

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

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

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

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

Hello Ms Kemp

Thank you for this.

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

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

In addition - wish to add that I think that a licensing extensions even on public holidays is inappropriate as this establishment is so closely aligned to residential areas  
Berrys Passage is already a very vulnerable area being a 'short cut' from the town centre to a number of residential properties and estates. It is discrete and hidden from general public view due to it being a short tunnel followed by a walled pathway and outwith any public scrutiny or street cameras other than by those residents whose houses, flats are high enough to overlook the wall. Additionally there are flats at the end in Berrys Court, mainly occupied by older people. It is already subject to frequent acts of vandalism late evenings after the pubs have closed - which includes acts of graffiti, littering, and rowdy behaviour and until relatively recently - some concerns re drug trafficking which had to be addressed by the police.  
Consequently there is concern that such activities will only increase

Kind regards

Dawn O'Rooke

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

Good morning Ms O'Rooke,

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

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

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

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

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

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

Kind regards

**Nicola Kemp**

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

☎ **Tel:** 0300 131 2 131

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

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

<image001.jpg>

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

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

Sent: 12 June 2023 20:59

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

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

Dear Sir/Madam

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

Jamie Wilkinson  
1858 Bar  
42 High Street  
Knaresborough  
HG5 0EQ

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

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

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

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

Hours,  
Music/Noise pollution,  
Any use of outside space at the back of the premises and the consequences of smoking and general outdoor use during the proposed licensed hours.

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

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

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

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

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

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

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

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

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

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

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

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

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

**\*Personal Information removed\***

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

Kind regards

**\*Personal Information removed\***

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

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

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

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

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

<1858 Bar Restaurant Redacted\_Application.pdf>

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

Good morning Mr Wilkinson

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

**PREMISES LICENCE APPLICATION  
LICENSING ACT 2003**




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

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

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

Kind regards

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

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

