



## Agenda

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

**To: Councillors Tim Grogan, Roberta Swiers and Malcolm Taylor.**

**Date: Tuesday, 21st May, 2024**

**Time: 11.00 am**

**Venue: Town Hall, St Nicholas St, Yo11 2 Scarborough 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 grant of a Premises Licence for Talk Bar, 181 Columbus Ravine, Scarborough, YO12 7QZ** **(Pages 5 - 40)**

**Agenda Contact Officer:**

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Monday, 13 May 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

21 May 2024

#### Application for grant of a Premises Licence for Talk Bar, 181 Columbus Ravine, Scarborough, YO12 7QZ

#### 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 grant of a premise licence (Licensing Act 2003 'The Act')

#### 2.0 Application

- 2.1 An application for the grant of a premise licence has been received from Mrs Tracey Laverick and Mr Neil Laverick, the application is attached at **Appendix A**.

- 2.2 The application seeks to convert the ground floor of the premises (formerly Chisholm Bookmakers) into a bar offering food with seating inside and outside. The licensable activities are as follows:

- Sale of alcohol 12:00 to 23:00 Monday to Sunday
- Opening Hours 12:00 to 23:00 Monday to Sunday

#### 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 which 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:

- 1) The premises shall operate as a bar and the sale of alcohol shall be ancillary to this.
- 2) Off sales shall be in sealed containers

#### The prevention of crime and disorder

- 3) A colour digital CCTV system will 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.
- 4) The CCTV system shall contain the correct time and date stamp information.

- 5) The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence.
- 6) The CCTV system must be capable of providing quality images of good evidential value. The CCTV system will have sufficient storage retention capacity for a minimum of 28 days continuous footage.
- 7) The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing.
- 8) 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.
- 9) 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.
- 10) 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.

#### **Public safety**

- 11) A documented staff training programme shall be provided to all members of staff at the premises in respect of the:
  - operation of the CCTV system (including the downloading of evidence);
  - retail sale of alcohol;
  - age verification policy;
  - conditions attached to the Premises Licence;
  - permitted licensable activities;
  - any training specified by North Yorkshire Police licensing in respect of safeguarding and vulnerability
  - the licensing objectives; and
  - opening times for the venue.

with such records being kept for a minimum of one year. [For the avoidance of doubt, the one year period relates to each respective entry in the log book and runs from the date of that particular entry];

- 12) The DPS shall risk assess the requirement for SIA registered door staff /additional staff for events held at the premises. This will be documented and provided to any responsible authority when required.

#### **The prevention of public nuisance**

- 13) Music shall be played through either a TV or jukebox.

- 14) Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

### **The protection of children from harm**

- 15) The premises shall operate a 'Challenge 25' Policy.
- 16) A Refusal Register and an Incident Report Register shall be maintained at the premises. Such registers will record incidents of staff refusals to underage or drunk people as well as incidents of any anti-social behaviour and ejections from the premises. Such Registers shall be kept for a minimum of one year. [For the avoidance of doubt, the one-year period relates to each respective entry in a Register and runs from the date of that particular entry in the Register].
- 17) There shall be no adult entertainment or services, activities, other entertainment, matter ancillary to the use of the premises that may give rise to concern in respect of children.

## **4.0 Representations**

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

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

4.2 The representation is summarised as follows:

- That the local area is mainly residential, and that there are already three premises within the vicinity which are licensed to serve alcohol late at night.
- That these existing premises already create a nuisance (particularly in the summer season) caused by:
  - Noise from people leaving/walking home after 11pm
  - Drunken behaviour including shouting and swearing at residents
  - Urination both in the street and gardens
  - Excessive noise from customers drinking outside
  - That the above issues are further exacerbated when events take place at the open air theatre
- That a further licensed premises may turn the area into a destination for drinking at night and increase the issues already experienced.

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 nuisance - 2.21 to 2.27



- Beer gardens or other outdoor spaces – 8.35 to 8.37
- 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 18 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 grant the licence as applied for (subject to any conditions consistent with the applicant's operating schedule)
- ii. To grant the licence subject to any additional conditions that Members consider appropriate for the promotion of the licensing objectives; or
- iii. To reject the whole or part of the application.

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 – 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

8 May 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.

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# **APPENDIX A**

## **Application**



**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.

**We** Mrs Tracey Laverick & Mr Neil scott Laverick

*(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**

Talk Bar 181 Columbus Ravine Scarborough			
<b>Post town</b>	North Yorkshire	<b>Postcode</b>	YO12 7QZ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£ 8500</b>

**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
- 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	Mrs	<input checked="" type="checkbox"/>	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b> laverick				<b>First names</b> Tracey		
<b>Date of birth</b>		[REDACTED]		I am 18 years old or over		Please tick yes <input checked="" type="checkbox"/>
<b>Nationality</b> british						
Current residential address if different from premises address		[REDACTED]				
Post town	[REDACTED]			Postcode	[REDACTED]	
<b>Daytime contact telephone number</b>			[REDACTED] -			
<b>E-mail address (optional)</b>		[REDACTED]				
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 <input checked="" type="checkbox"/>	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b> laverick			<b>First names</b> neil scott		
<b>Date of birth</b> [REDACTED]		I am 18 years old		Please tick yes. <input checked="" type="checkbox"/>	
<b>Nationality</b> british					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
<b>Daytime contact telephone number</b>		[REDACTED]			
<b>E-mail address (optional)</b>	[REDACTED]				
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
E-mail address

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
0	1	0
5	2	0
2	4	

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

DD	MM	YYYY

<p>Single story vacant unit which used to be Chisolm Bookies We would like to turn into a day bar with seating inside and out also with eating</p>
--

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)	
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)	

<b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box I)	
<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><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		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 performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

**B**

Films Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		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**

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

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

**F**

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

**G**

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



Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		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 provision of late night refreshment</u></b> (please read guidance note 5)		
Thur					
Fri			<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)		
Sat					
Sun					

**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	
				Off the premises	
				Both	X
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)  n/a		
Mon	1200	2300			
Tue	1200	2300			
Wed	1200	2300			
Thur	1200	2300			
Fri	1200	2300			
Sat	1200	2300			
			<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)  n/a		
Sun	1200	2300			

**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>	Mrs Tracey Laverick
<b>Date of birth</b>	██████
<b>Address</b>	████████████████████ ████████████████████ ████████████████████
<b>Postcode</b>	YO12 5HZ
<b>Personal licence number (if known)</b>	PL1142
<b>Issuing licensing authority (if known)</b>	scarborough council

**K**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).**

none

**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) NONE
Day	Start	Finish	
Mon	1200	2300	
Tue	1200	2300	
Wed	1200	2300	
Thur	1200	2300	
Fri	1200	2300	
Sat	1200	2300	
Sun	1200	2300	<b>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</b> (please read guidance note 6)  NONE

## 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)**

The premises will operate as a bar and the sale of alcohol will be ancillary to this. Off sales will be in sealed containers

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

A 24 hour colour CCTV system will be operational at the premises at all times, with the correct time and date stamp and have continuous footage for at least 28 days.

The CCTV will be controlled and kept in a secure environment to prevent tampering and authorised viewing

**c) Public safety**

We will have all fire regulations and extinguishers in place with signs which adhere to regulations

Staff training programme shall be provided to all members of staff at the premises in respect of:-

Age verification policy  
Conditions attached to the premises licence  
Licensing objectives  
Opening times of the venue

**d) The prevention of public nuisance**

Music will be played through either TV or jukebox. Signs will be put into place for customers, stating please leave the premises quietly and have respect for the neighbours

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

Rule of 25 will be in place and staff will be trained and checked on a regular basis to ensure this is happening, signs will be displayed and a log book will be used for challenge 25!

Refusal register and an incident report register shall be maintained within the premises which will record the refusals to under age or drunk people as well as incidents on any anti-social behaviour

**Checklist:****Please tick to indicate agreement**

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

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 will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <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	Tracey laverick
Print name	Tracey laverick
Date	3 <sup>rd</sup> March 2024
Capacity	Joint owner

**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	Neil scott laverick
Print name	Neil scott laverick
Date	3 <sup>rd</sup> March 2024
Capacity	joint owner

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

### Notes for Guidance

- 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.
- In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for

consumption on those premises, provided that the audience does not exceed 500.

- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

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

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

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

#### **Home Office online right to work checking service.**

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



To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at

<https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

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

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

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

## Suggested Conditions for Talk Bar

### 1) CCTV:

i) A colour digital CCTV system will 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 will cover all areas of the premises occupied by the public under the terms of the licence.

iv) The CCTV system must be capable of providing quality images of good evidential value. The CCTV system will 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.

2) Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

3) Off sales will be in sealed containers

4) A Refusal Register and an Incident Report Register shall be maintained at the premises. Such registers will record incidents of staff refusals to under age or drunk people as well as incidents of any anti-social behaviour and ejections from the premises. Such Registers shall be kept for a minimum of one year. [For the avoidance of doubt, the one year period relates to each respective entry in a Register and runs from the date of that particular entry in the Register].

#### 5) Staff Training

A documented staff training programme shall be provided to all members of staff at the premises in respect of the:-

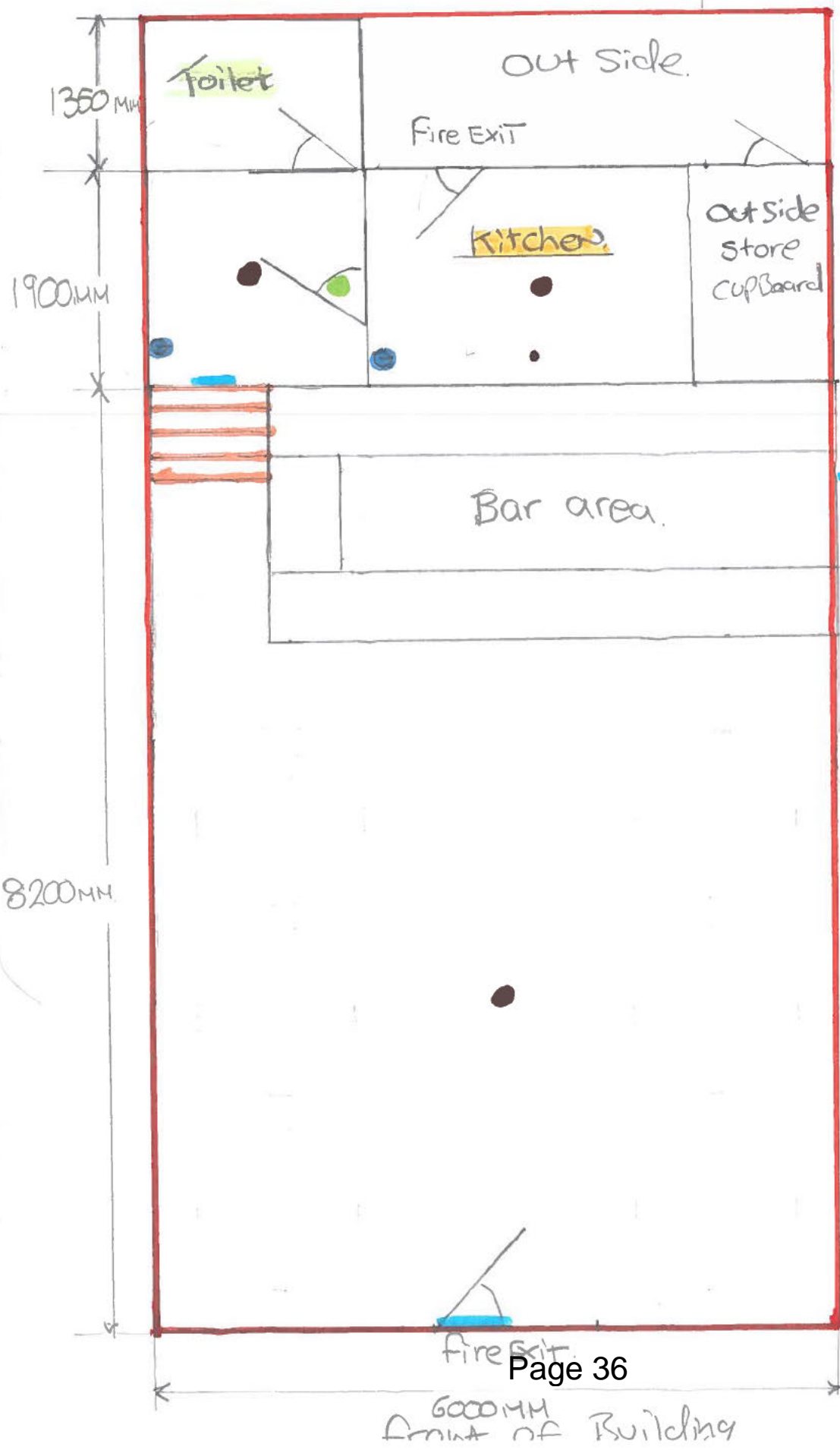
- operation of the CCTV system (including the downloading of evidence);
- retail sale of alcohol;
- age verification policy;
- conditions attached to the Premises Licence;
- permitted licensable activities;
- any training specified by north Yorkshire police licensing in respect of safeguarding & vulnerability
- the licensing objectives; and
- opening times for the venue.

with such records being kept for a minimum of one year. [For the avoidance of doubt, the one year period relates to each respective entry in the log book and runs from the date of that particular entry];

6) The DPS shall risk assess the requirement for SIA registered door staff / additional staff for events held at the premises. This will be documented and provided to any responsible authority when required.

7) Challenge 25 age verification policy will be in place at the premises

Scale 1:50

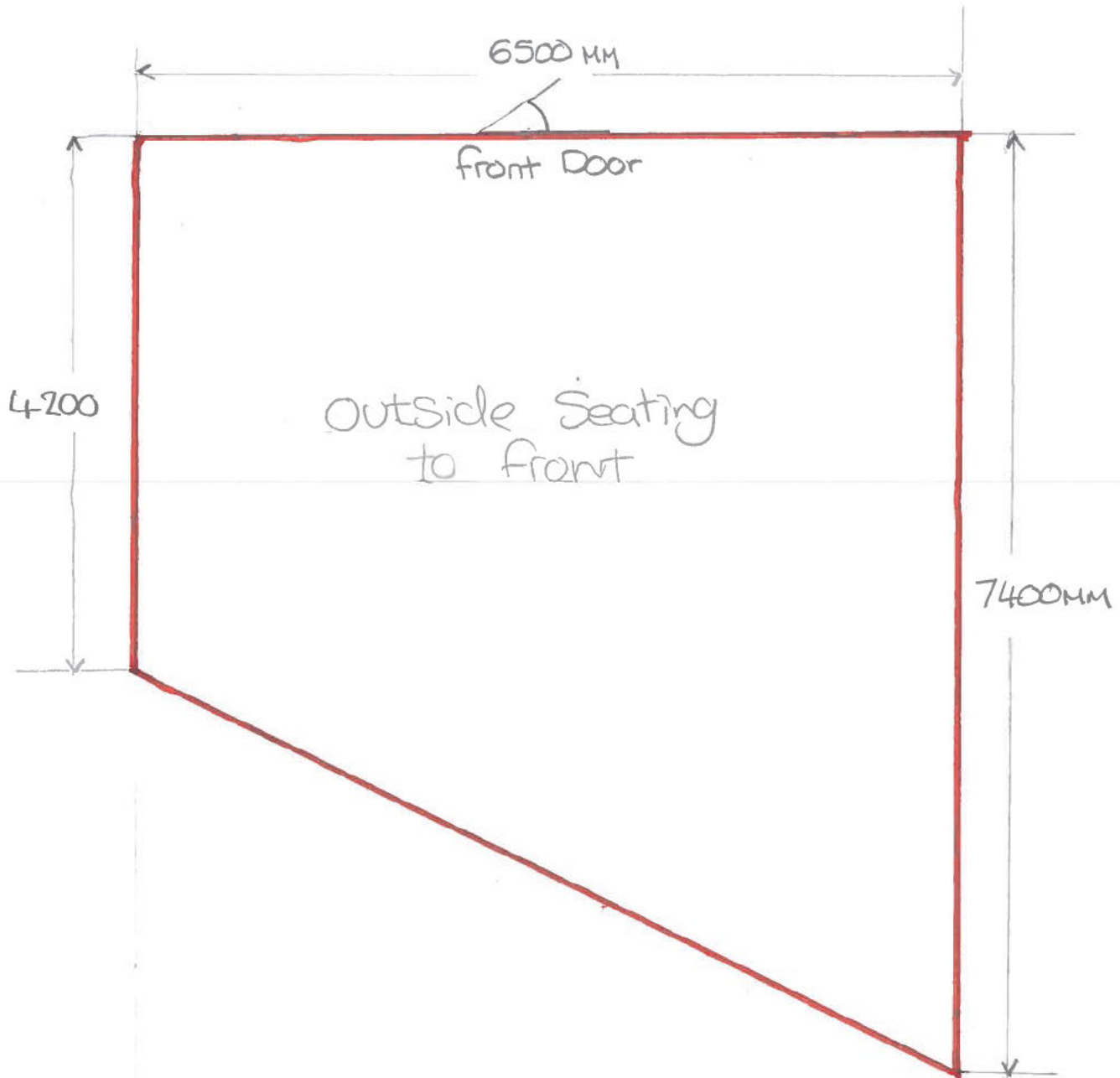


- █ LICENSED Area.
- █ Steps
- █ Toilet
- fire extinguisher
- █ Kitchen
- fire Door
- Emergency Light and exit sign.
- fire alarms.

Name

Talk Bar  
181 COLUMBUS  
RAVINE  
YO12 7QZ

Scale 1:50



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# **APPENDIX B**

## **Representations**

**From:** [REDACTED]  
**To:** [Licensing \(SCA\)](#)  
**Subject:** Fw: Premises license application comment  
**Date:** 27 March 2024 12:15:24

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Talk bar  
181 Columbus Ravine  
Yo12 7QZ

Dear sir/madam  
Please find my respresntation

**The prevention of crime and disorder / public nuisance**

The roads around this area (Victoria Park Avenue / Tennyson avenue etc are mainly residential. There are currently 3 premises already with licenses to serve alcohol late at night.. These been North Riding Hotel, The Hideout and Peasholm Grill House  
WE currently already get nuisance on a regular basis (especially in the summer season) whereby

- after 11pm the people exiting these premises are very noisy when leaving / walking home
- There is drunken behavior including shouting/swearing at residents public urination both in the street and gardens
- The excessive noise travelling from the grill house premises which is next door to the proposed license - at night with people drinking outside.
- This is exacerbated when events at the Open Air Theatre are on

In granting this license you will create a high enough volume of drinking establishments to make a destination for drinking at night and increase the issues currently already experienced. In a residential area such concentration of late alcohol licenses are not welcome.

I therefore ask that this license is rejected.

Alison Chambers  
[REDACTED]