



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

Dear North Yorkshire council licensing team,

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

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

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

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

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

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

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

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

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

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

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

Yours Sincerely,

Personal Information removed

08.06.2023

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

To prevent public nuisance

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

08.06.2023

To protect children from harm

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

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

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

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

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

Yours Sincerely,

[REDACTED]

[REDACTED]



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

Good morning *Personal Information removed*,

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

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

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

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

Kind regards

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

Tel: 0300 131 2 131
 E-mail: Nicola.Kemp@northyorks.gov.uk
 Website: www.northyorks.gov.uk

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

Good morning Mr Wilkinson

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

**PREMISES LICENCE APPLICATION
LICENSING ACT 2003**




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

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

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

Kind regards

Nicola Kemp
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Regulatory Services (Harrogate Area)
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