.

**Public Safety**

When walking home after a shift at work, It is very disconcerting to be faced with groups of pub goers who tend to be extremely loud and in a lot of cases incredibly rude.

**Prevention of Public Nuisance**

The examples contained in the points above relate to public nuisance, another drinking hostelry has the potential to increase the number of people spilling out into the High Street and hence increase noise. Arguments often break out, which may not happen when people are sober, and in some cases these arguments turn into fist fighting.



**Protection of Children from Harm**

There are children who are resident in the High Street, and whilst they may not be outside late at night, I know from speaking to residents that they are concerned that sleep is broken and children hear bad language. Children learn better after a full nights sleep and they should not be subject to disruption already faced in the area.

Kind regards.

**\*Personal Information removed\***

**From:** Licensing (HAR)  
**Sent:** Thu, 15 Jun 2023 10:18:55 +0000  
**To:** Jaime Wilkinson  
**Subject:** FW: 1858 Bar & Restaurant premises licence application (our reference C23/00596/LAPREM) Representation 4  
**Importance:** High

Good morning Mr Wilkinson

**1858 Bar Restaurant , 42 High Street, Knaresborough, North Yorkshire, HG5 0EQ**

**PREMISES LICENCE APPLICATION  
LICENSING ACT 2003**




Please find below a representation raised by an interested party in respect of the above application (Representation 4).

You should give this representation your careful consideration and you are encouraged to resolve the issues raised by negotiation through the Licensing Team. You should address the concerns in the representation in writing and send these to the Licensing Team who will forward your response to the interested party.

If resolution cannot be reached and the representation is not withdrawn the application will be dealt with at a Licensing Sub-committee hearing which will be arranged within 20 days of the end of the consultation period. Please be aware that the Licensing Authority has a maximum of two months from the original submission of the application to make a final determination so it is important that any negotiation is swiftly conducted.

Kind regards

**Nicola Kemp**  
Senior Technical Support Officer  
Licensing  
Regulatory Services (Harrogate Area)  
North Yorkshire Council  
PO Box 787  
Harrogate  
HG1 9RW

 **Tel:** 0300 131 2 131  
 **E-mail:** [Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)  
 **Website:** [www.northyorks.gov.uk](http://www.northyorks.gov.uk)



**From:** \*Personal Information removed\*

**Sent:** 13 June 2023 16:25

**To:** Licensing (HAR) <licensing.har@northyorks.gov.uk>

**Subject:** Re: 1858 Bar & Restaurant premises licence application (our reference C23/00596/LAPREM)

Hello Ms Kemp

Thank you for this.

The notice outside of the premises is slightly different to the one you enclosed and therefore somewhat confusing, however the application would still seem to be in contravention of the original planning application and consent and requirements of the original planning application.

I would request that my objections are forwarded as they are pertinent to some aspects of this application.

In addition - wish to add that I think that a licensing extensions even on public holidays is inappropriate as this establishment is so closely aligned to residential areas

Berrys Passage is already a very vulnerable area being a 'short cut' from the town centre to a number of residential properties and estates. It is discrete and hidden from general public view due to it being a short tunnel followed by a walled pathway and outwith any public scrutiny or street cameras other than by those residents whose houses, flats are high enough to overlook the wall. Additionally there are flats at the end in Berrys Court, mainly occupied by older people. It is already subject to frequent acts of vandalism late evenings after the pubs have closed - which includes acts of graffiti, littering, and rowdy behaviour and until relatively recently - some concerns re drug trafficking which had to be addressed by the police.

Consequently there is concern that such activities will only increase

Kind regards

Dawn O'Rooke

On 13 Jun 2023, at 12:10, Licensing (HAR) <[licensing.har@northyorks.gov.uk](mailto:licensing.har@northyorks.gov.uk)> wrote:

Good morning Ms O'Rooke,

I am writing to you with reference to your emails below, the contents of which are noted. The reference number is C23/00596/LAPREM; please include this in any correspondence relating to this matter.

The submitted application is for a new premises licence issued under the Licensing Act 2003 and, as such, any determination is based specifically on this application and does not take into account any previous determinations or granted licences. Please note the licence would allow live music up to 23:00, however as this is not

regulated under the licensing act (Live Music Act 2012) there was no requirement for this to be in the application. Permissions for the non-standard timings for live music would need to be considered as these are not deregulated under the live music act. As advised background recorded music is not licensable therefore not required in the application and therefore should not be considered. I have attached a redacted copy of the application.

Representations made against the grant of a licence should evidence how an application has an adverse effect on the promotion on one or more of the licensing objectives under the Licensing Act. Unfortunately we cannot accept any comments relating to Planning Legislation or comments/determinations made by a Conservation Officer as any issues would be dealt with under this primary legislation.

Although some aspects of your representation would not be considered under the Licensing Act it has been accepted. In accordance with the Licensing Act 2003 (Hearings) Regulations 2005 a copy of your representation will be forwarded to the applicant. If an agreement cannot be made and any representations are not withdrawn, then the application will be determined by a Licensing Sub Committee at a hearing. You will be notified of the hearing date in due course.

Please confirm if you wish your representation to be accepted by the end of today so we can forward to the applicant for response.

Kind regards

**Nicola Kemp**

Senior Technical Support Officer  
Licensing  
Regulatory Services (Harrogate Area)  
North Yorkshire Council  
PO Box 787  
Harrogate  
HG1 9RW

☎ **Tel:** 0300 131 2 131

✉ **E-mail:** [Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)

🌐 **Website:** [www.northyorks.gov.uk](http://www.northyorks.gov.uk)

<image001.jpg>

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

From: \***Personal Information removed**\*

Sent: 12 June 2023 20:59

To: Licensing (HAR) <[licensing.har@northyorks.gov.uk](mailto:licensing.har@northyorks.gov.uk)>

Subject: Representation in connection with an application for a premises license

Dear Sir/Madam

I am writing with respect to the application for a premises license by:

Jamie Wilkinson  
1858 Bar  
42 High Street  
Knaresborough  
HG5 0EQ

I was unable to find the application on the website so had to rely on the information outside the premises.

Consequently I am unaware if there is a form that has to be filled in - so I am including a fully documented response with respect to my objection to this application.

I was astonished to find that a further (repeated) application had been made with respect to a license for these premises given that a previous application in May 2022 had been appraised, and after scrutiny and consideration of local representation had resulted in the application having to adhere to a number of conditions. I cannot understand therefore why it would now merit approval when nothing fundamentally has changed (apart from a premises license being given for a bar at the end of Berrys Passage - and virtually next door).

Consequently I wish to reiterate my original objections to this application with respect to:

Hours,

Music/Noise pollution,

Any use of outside space at the back of the premises and the consequences of smoking and general outdoor use during the proposed licensed hours.

The rear of the property is a residential development with single access along side the proposed outdoor area. It is inevitable that people drinking will get disinhibited and this may inhibit residents Access.

The other side is aligned with Berrys Passage, which is a unique, long standing residential area - I have real concerns that when customers go outside to smoke - they will congregate under the tunnel leading off the high street in inclement weather and similar may inhibit residents.

An area of the size proposed would encourage people to gather in numbers, consequently noise, light and smoke pollution is inevitable.

There is absolutely no doubt that any noise emanating from any proposed outdoor area area at the rear of the building will travel and will adversely effect the residents rights to peaceful enjoyment of their property including residents on Berrys Passage.

This will be experienced continually from noon to midnight which is totally unacceptable. There is no ballast between the outside space and the surrounding housing - both the ones which will be at the back of the proposed outdoor and the houses and flats along Berrys Passage. It is not clear if this is the intention of the new application.

Noise travels easily up and down the passage and the surrounding buildings and houses - it almost forms an amphitheatre around the proposed site consequently noise travels extensively in this area.

Every weekend on Sunday afternoon we can hear live music which comes from one of the bars in Market Square - so it will potentially have significantly more impact from a place in such close proximity.

There will be clearing up of sundry waste and empty glasses/bottles after the premises closes as well as dispersal and collection of empty bottles and waste which also causes considerable noise pollution at unsociable hours. Light pollution from any proposed outdoor space will also affect residents. Some flats and houses **\*Personal Information removed\*** sit above the proposed site. Already **\*Personal Information removed\*** light pollution from both the car park lights of the flats of **\*Personal Information removed\***, and the high ones alongside the Tesco site - all of which are on through the night. This directly affects **\*Personal information removed\*** and further light pollution will exacerbate an existing problem.

There are a number of conditions which should be added to the licence should it be granted (and indeed which was the case in the original planning application last year) The opening hours should be considerably curtailed.

There should not be any permitted development at the back of the building - this would inevitably impact residents' rights to peaceful enjoyment of their property. Should the application be favourably received I would request that noise from recorded music, live music etc. should not be audible outside of the premises. Any smoking/outdoor area should be directed at the front of the building (which will mean that the building itself should absorb much of the noise, light and smoke pollution in the road).

Outdoor spaces which are alongside public areas such as pavements experience regular general public footfall, and thereby are subject to more public scrutiny which mitigates potential disruptive and anti-social behaviour.

The previous application was for a cafe - which was much more appropriate. What has happened to this? - it would seem that this further application is trying to get an amendment to the plans originally approved, by the back door.

Knaresborough is saturated with bars and licensed premises - it does not need another. As I have indicated previously - only recently a bar was opened at the bottom of Berrys Passage - virtually next door to Claro chambers/42 High Street. There are already a number of vacant establishments in Knaresborough that were formerly licensed properties which would be more suitable for the purposes outlined. It seems perverse not to utilise such properties.

**\*Personal Information removed\***

Should you wish to discuss this further please do not hesitate to contact me. I was unable to find the application on the website so had to rely on the information outside the premises.

Kind regards

**\*Personal Information removed\***

Any opinions or statements expressed in this email are those of the author of the email, and do not necessarily reflect those of North Yorkshire Council.

This email (and any files transmitted with it) is confidential, may contain privileged information and is intended for the addressee only. If you are not the intended recipient, please be aware that any disclosure, copying or distribution is prohibited and may be unlawful – you must not disclose the information to anyone, but must instead notify the sender at the above address and then destroy all copies.

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For information about how we process data, please see our Privacy Notice at [www.northyorks.gov.uk/privacynotice](http://www.northyorks.gov.uk/privacynotice).

<1858 Bar Restaurant Redacted\_Application.pdf>

**From:** Licensing (HAR)  
**Sent:** Wed, 14 Jun 2023 07:41:33 +0000  
**To:** Jaime Wilkinson  
**Cc:** Licensing (HAR)  
**Bcc:** Wan Malachi;Gareth Bentley  
**Subject:** FW: 1858 Bar & Restaurant premises licence application (our reference C23/00596/LAPREM) Representation 5

Good morning Mr Wilkinson

**1858 Bar Restaurant , 42 High Street, Knaresborough, North Yorkshire, HG5 0EQ**

**PREMISES LICENCE APPLICATION  
LICENSING ACT 2003**




Please find below a representation raised by an interested party in respect of the above application (Representation 5).

You should give this representation your careful consideration and you are encouraged to resolve the issues raised by negotiation through the Licensing Team. You should address the concerns in the representation in writing and send these to the Licensing Team who will forward your response to the interested party.

If resolution cannot be reached and the representation is not withdrawn the application will be dealt with at a Licensing Sub-committee hearing which will be arranged within 20 days of the end of the consultation period. Please be aware that the Licensing Authority has a maximum of two months from the original submission of the application to make a final determination so it is important that any negotiation is swiftly conducted.

Kind regards

**Nicola Kemp**  
Senior Technical Support Officer  
Licensing  
Regulatory Services (Harrogate Area)  
North Yorkshire Council  
PO Box 787  
Harrogate  
HG1 9RW

 **Tel:** 0300 131 2 131  
 **E-mail:** [Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)  
 **Website:** [www.northyorks.gov.uk](http://www.northyorks.gov.uk)





08.06.2023

Representation Form

[REDACTED]

Making a representation about 1858 Bar and Restaurant

Address – 42 High Street, Knaresborough, HG5 0EQ

**Summary:**

I am writing to object to the pending licence application detailed as above, I [REDACTED] share great concern over the hours applied for, more so but not limited to those that extend into the late evening and early hours of the morning especially when considering operations around the smoking permitted outside seating area.

The below outlines our concerns and categorises such concerns into what we understand to be elements that will be taken into account as was denoted in previous licence objection applications, templated by predecessor Harrogate Borough Council.

**Four category Licensing Objections:**

**To Prevent Crime And Disorder**

**Drug and Substance Distribution & Abuse:**

Unfortunately as is the nature of any premises licence, the distribution and abuse of illegal substances is often rife around the surrounding areas of said premises. No doubt, the license holder will have measures of mitigation to limit or yield these practises taking place on the premises, this only encourages illicit behaviour to take place in the surrounding area where license holders jurisdiction is impractical to enforce or entirely not applicable. In these cases the likely candidate would be the secluded common area around the back of the intended building and the only right of access (barriered alleyway – barrier currently not operational/ not in use) that makes up the front of the development.

**Anti-Social Behaviour:**

Presuming the rights of access to [REDACTED] (Claro Court) will be utilised as a thoroughfare or a place of loitering for disbanding intoxicated consumers (whether intended to or not), the nature of its secluded setting will undoubtedly encourage Anti-Social Behaviour such as urination, altercations and unreasonable and unnecessary noise as is presently evident in both the adjacent Berry's Passage and access to Frazer's theatre. This will once again likely be out of the jurisdiction of the licence premises holder and thus very hard to

mitigate and police. As a result of this a substantial compromise of safety and security to the residents of claro court is apparent.

#### **Graffiti and Defacement:**

Due to the rights of access not having been brought to the public's attention we have thus far had no issue with the titled above. Referring back to the entrance and right of access to Frazer's theatre this is increasingly present.

#### **Public Safety**

Safety of our residency and the unwanted inquisition of intoxicated members of the public, inviting unwanted attention via the rights of access [REDACTED]  
[REDACTED]

Intoxicated members of the public becoming intimidating, abusive and confrontational towards residents of [REDACTED] An example of this would be [REDACTED] in particular, who works non-standard hours making her susceptible and vulnerable to the end of operations when this is likely to be in full effect.

#### **To Prevent Public Nuisance**

##### **Noise pollution:**

The proposed outdoor seating arrangement which plans to protrude into the existing shared access and egress as well as residential parking will undoubtedly generate amplified noise throughout the late hours of the evening as well as infringing on the early hours of the morning during both weekdays and weekends. This is of great concern to both myself, [REDACTED] [REDACTED] as adaption to dynamic sleeping habits in order to satisfy dynamic shift schedules demanded by work/occupation will be unquestionably interrupted, this is especially applicable but not limited to the working week and will undoubtedly cause stress induced issues.

On top of the above, the closely related licencing hours for music and events will again only exacerbate this above concern and completely amplify the reasonable background acoustic output (very occasional Highstreet traffic) presently incurred.

Concerns over attenuation of this noise we see problematic as it is to our understanding that due to the intended buildings grade listed status, where installation of any independent attenuation strategy would undoubtedly look unsightly at the front of our development. After hour operations, such as the dispersing of both staff and intoxicated consumers alike would only elongate noise pollution way into the early hours of the morning, especially the loitering of intoxicated punters after hours which is already evident throughout Knaresborough town centre in the early hours of the morning.

Emptying of bottle bins and general waste/refuse along with deliveries only further emphasise the reservations outlined above. As our bedsitting is situated on the 2nd floor towards the front of the property this will unquestionably cause distress. It must be noted that the quiet and quaint setting of the development was used as a unique/key selling point during the purchase process.

**Light pollution:**

Additional light emitted through the early hours and in non-day light hours will once again compromise the ability to maintain required sleeping patterns for work/occupation. This also infringing on what is currently an area of conservation for emergency exit to both floors, which itself is currently aesthetically acceptable.

**Smoke Pollution:**

The intention of constructing a smoking permitted outside seating area only adds concern of additional air pollution with respect to consumption over area in such a concentrated designation of the outside enclosure coupled with any exhausting of extraction units used to attenuate flue gas and fume bi product of kitchen operations. Currently the only notable air pollution would be that of the Highstreet which generates the majority during daytime hours allowing for an ample window of low emissions in the late afternoon through evening, to morning. With the smoking permitted outside seating area in mind this means an elongated exposure to air pollution throughout the majority of the entire day.

**Waste and Refuse:**

Waste and Refuse operations and stores would presumably take place at the rear of the intended building and thus at the front of our development. Not only would this be substantially unsightly but given the nature of it being food and beverage would also encourage the presence of vermin and degradation of hygiene, which is currently at a satisfactory level.

**To Protect Children From Home**

[REDACTED]

[REDACTED] The proposed licensed opening hours and intended hours to which music (live and recorded) along with exhibition/event and film can be active will have obvious detrimental effect to any child present during the operational ours of the above. [REDACTED] is also inhabited by babies, toddlers and children alike, visiting family members, [REDACTED] that

frequently stay for overnight visits and on some occasions multiple consecutive overnight visits.

**Suggested Remedial Conditions And Accountable Notes:**

- Internally Integrated noise and light pollution attenuation (where permitted) enabling noise to be kept under a reasonable threshold.
- Reduced operational hours (especially but not limited to midweek + Sundays).
- All waste and refuse operations and storage to be dealt with out front.
- Investment in safety and security to mitigate the potential problematic issues associated with this licence application.
- Residential parking, yard (enabling access and egress), coach house + grounds to be strictly prohibited to the general public with the exemption of [REDACTED]  
[REDACTED]

Thank you for your consideration of the above notices and rationale for objection.

Yours Sincerely, [REDACTED]

[REDACTED]

[REDACTED]



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**From:** Licensing (HAR) <licensing.har@northyorks.gov.uk>  
**Sent:** 13 June 2023 12:23  
**To:** \*Personal Information removed\*  
**Cc:** Licensing (HAR) <licensing.har@northyorks.gov.uk>  
**Subject:** RE: 1858 Bar & Restaurant premises licence application (our reference C23/00596/LAPREM)  
**Importance:** High

Good afternoon,

My apologies, I failed to state if we have not had a response to the email below by the end of the day we will forward your representation to the applicant tomorrow morning for their consideration.

Kind regards

**Nicola Kemp**  
Senior Technical Support Officer  
Licensing  
Regulatory Services (Harrogate Area)  
North Yorkshire Council  
PO Box 787  
Harrogate  
HG1 9RW

☎ **Tel:** 0300 131 2 131  
✉ **E-mail:** [Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)  
🌐 **Website:** [www.northyorks.gov.uk](http://www.northyorks.gov.uk)



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**From:** Licensing (HAR) <licensing.har@northyorks.gov.uk>  
**Sent:** 13 June 2023 12:18  
**To:** \*Personal Information removed\*  
**Cc:** Licensing (HAR) <licensing.har@northyorks.gov.uk>  
**Subject:** RE: 1858 Bar & Restaurant premises licence application (our reference C23/00596/LAPREM)

Good afternoon \*Personal Information removed\*

I am writing to you with reference to your attached letter, the contents of which are noted. The reference number is C23/00596/LAPREM; please include this in any correspondence relating to this matter.

The submitted application is for a new premises licence issued under the Licensing Act 2003 and, as such, any determination is based specifically on this application and does not take into account any previous determinations or granted licences. Please note the licence would allow live music up to 23:00, however as this is not regulated under the licensing act (Live Music Act 2012) there was no requirement for this to be in the application. Permissions for the non-standard timings for live music would need to be considered as these are not deregulated under the live music act. As advised background recorded music is not licensable therefore not required in the application and therefore should not be considered. I have attached a redacted copy of the application.

Representations made against the grant of a licence should evidence how an application has an adverse effect on the promotion on one or more of the licensing objectives under the Licensing Act. Unfortunately we cannot accept any comments relating to Planning Legislation or comments/determinations made by a Conservation Officer as any issues would be dealt with under this primary legislation.

Although some aspects of your representation would not be considered under the Licensing Act it has been accepted. In accordance with the Licensing Act 2003 (Hearings) Regulations 2005 a copy of your representation will be forwarded to the applicant. If an agreement cannot be made and any representations are not withdrawn, then the application will be determined by a Licensing Sub Committee at a hearing. You will be notified of the hearing date in due course.

Please confirm if you wish your representation to be accepted by the end of today so we can forward to the applicant for response.

Kind regards

**Nicola Kemp**

Senior Technical Support Officer  
Licensing  
Regulatory Services (Harrogate Area)  
North Yorkshire Council  
PO Box 787  
Harrogate  
HG1 9RW

☎ Tel: 0300 131 2 131  
✉ E-mail: [Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)  
🌐 Website: [www.northyorks.gov.uk](http://www.northyorks.gov.uk)



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**From:** \*Personal Information removed\*

**Sent:** 12 June 2023 22:33

**To:** Licensing (HAR) <[licensing.har@northyorks.gov.uk](mailto:licensing.har@northyorks.gov.uk)>

**Subject:** Premises license representation - 1858 BAR RESTAURANT \_ 42 HIGH STREET HG50EQ

Dear North Yorkshire council licensing team,

I am writing in regard to the application for premises license:  
JAMIE WILKINSON, 1858 BAR RESTAURANT - 42 HIGH STREET HG50EQ

Please find enclosed/attached **\*Personal Information removed\*** letter of objection to the above.

Kind Regards,

**\*Personal Information removed\***

**From:** Licensing (HAR)  
**Sent:** Wed, 14 Jun 2023 08:00:47 +0000  
**To:** Jaime Wilkinson  
**Cc:** Licensing (HAR)  
**Bcc:** Gareth Bentley;Wan Malachi  
**Subject:** FW: 1858 Bar & Restaurant premises licence application (our reference C23/00596/LAPREM) Representation 6  
**Attachments:** 1858 Bar & Restaurant - 42 high st Knaresborough - license objection - 07.06.23\_Redacted\_Rep6.pdf  
**Importance:** High

Good morning Mr Wilkinson

**1858 Bar Restaurant , 42 High Street, Knaresborough, North Yorkshire, HG5 0EQ**

**PREMISES LICENCE APPLICATION  
LICENSING ACT 2003**




Please find below and attached a representation raised by an interested party in respect of the above application (Representation 6).

You should give this representation your careful consideration and you are encouraged to resolve the issues raised by negotiation through the Licensing Team. You should address the concerns in the representation in writing and send these to the Licensing Team who will forward your response to the interested party.

If resolution cannot be reached and the representation is not withdrawn the application will be dealt with at a Licensing Sub-committee hearing which will be arranged within 20 days of the end of the consultation period. Please be aware that the Licensing Authority has a maximum of two months from the original submission of the application to make a final determination so it is important that any negotiation is swiftly conducted.

Kind regards

**Nicola Kemp**  
Senior Technical Support Officer  
Licensing  
Regulatory Services (Harrogate Area)  
North Yorkshire Council  
PO Box 787  
Harrogate  
HG1 9RW

 **Tel:** 0300 131 2 131  
 **E-mail:** [Nicola.Kemp@northyorks.gov.uk](mailto:Nicola.Kemp@northyorks.gov.uk)  
 **Website:** [www.northyorks.gov.uk](http://www.northyorks.gov.uk)