

08.06.2023

Representation Form

[REDACTED]

Making a representation about 1858 Bar and Restaurant

Address – 42 High Street, Knaresborough, HG5 0EQ

**Summary:**

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

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

**Four category Licensing Objections:**

**To Prevent Crime And Disorder**

**Drug and Substance Distribution & Abuse:**

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

**Anti-Social Behaviour:**

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

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

### **Graffiti and Defacement:**

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

### **Public Safety**

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

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

### **To Prevent Public Nuisance**

#### **Noise pollution:**

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

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

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

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

**Light pollution:**

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

**Smoke Pollution:**

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

**Waste and Refuse:**

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

**To Protect Children From Home**

[REDACTED]

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

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

**Suggested Remedial Conditions And Accountable Notes:**

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

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

Yours Sincerely, [REDACTED]

[REDACTED]

[REDACTED]



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

Good afternoon,

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

Kind regards

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

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



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

Good afternoon \*Personal Information removed\*

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

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

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

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

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

Kind regards

**Nicola Kemp**

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

☎ Tel: 0300 131 2 131

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

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



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

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

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

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

Dear North Yorkshire council licensing team,

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

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

Kind Regards,

**\*Personal Information removed\***

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

Good morning Mr Wilkinson

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

**PREMISES LICENCE APPLICATION  
LICENSING ACT 2003**




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

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

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

Kind regards

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

 **Tel:** 0300 131 2 131  
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 **Website:** [www.northyorks.gov.uk](http://www.northyorks.gov.uk)