



Agenda

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

To: Councillors Tim Grogan, Subash Sharma and Roberta Swiers.

Date: Thursday, 18th April, 2024

Time: 11.00 am

Venue: Committee Room 2, Scarborough Town Hall, St Nicholas St, YO11 2HG

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.

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)
5. **Application for the Variation of a Premises Licence for the Duke of York, 124 Church Street, Whitby, YO22 4DE** (Pages 5 - 34)

Agenda Contact Officer:

Christian Brennan, Democratic Services
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Email: christian.brennan@northyorks.gov.uk

Wednesday, 10 April 2024



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

18 April 2024

Application for the Variation of a Premises Licence for the Duke of York, 124 Church Street, Whitby, YO22 4DE.

Report of the Corporate Director – Environment

1.0 PURPOSE OF REPORT

- 1.1 To seek the determination by the Statutory Licensing Sub-Committee of an application for the Variation of a Premise Licence (Licensing Act 2003 'The Act')

2.0 SUMMARY

- 2.1 An application for the variation of a premise licence has been received from Stonegate Pub Company Limited and is attached at **Appendix A**. A copy of the existing premises licence (PL0431) is also attached at **Appendix B**.
- 2.2 The application seeks to vary the layout of the premises to include the basement bar servery within the licensed area which will be used to serve the adjacent external seating area as indicated on the plan. The application also seeks to add additional conditions relating to the management of the bar servery area which are outlined at 3.2 of the report. These conditions would restrict the use of basement bar servery to between 10:00 and 22:00 each day.

3.0 Promotion of Licensing Objectives

- 3.1 Section 4 of 'the Act' 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 The following conditions have been offered as part of the application:

- The operation of the basement servery shall be limited to between 10:00 and 22:00 hours each day.
- Whilst the basement bar servery is operating appropriate staff will be deployed for the purposes of floor walking to monitor the external area.
- At all times the basement bar servery is in operation there should be a minimum of one member of staff on duty at the bar linked to the premises radio/ contact system.

- The premises will implement an external area management plan for use when the basement bar servery is in operation.

4.0 Representations

4.1 A relevant representation has been received from a member of the public and is attached at **Appendix C**, the representation is in line with the following licensing objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

4.2 The representation is summarised as follows:

- That the service of food and drink between 10:00 and 22:00 will disturb the residents of a nearby property which has bedrooms overlooking the area.
- That the variation may lead to an increase in drunken and anti-social behaviour in an area frequented by families.
- That the variation may lead to the peaceful tranquillity being ruined by loud, drunken, and obnoxious individuals.
- That there is no safety barrier in place around the external area which may lead to drunken individuals falling into the water.
- That customers leaving the premises may disturb nearby residents.

4.3 Members should note that some of the grounds for the representations may not directly relate to the licensing objectives but have been included in the interests of openness and transparency.

5.0 ALTERNATIVE OPTIONS CONSIDERED

5.1 All of the Sub-Committee's options are outlined at 12.0 of the report. No alternative options are available.

6.0 FINANCIAL IMPLICATIONS

6.1 The costs involved in administering the Licensing Act 2003 are set in statutory legislation.

7.0 LEGAL IMPLICATIONS

7.1 As a relevant representation has been received, the Sub-Committee must hold a hearing to consider the representation and, having regard to the representation, determine the application.

7.2 The Sub-Committee must have regard to the promotion of the four licensing objectives in exercising its functions under the Licensing Act 2003.

7.3 The Sub-Committee must also have regard to the statutory guidance under section 182 of the Act and the council's own statement of licensing policy exercising its functions under the Act.

7.4 The applicant and all parties to the hearing may appeal against the decision of the Licensing Sub-Committee. Appeals must be made to a Magistrates' Court within 21 days of receiving notification of the decision.

8.0 CLIMATE CHANGE IMPLICATIONS

8.1 No climate change implications have been identified.

9.0 POLICY IMPLICATIONS

9.1 The following sections of the Scarborough Locality Statement of Licensing Policy are relevant in considering the licensing objectives:

“3.8 The Council has a duty under Article 8 of the European Convention on Human Rights to protect the rights of its residents to privacy and family life. The Council also acknowledges the rights of businesses in its area to operate, but this must be balanced against the rights of residents not to be disturbed by unreasonable noise and nuisance caused by licensed premises”.

“3.9 It is acknowledged that the Council has a duty to exercise its functions with a due regard to the likely effect of the exercise of those functions on, and the need to do all that it can to prevent, crime and disorder in its area. In addition we will seek to support strategies where they are allied to the licensing objectives”.

“3.10 The licensing authority is unable to refuse or impose conditions on valid applications where no relevant representations have been made. Where conditions are imposed, they shall be appropriate and proportionate and shall be tailored to the size, style, characteristics and activities that take place at the premises concerned”.

“3.11 In addition conditions imposed shall be precise and enforceable, clear in what they intend to achieve, shall not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation, shall not replicate offences set out in the 2003 Act or other legislation, shall be justifiable and capable of being met and shall not seek to manage the behaviour of customers once they are beyond the direct management of the licence/certificate holder and their staff”.

9.2 The Sub-Committee should also consider the following sections of the S182 Licensing Act 2003 Guidance:

- Principles – 1.15 to 1.17
- Crime and disorder – 2.1 to 2.7
- Public safety - 2.8 to 2.20
- Public nuisance - 2.21 to 2.27
- Beer gardens or other outdoor spaces – 8.35 to 8.37
- Advertising applications – 8.80
- Conditions - 10.1 to 10.10

10.0 EQUALITIES IMPLICATIONS

10.1 No equalities implications have been identified for this matter.

11.0 REASONS FOR RECOMMENDATIONS

11.1 In accordance with section 35 of the Licensing Act 2003, the licensing authority must hold a hearing to consider the application and any relevant representations.

11.2 The Sub-Committee must, having had regard to the application and any relevant representations, take such steps (if any) as it considers appropriate for the promotion of the licensing objectives.

12.0 RECOMMENDATION(S)

The Licensing Committee has the following options:

- i) To modify the conditions of the licence; or
- ii) To reject the whole or part of the application.

And for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

In making its decision, the Sub-Committee must act with a view to promoting the licensing objectives. The Sub-Committee must also have regard to its Statement of Licensing Policy and the Statutory Guidance issued under Section 182 of the Act.

APPENDICES:

Appendix A – Application
Appendix B – Current premises licence
Appendix C – Representation

BACKGROUND DOCUMENTS:

Scarborough Locality Statement of Licensing Policy
Section 182 Guidance (Home Office), Licensing Act 2003

Karl Battersby
Corporate Director – Environment
County Hall
Northallerton

4 April 2024

Report Author – Lisa Templeton – Licensing Enforcement Officer
Presenter of Report – Lisa Templeton – Licensing Enforcement Officer

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

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure 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.

We Stonegate Pub Company Limited

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PL0431
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Duke of York 124 Church Street			
Post town	Whitby	Post code	YO22 4DE

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£70,700

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current residential address if different from premises address	3 Monkspath Hall Road		
Post Town	Solihull	Postcode	B90 4SJ

Part 3 - Variation

Please tick yes

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

If not, from what date do you want the variation to take effect?

To take effect upon completion of works as notified to the Licensing Authority in writing

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please read guidance note 2)

1. To vary the layout of the premises in accordance with plans supplied by the applicant to show the basement floor and license the bar servery shown on the basement plan to permit the sale of alcohol from that area.
2. To add conditions to the Premises Licence including restricting operation of basement bar servery between the hours of 10:00 and 22:00 each day and other conditions in terms of management, as stated in the application.
Such variation to have effect upon completion of works as notified to the Licensing Authority in writing. See application and licensing plans submitted to the council for full details. The permitted hours for licensable activities and opening hours to remain as existing.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please read guidance note 3)

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)
- f) recorded music (if ticking yes, fill in box F)
- 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)

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

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			<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 7)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)	
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)	
Fri				
Sat				
Sun				

E- No Change

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

F- No Change

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Fri			<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 7)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

H– No Change

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur					
Fri			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Sat					
Sun					
			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Fri					
Sat					
Sun					

J – No Change

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon					
Tue			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Wed					
Thur					
Fri					
Sat					
Sun					

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8) As existing, no change.</p>
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L- No Change

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			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 7)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
 None.

Please tick yes

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

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

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

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 11)

[The information provided in this box is solely for information only and not intended to be converted into conditions on the licence.]

We have considered the impact of the proposed variation which seeks to vary the layout of the premises to show the basement and license a bar servery within the basement which will be used to service the external area. We are not seeking any extension to permitted hours for licensable activities or opening hours.

The external area is owned by the council and permission for the applicant to use it is by way of a separate licence including the placing of tables and chairs for customer use and consumption of food and drink including alcohol within the area.

Steps have been taken to ensure that the application and proposed operation will continue to promote the licensing objectives, and in particular we have undertaken consultation regarding the licensing of the basement servery with the Licensing Authority Officer prior to submission and pre application consultation comments have been taken into account in considering and submitting this application.

Furthermore, conditions have been offered *within the application* as measures to ensure continued promotion of the licensing objectives:

- *The operation of the basement servery shall be limited to between 10:00 and 22:00 hours each day.*
- *Whilst the basement bar servery is operating appropriate staff will be deployed for the purposes of floor walking to monitor the external area.*
- *At all times the basement bar servery is in operation there should be a minimum of one member of staff on duty at the bar linked to the premises radio/ contact system.*
- *The premises will implement an external area management plan for use when the basement bar servery is in operation.*

Given the basement bar servery will be manned at all times it is in operation this will further assist in monitoring the existing external area alongside CCTV in place that covers the external area. Also, capacity via maximum number of covers is already limited under the licence permission granted by the council for use of the external area.

The applicant can further assure you that it has extensive experience in operating such external seating areas across the country, in many areas, in close proximity to residents and are committed to working in partnership with their local community. The applicant has management policies in place adapted at site level as appropriate which assist in managing nuisance in such external areas and monitoring customer behavior.

If the application is granted the existing licence conditions, policies and internal measures in place will continue to apply, including training staff to sell alcohol responsibly and in accordance with licensing law, alongside the additional condition as to restricting use of the basement servery, as a result, it is submitted that variation is unlikely to add to issues in the area or undermine the promotion of the licensing objectives.

b) The prevention of crime and disorder

See a) above. Also in the event the application is granted as applied for the following condition is proposed to be added to the licence:

- *The operation of the basement servery shall be limited to between 10:00 and 22:00 hours each day.*

- Whilst the basement bar servery is operating appropriate staff will be deployed for the purposes of floor walking to monitor the external area.
- At all times the basement bar servery is in operation there should be a minimum of one member of staff on duty at the bar linked to the premises radio/ contact system.
- The premises will implement an external area management plan for use when the basement bar servery is in operation.

c) Public safety

See a) above.

d) The prevention of public nuisance

See a) above.

e) The protection of children from harm

See a) above.


Please tick yes

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	20/02/2024
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) Suraj Desor Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) [REDACTED]			

Notes for Guidance

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

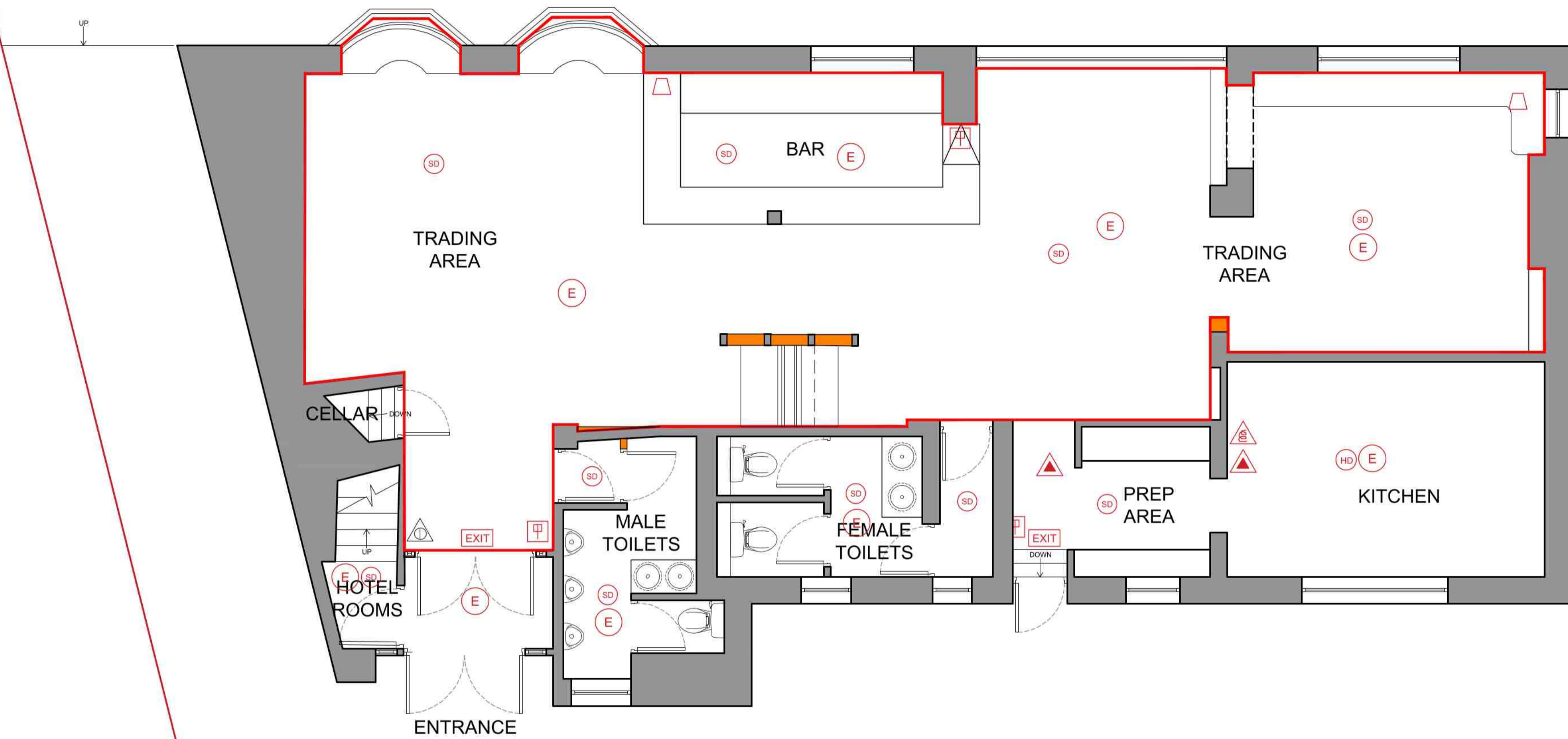
1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and

- any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.
 - 16.

Do not scale from this drawing. All dimensions to be checked on site prior to manufacture and construction. This drawing is the property of Harrison Ince Holdings Limited and should not be reproduced without permission.
 All discrepancies to be brought to the attention of the architect immediately.
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REVISIONS			
-	FIRST ISSUE	20.07.2022	RG
A	REVISED LAYOUT WITH ROOM LABELS	21.07.2022	RG
B	REVISED LAYOUT	26.07.2022	RG



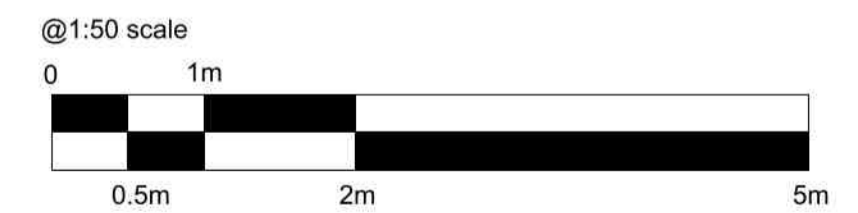
GROUND FLOOR PLAN - PUB
SCALE 1:50

FIRE AUTHORITY REQUIREMENTS

- VP VISION PANEL
- PB PANIC BOLT
- SC SELF-CLOSING
- EXIT** SELF CONTAINED MAINTAINED DIRECTIONAL EMERGENCY EXIT SIGN ILLUMINATED SUSPENDED *FIRE EXIT* SIGN 75mm LETTERS
- E** AREA COVERED BY MAINTAINED EMERGENCY LIGHT FITTING TO BS.5266, PART 1
- HD** AREA COVERED BY HEAT DETECTORS
- SD** AREA COVERED BY SMOKE DETECTORS
- FP** FIRE ALARM CALL POINT
- FAIP** FIRE ALARM INDICATOR PANEL
- ▲** FIRE BLANKET IN CONTAINER
- ▲** CARBON DIOXIDE FIRE EXTINGUISHER
- ▲** 9 LITRE WATER EXTINGUISHER
- ▲** DRY POWDER EXTINGUISHER
- ▲** FOAM FIRE EXTINGUISHER
- ▲** ALARM WARNING DEVICE (voice type in Customer Areas) music sound system to be de-activated.

LICENSABLE ACTIVITIES

NOTES:
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 THE LOCATION AND TYPE OF ANY FIRE SAFETY AND ANY OTHER SAFETY EQUIPMENT IS SHOWN AS AT PRESENT. THIS MAY VARY FROM TIME TO TIME WITH THE ARRANGEMENT OF THE FIRE OFFICER OR AFTER A FIRE RISK ASSESSMENT.



HARRISON INCE
 ARCHITECTS INTERIOR DESIGNERS

CLIENT
STONEGATE PUB COMPANY

PROJECT
**DUKE OF YORK,
 124 CHURCH STREET, WHITBY, YO22 4DE**

TITLE
**PROPOSED GROUND FLOOR
 LICENSING PLAN**

DATE: JULY 2022 SCALE: 1:50 @ A1

JOB NO. ST158 DWG. NO. AM01 B

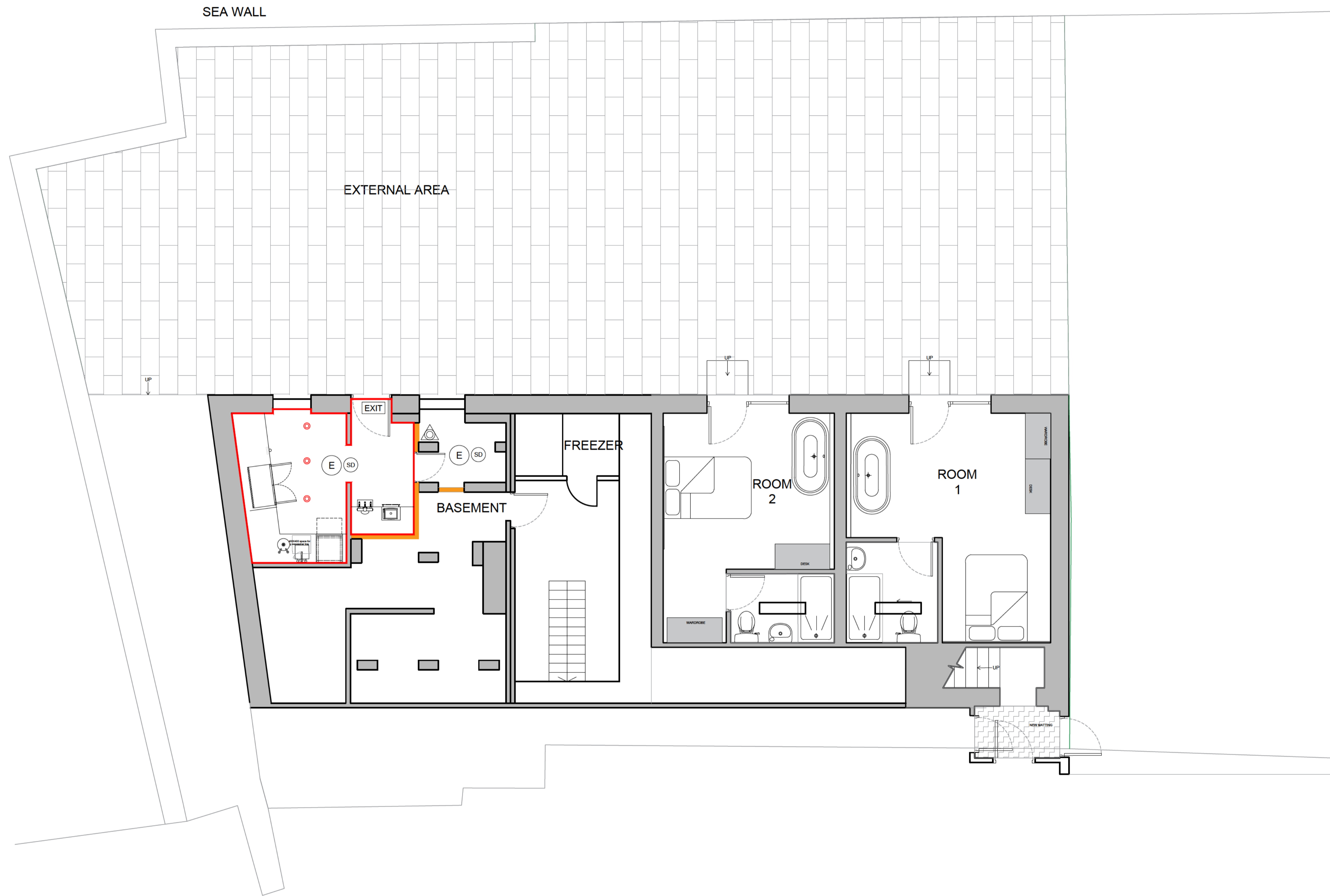
DRAWN: CAD/RG CHECKED:

SUN HOUSE
 24 LITTLE PETER STREET
 KNOTT MALL
 MANCHESTER
 M15 4PS
 TEL: 0161 236 3650
 EMAIL: enquiries@harrison-ince.co.uk

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REVISIONS			
-	FIRST ISSUE	09.02.2024	MSM
A	EXTERNAL AREA HIGHLIGHTED IN RED	19.02.2024	LB
B	RED LINE REMOVED	20.02.2024	LB

Page 23

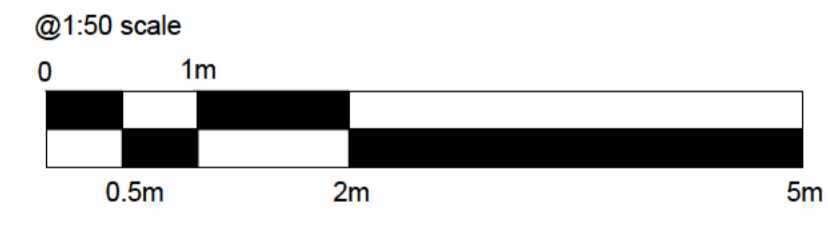


FIRE AUTHORITY REQUIREMENTS

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- 9L** 9 LITRE WATER EXTINGUISHER
- DP** DRY POWDER EXTINGUISHER
- FO** FOAM FIRE EXTINGUISHER
- AWD** ALARM WARNING DEVICE (voice type in Customer Areas) music sound system to be de-activated.

LICENSABLE ACTIVITIES

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BASEMENT FLOOR PLAN
SCALE 1:50

HARRISON INCE
 ARCHITECTS INTERIOR DESIGNERS

STONEGATE GROUP
 CLIENT

DUKE OF YORK,
 124 CHURCH STREET, WHITBY, YO22 4DE
 PROJECT

PROPOSED LICENSING PLAN - BASEMENT
 TITLE

DATE	FEB 2024	SCALE	1:50 @ A1
JOB NO.	ST158	DWG. NO.	AM01 B
DRAWN	CAD/MSM	CHECKED	

SUN HOUSE
 24 LITTLE PETER STREET
 MANCHESTER
 M15 4PS
 TEL: 0161 236 3660
 EMAIL: enquiries@harrison-ince.co.uk

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LOCAL AUTHORITY



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

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

Duke of York

124 Church Street, Whitby, North Yorkshire, YO22 4DE.

Telephone 01947 600324

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Thursday to Tuesday	8:00pm	Midnight
F. Playing of recorded music (Indoors)	Monday to Sunday	11:00am	12:30am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday	11:00am	Midnight
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Sunday	11:00am	Midnight
	Christmas Eve	11:00am	1:00am
	New Year's Eve	11:00am	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	8:00am	12:30am
Christmas Eve	8:00am	1:30am
New Year's Eve	8:00am	2:30am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Stonegate Pub Company licensing@eigroupplc.com	3 Monkspath Hall Road, Solihull, B90 4SJ. Telephone 0207 399 4200
---	--

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Stonegate Pub Company	FC029833
-----------------------	----------

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Andrew WALLER STONEHOUSE	[REDACTED]
--------------------------	------------

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. PA1176	Issued by Scarborough
--------------------	-----------------------



ANNEX 1 - MANDATORY CONDITIONS**MANDATORY CONDITIONS APPLICABLE TO ALL PREMISES LICENCES UNDER THE LICENSING ACT 2003.****Requirement for a Designated Premises Supervisor**

1. No supply of alcohol may be made under the premises licence-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Exhibition of films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where
 - (a) The film classification body is not specified in the licence, or
 - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section “children” means any person aged under 18; and “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c39) (authority to determine suitability of video works for classification)

Door Supervisors and Security Staff to be licensed by the SIA

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority, with the following exceptions:
 - (a) Premises where the premises licence authorises plays or films.
 - (b) Any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 to the Private Security Industry Act 2001 (premises being used exclusively by a club premises certificate, under a temporary event notice authorising plays or films under a gaming licence), or
 - (c) Any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001.

Age verification policy

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.

Minimum price of alcohol

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$
 where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence
 - (i) the holder of the premises licence.
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from 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 following conditions apply where the licence or certificate authorises "on" or "on and off" sales

No irresponsible drinks promotions

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).

Free water

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

Small measures to be available

1. 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.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

General

1. There shall be a 30 minute 'wind down' period after the permitted hours for the sale of alcohol.
2. Live Music shall be no more than 2 days per week. These days shall vary. The live music shall be by way of a single person with amplified voice/instrument.
3. Recorded Music shall be by way of music playing unobtrusively in the background.
4. The licensee shall request taxis to be considerate when picking up fares from outside of the premises and specifically request them not to sound their horns.

CCTV

5. The following CCTV conditions shall apply to this licensing application
- i) A colour digital CCTV system shall be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises.

- ii) The CCTV system shall contain the correct time and date stamp information.
- iii) The CCTV system shall cover all areas of the premises occupied by the public under the terms of the licence.
- iv) The CCTV system shall be capable of providing quality images of good evidential value. The CCTV system shall have sufficient storage retention capacity for a minimum of 28 days' continuous footage.
- v) The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing.
- vi) The data controller who is responsible for any CCTV images captured on cameras on the premises will, on the lawful request of an authorised officer or an officer of North Yorkshire Police, cause any required footage to be downloaded immediately, or where this is not possible, as soon as reasonably practicable, and supplied to the requesting officer. Where the CCTV images are not supplied at the time of the request being made the data controller will ensure that they are secured to prevent any overwriting.
- vii) The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media. The CCTV system replay software must allow an authorised officer or an officer of North Yorkshire Police to search the picture footage effectively and see all the information contained in the picture footage for the purposes of detecting, investigating and preventing crime. It must be possible to replay exported files immediately e.g. no indexing of files or verification checks.
- viii) No device shall be permitted that could in any way adversely affect or impede the quality of the images recorded by the CCTV system, e.g. smoke or dry ice machines.

Security, Noise Nuisance & Children

- 6. The premises shall continue to participate in the local Pub Watch scheme, to include the use of a Pub Watch radio and adoption of the 'Banned from One, Banned from All' scheme.
- 7. Door staff shall be utilised during special events and Bank Holidays when requested by North Yorkshire Police.
- 9. There shall be a maximum occupancy of 100 persons.

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

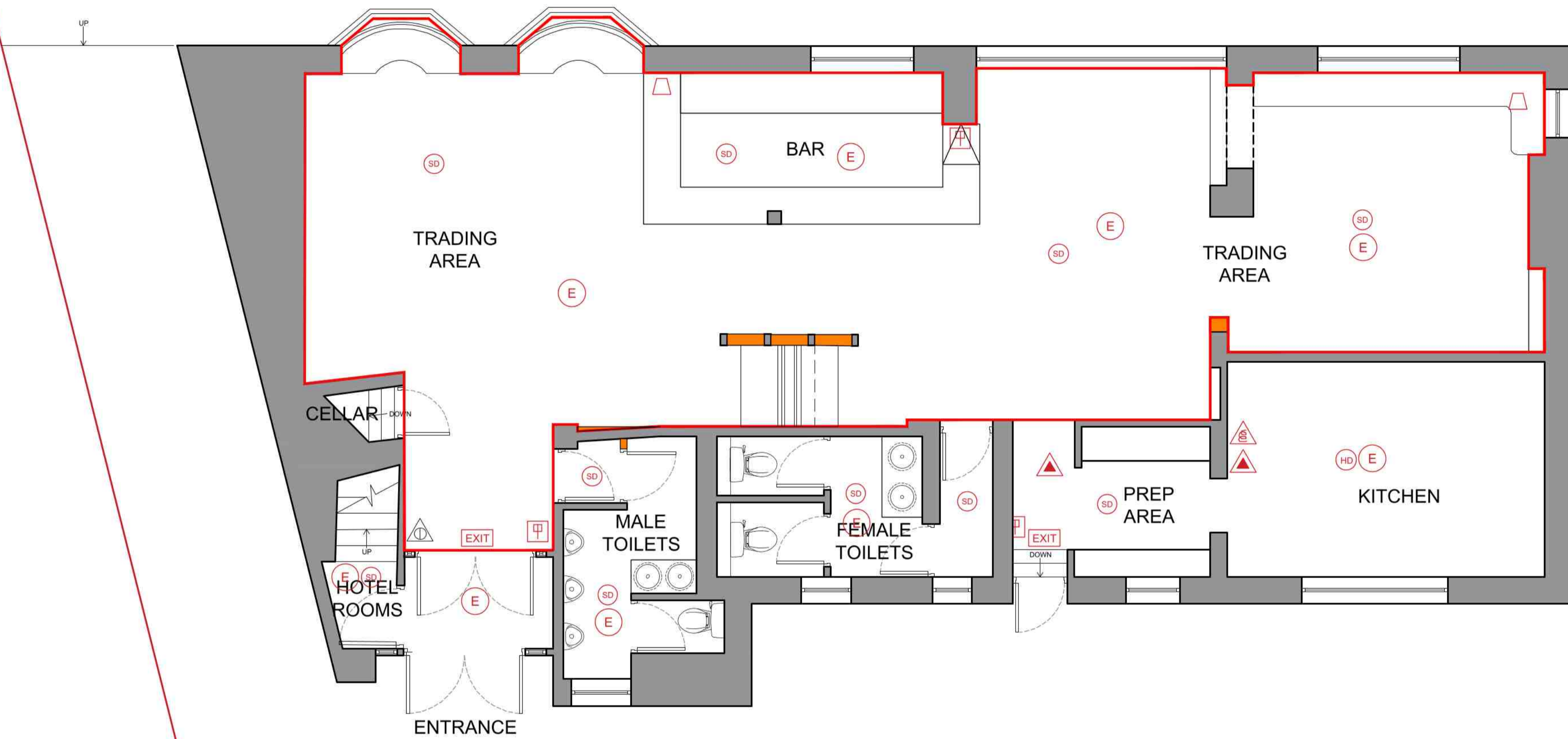
None

ANNEX 4 - PLANS

Attached

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REVISIONS			
-	FIRST ISSUE	20.07.2022	RG
A	REVISED LAYOUT WITH ROOM LABELS	21.07.2022	RG
B	REVISED LAYOUT	26.07.2022	RG



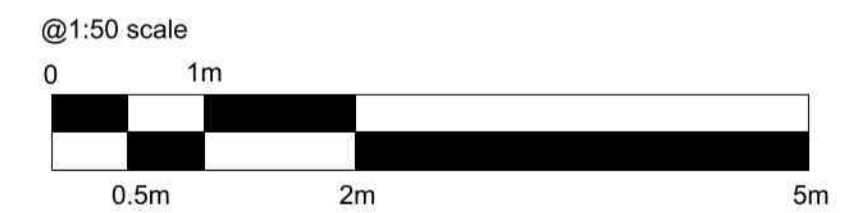
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SCALE 1:50

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▭ LICENSABLE ACTIVITIES

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HARRISON INCE
ARCHITECTS INTERIOR DESIGNERS

CLIENT
STONEGATE PUB COMPANY

PROJECT
**DUKE OF YORK,
124 CHURCH STREET, WHITBY, YO22 4DE**

TITLE
**PROPOSED GROUND FLOOR
LICENSING PLAN**

DATE: JULY 2022 SCALE: 1:50 @ A1

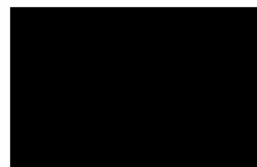
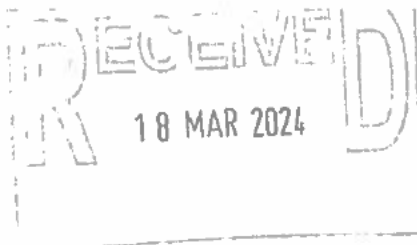
JOB NO. ST158 DWG. NO. AM01 B

DRAWN: CAD/RG CHECKED:

SUN HOUSE
24 LITTLE PETER STREET
KNOTT MALL
MANCHESTER
M15 4PS
TEL: 0161 236 3650
EMAIL: enquiries@harrison-ince.co.uk

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The Licensing Authority
Scarborough Borough Council
Town Hall
St. Nicholas Street
Scarborough
YO11 2HG



13 March 2024

Dear Sir/Madam

Letter of Objection to the Notice of application to vary a Premises Licence under Section 34 of the Licensing Act 2003

I am writing this letter with reference to the above application that has been requested by Stonegate Pub Company Limited for a proposed variation of change of use to the Duke of York in Whitby. This notice is hardly visible due to it being printed on blue paper making it very difficult for people to read.

I would like to object most strongly to the proposed changes as my property is situated next door literally just a few yards from where they propose to serve food and drink from 1000 hrs to 2200 hrs with two of my bedrooms overlooking the area and one of these rooms being where the baby sleeps and she is put down at 1900 hrs.

Whitby is becoming renowned for people holding their stag or hen parties, they are overly loud, rude, abusive and the language is obscene and absolutely disgusting. Because this area is situated next to a very popular beach that in the warm months is full of families enjoying themselves with their children and antics of drunken groups in close proximity is not something that should have to be tolerated by people wanting to enjoy themselves with their families.

The area that they are proposing to use has always been used by the public to sit and enjoy the view out to sea and families who have been on the beach get their children organised here before they go home, it is most certainly not suitable for an area where people can eat and drink and get drunk due to the fact that there are no safety barriers that would give protection to people in a drunken inebriated state from falling into the water.

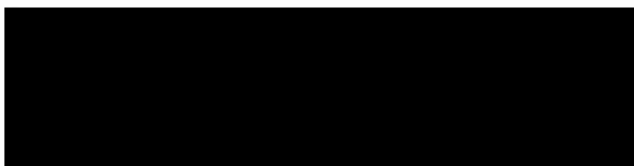
There are no guarantees that this is not going to become a problem and supposed bouncers are not as effective as they should be even now people find a way to come out of the pub with their drinks that are not permitted outside. If this proposed change is granted what reassurances are you going to give the residents, and there are lots of residents that live within very close proximity of the pub and whose properties have to be passed when people would vacate from the pub, that their peace and quiet is not going to be abused and compromised?

Everyone needs to progress but since the new owners have taken over the pub the carbonisation canisters have been moved outside, they used to be inside the pub. There

is a bench they have moved to a narrower part of the path and the staff sit on this to have a cigarette and this used to be at the side of the pub door but is now near the canisters that are actually on public land.

I therefore wish to make a very strong objection against these proposed changes as I feel that they will lead to the peaceful tranquility being ruined by very loud drunken obnoxious people that are giving Whitby a bad name. We should be trying to maintain the quaintness of such a lovely town being spoilt by drunken groups of people spoiling family time in a lovely part of the town. Why do local residents have to put up with this kind of obnoxious behaviour?

Yours faithfully

A large black rectangular redaction box covering the signature area.

Louise Anderson