

North Yorkshire Council
Statutory Licensing Sub-Committee

08 August 2023

**Application for Variation of the premises licence
for Croft Hotel, Croft-on-Tees**

1.0 PURPOSE OF REPORT

- 1.1 To seek the determination by the Statutory Licensing Sub-Committee of an application for the variation of a premises licence where one or more relevant representations has been received.

2.0 APPLICATION

- 2.1 An application for the variation of a premises licence under section 17 of the Licensing Act 2003 was received on 16 May 2023 from Modnarway 2 Limited for the premises Croft Hotel, Dalton Road, Croft-on-Tees, DL2 2ST the application form is attached as Appendix 1.

- 2.2 The existing licensable activities are:

Live Music	Every day	09.00 – 02.00
Recorded Music	Every day	09.00 – 02.00
Late Night Refreshment	Every day	23.00 – 00.00
Supply of Alcohol	Every day	09.00 – 02.00

The opening hours of the premises are 07.00 – 02.00.
A copy of the existing licence is attached as Appendix 2

- 2.3 The application would like to vary the following:

Films [indoor]	Every day	09.00 – 02.00
Performance of dance	Every day	09.00 – 02.00
Anything of a similar description	Every day	09.00 – 02.00
Late Night Refreshment	Every day	23.00 – 02.00

The proposed opening hours of the premises are 00.00 – 00.00 [24 hours]
The area of proposed licensable activity has increased, plan attached as Appendix 3
A copy of the application is attached as Appendix 1.

- 2.4 The applicant has also included an Operating Schedule attached as Appendix 4.
- 2.5 A consultation period was conducted, and replies were received from Environmental Health and the North Yorkshire Police.
- 2.6 Environmental Health has agreed conditions with the applicant, copy attached as Appendix 5.
- 2.7 The North Yorkshire Police and the applicant have agreed to conditions, and these have been incorporated into the applicants' proposed conditions. Attached as Appendix 6.

3.0 REPRESENTATIONS

3.1 The Licensing Authority has received nine representations, and these are attached as Appendix 7

3.2 Any representation must relate to the four licensable objectives, these are:

- The Prevention of Crime and Disorder [A]
- Public Safety [B]
- The Prevention of Public Nuisance [C]
- The Protection of Children from Harm [D]

3.3 The hearing is required by the Licensing Act 2003, because a relevant representation has been made by the following:

Name	Appendix 7	Representation under licensable objectives
Mr & Mrs Collin	7/1	A & C
Mr & Mrs Catterall	7/2	A & C
Mr & Mrs Woodward	7/3	A & C
Andy Hall	7/4	A & C
Mr & Mrs Patterson	7/5	A & C
Croft-on-Tess Parish Council	7/6	A & C
Mr Michael Pears	7/7	A, B & C
Ms Wrightson & Dr Sauer	7/8	C
Andrew Hurst	7/9	C
Mr & Mrs Tarrant	7/10	C

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

3.5 To help the process the applicant arranged a meeting with those people who had made representation and this meeting was on the 17 July 2023, at Croft Hotel.

3.6 A letter produced by the applicant was sent by the Licensing Officer to those who made representation, attached as Appendix 8, inviting them to that meeting.

3.7 At the meeting a number of residents attended, including those that had not made any representation.

3.8 After that meeting none of the representations were withdrawn.

3.9 All representations must be 'about the likely effect of the variation of the premises licence on the promotion of the licensing objectives.' Likely means something that will probably happen, i.e., on balance more likely than not.

3.10 Some of the representations relate to planning and highway matters and should not be considered within this Committee.

3.11 The Home Office recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation.

- 3.12 The following is intended to advise Members of the relevant aspects of the Council's Licensing Policy, guidance from the Secretary of State, legislation, and good practice:
- Also 'so long as the Guidance has been properly understood and considered licensing authorities may depart from it if they have reason to do so.' When doing so licensing authorities will need to give full reasons for their actions.
 - Also, members should note 'A Licensing Authority may depart from its own policy if the individual circumstances of any case merit such a decision in the in the interests of the promotion of the Licensing Authority'.
 - Conditions may not be imposed for the purpose other than the licensing objectives.
 - Necessary conditions should emerge from a risk assessment by the applicant, which should then be reflected in the operating schedule.
- 3.13 The Licensing Authority may only impose such conditions as are necessary for meeting the licensing objectives.
- 3.14 In all cases Members should make their decision on the civil burden of proof that is 'the balance of probability'.
- 3.15 In all cases Members should consider whether primary legislation is the appropriate method of regulation and should only consider licence conditions when the circumstances in their view are not already adequately covered elsewhere.
- 3.16 The Government has advised that conditions must be tailored to the individual type, location and characteristics of the premises and events concerned. Conditions cannot seek to manage the behavior of customers once they are beyond the direct management of the licence holder and their staff and standardised conditions should be avoided where they cannot be shown to be appropriate.

4.0 LICENSING POLICY

- 4.1 Members are referred to the Council's Licensing Policy and the Home Office Revised Guidance issued under Section 182 of the Licensing Act 2003, as updated December 2022. Section 4 of the Licensing Act 2003 provides that, in carrying out its functions, a licensing authority must 'have regard to' the s.182 guidance as is there for binding all licensing authorities to that extent.

5.0 OPTIONS

- 5.1 After hearing from the applicant and those that had made representation the Licensing Sub Committee has the following options:
- a) Reject the application.
 - b) Grant the variation as per the application.
 - c) Grant the variation as per the application with additional conditions.
 - d) Grant the variation but exclude one or more licensable activity.
 - e) Grant the variation but adjust or exclude licensable activity and include additional conditions.

6.0 DETERMINATION OF THE APPLICATION

- 6.1 Under section 17 of the Crime and Disorder Act 1998 (CDA), the Council has a duty to exercise its functions with 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.
- 6.2 Members must also exercise their decision-making powers in accordance with the provisions of the Human Rights Act 1998, and the principles of natural justice.
- 6.3 Members are invited to determine this application following consideration of the evidence presented to them.

Karl Battersby
Corporate Director of Environment County Hall
Northallerton DL7 8AD

Report Author: Vince Ravetta, Licensing Officer, Richmond Office

Background Documents: Richmondshire District Council Licensing Policy
Section 182 of the Licensing Act 20023

Appendices:

Appendix 1	Modnarway 2 Ltd Application Form
Appendix 2	Croft Hotel, Croft-On-Tees Premises Licence
Appendix 3	Croft Hotel Variation Plan
Appendix 4	Croft Hotel Operating Schedule
Appendix 5	Environmental Health conditions with applicant
Appendix 6	Agreed Operating Schedule With North Yorkshire Police
Appendix 7	Received Representation
7/1	Mr & Mrs Collin
7/2	Mr & Mrs Catterall
7/3	Mr & Mrs Woodward
7/4	Andy Hall
7/5	Mr & Mrs Patterson
7/6	Croft-on-Tess Parish Council
7/7	Mr Michael Pears
7/8	Ms Wrightson & Dr Sauer
7/9	Andrew Hurst
7/10	Mr & Mrs Tarrant
Appendix 8	Letter from Modnarway 2 Limited for meeting

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Modnarway 2 Limited

(Insert name(s) of applicant)

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

Premises licence number 13/00475/PREM

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Croft Hotel Dalton Road Croft on Tees			
Post town	Darlington	Postcode	DL2 2ST

Telephone number at premises (if any)	01325720319
Non-domestic rateable value of premises	£30750

Part 2 – Applicant details

Daytime contact telephone number	0191 2321341		
E-mail address (optional)	info@apartment-group.com		
Current postal address if different from premises address	1 ST Floor Two Jesmond Three Sixty		
Post town	Newcastle Upon Tyne	Postcode	NE2 1DB

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

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

- To permit films, performance of dance and activities similar to music and dancing from 09:00 to 02:00 hours daily
- To permit provision of late-night refreshment to 02.00 hours daily.
- To amend the opening hours as set out in the application.
- To vary the layout plan in accordance with the plan submitted with the application.
- To vary the seasonal and non-standard timings as set out in the application.
- To add conditions to the licence as set out in the schedule of conditions submitted with the application.

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

Part 4 Operating Schedule

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

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

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

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) Films/DVD/video <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6) As set out in Box J <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> (please read guidance note 7) As set out in Box J		
Mon	0900	0200			
Tue	0900	0200			
Wed	0900	0200			
Thur	0900	0200			
Fri	0900	0200			
Sat	0900	0200			
Sun	0900	0200			

C

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

D

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

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	0900	0200	<u>Please give further details here</u> (please read guidance note 5) As existing		
Tue	0900	0200	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) As set out in box J		
Wed	0900	0200	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7) As set out in box J		
Thur	0900	0200			
Fri	0900	0200			
Sat	0900	0200			
Sun	0900	0200			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day				Start	Finish
				Outdoors	<input type="checkbox"/>
Mon	0900	0200	Please give further details here (please read guidance note 5) As existing	Both	<input type="checkbox"/>
Tue	0900	0200			
Wed	0900	0200	State any seasonal variations for the playing of recorded music (please read guidance note 6) As set out in box J		
Thur	0900	0200			
Fri	0900	0200	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 (please read guidance note 7) As set out in box J		
Sat	0900	0200			
Sun	0900	0200			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	0200	<u>Please give further details here</u> (please read guidance note 5) Performance of dance may make up part of the offering from time to time.	Both	<input type="checkbox"/>
Tue	0900	0200			
Wed	0900	0200	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6) As set out in box J		
Thur	0900	0200			
Fri	0900	0200	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7) As set out in box J		
Sat	0900	0200			
Sun	0900	0200			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)</p>			<p>Please give a description of the type of entertainment you will be providing Activities similar to music and dancing may make up part of the offering from time to time</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	0900	0200		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	0900	0200	<p><u>Please give further details here</u> (please read guidance note 5)</p>		
Wed	0900	0200			
Thur	0900	0200	<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6) As set out in box J</p>		
Fri	0900	0200			
Sat	0900	0200	<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7) As set out in box J</p>		
Sun	0900	0200			

I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	2300	0200	<u>Please give further details here</u> (please read guidance note 5) As existing		
Tue	2300	0200			
Wed	2300	0200	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6) As set out in box J		
Thur	2300	0200			
Fri	2300	0200	<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> (please read guidance note 7) As set out in box J		
Sat	2300	0200			
Sun	2300	0200			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<p><u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)</p> <p>All licensed activities may be extended from finish time on New Year’s Eve to start time on New Year’s Day. All licensed activities may be extended for an additional hour on the day that GMT becomes BST</p> <p><u>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</u> (please read guidance note 7)</p> <p>All licensed activities will be permitted 24 hours a day for hotel residents and their bona fide guests entertained by the resident at their own expense.</p>		
Mon	0900	0200			
Tue	0900	0200			
Wed	0900	0200			
Thur	0900	0200			
Fri	0900	0200			
Sat	0900	0200			
Sun	0900	0200			

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10). As existing</p>
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L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6) N/A
Day	Start	Finish	<u>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</u> (please read guidance note 7) N/A
Mon	0000	0000	
Tue	0000	0000	
Wed	0000	0000	
Thur	0000	0000	
Fri	0000	0000	
Sat	0000	0000	
Sun	0000	0000	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

None

Please tick as appropriate

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

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

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

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

As set out in the schedule of conditions submitted with the application.

b) The prevention of crime and disorder

As set out in the schedule of conditions submitted with the application

c) Public safety

As set out in the schedule of conditions submitted with the application

d) The prevention of public nuisance

As set out in the schedule of conditions submitted with the application

e) The protection of children from harm

As set out in the schedule of conditions submitted with the application

Checklist:

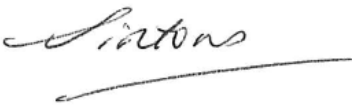
Please tick to indicate agreement

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

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

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

Signature	
Date	16.05.2023
Capacity	Solicitor and agent for the applicant

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

Signature	
Date	
Capacity	

<p>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</p> <p>Sarah Smith Sintons The Cube Barrack Road</p>

Post town	Newcastle upon Tyne	Post code	NE4 6DB
Telephone number (if any)	0191 2264897		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
Sarah.smith@sintons.co.uk			

Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed

500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on 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'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not

exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.



Licensing Act 2003

Premises Licence Summary

Premises Licence Number

13/00475/PREM

Part 1 Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Postcode

The Croft Hotel
Dalton Road
Croft On Tees
Darlington
North Yorkshire
DL2 2ST

Telephone number 01325 720319

Where the licence is time limited the dates

-

Licensable activities authorised by the licence

E. Live Music
F. Recorded Music
L. Late night refreshment
M. Supply of alcohol

Times the licence authorises the carrying out of licensable activities

E. Live Music Every Day 09:00 - 02:00
And the hours granted pursuant to the Regulatory Reform (Special Occasions Licensing) Order 2002 in respect of New Years Eve.

F. Recorded Music Every Day 09:00 - 02:00
And the hours granted pursuant to the Regulatory Reform (Special Occasions Licensing) Order 2002 in respect of New Years Eve.

L. Late night refreshment Every Day 23:00 - 00:00

M. Supply of alcohol Every Day 09:00 - 02:00
And the hours granted pursuant to the Regulatory Reform (Special Occasions Licensing) Order 2002 in respect of New Years Eve.

The opening hours of the premises

Every Day 07:00 - 02:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol may be supplied for consumption both on and off the Premises

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Name, (registered) address of holder of premises licence

Modnarway 2 Limited
1st Floor
Two Jesmond Three Sixty
Newcastle Upon Tyne
NE2 1DB

Registered number of holder, for example company number, charity number(where applicable)

Registered Business Number 14530001

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr John Teasdale RDC187 Licensing Authority: Richmondshire District Council

State whether access to the premises by children is restricted or prohibited

Signed

Authorised Officer

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Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Modnarway 2 Limited
1st Floor
Two Jesmond Three Sixty
Newcastle Upon Tyne
NE2 1DB

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number 14530001

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr John Teasdale
19 Goosepool Way
Middleton St George
Darlington
County Durham
DL2 1RA

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal Licence number: RDC187

Licensing Authority: Richmondshire District Council

Annex 1 - Mandatory conditions

- 1 No supply of alcohol shall be made under the Premises Licence:-
 - (a) at any time when there is no designated Premises Supervisor in respect of the Premises Licence; or
 - (b) at any time when the designated Premises Supervisor does not hold a Personal Licence or his / her Personal Licence is suspended.

- 2 Every supply of alcohol under the Premises Licence shall be made or authorised by a person who holds a Personal Licence.

- 3 (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

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

- 5 (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

- 6 The responsible person shall ensure that -
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
 - (i) beer or cider: 1/2 pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7 Any alcohol supplied for consumption off the premises must be in a sealed container.

8 (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) In this condition:

(a) "permitted price" is the price found by applying the formula $P = D + (D \times V)$, where-

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(b) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price given by Paragraph (a) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4)

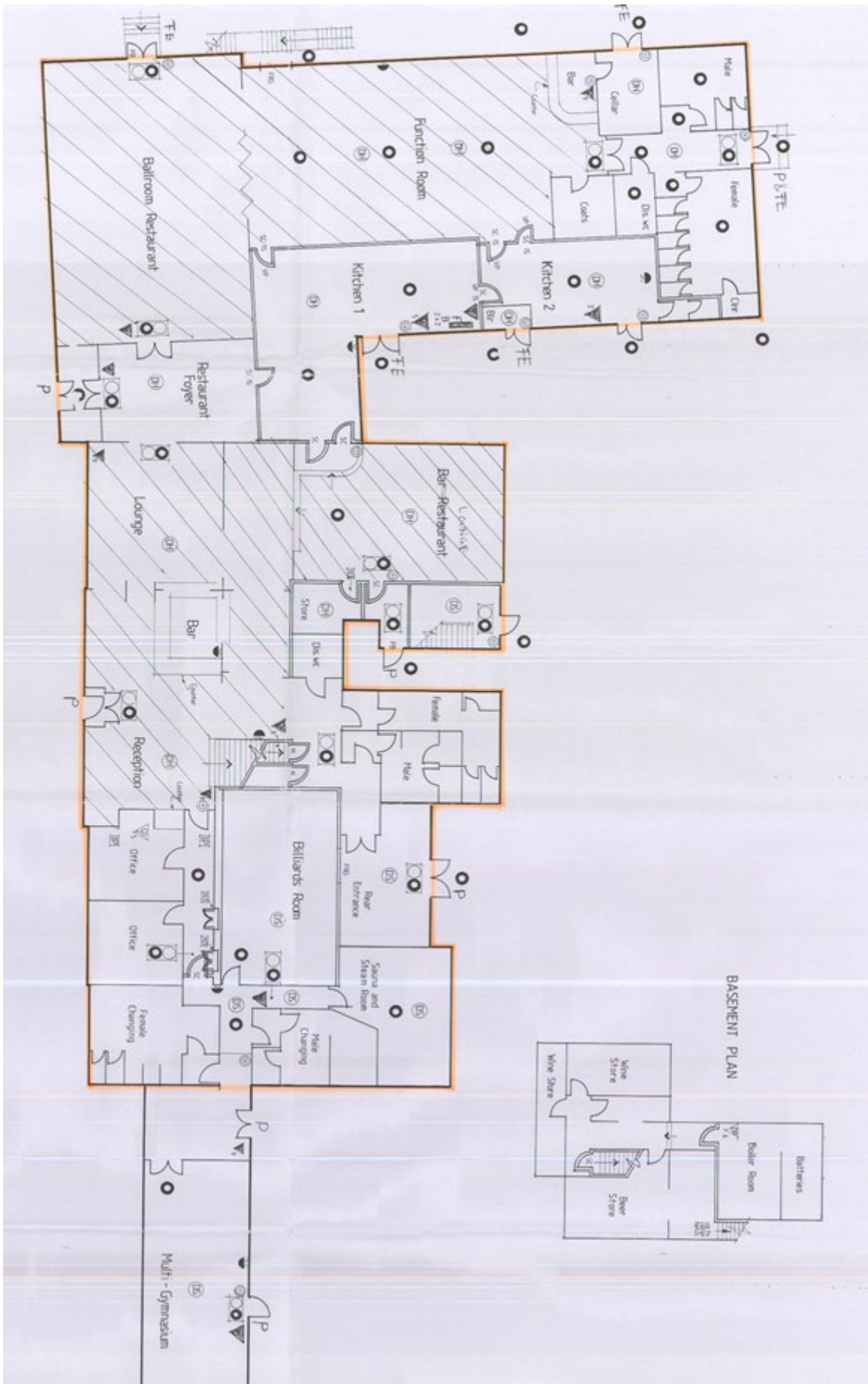
(i) Sub-paragraph (2) applies where the permitted price given by Paragraph (a) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(ii) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the Operating Schedule

Annex 3 - Conditions attached after a hearing by the licensing authority

Annex - 4 Plans



EXISTING SPACES (SHOWN RED) = 31
 PROPOSED SPACES = 29
 EXISTING DISABLED SPACES (SHOWN RED) = 5
 PROPOSED DISABLED SPACES = 5

AREA WITHIN WHICH
 LICENSED ACTIVITIES MAY
 TAKE PLACE

N.B. Tables + chairs are shown
 for illustrative purposes only
 + are not fixed.

Indicates Fire Escape Routes &
 Distances From The Function Room

RE-USE NEWTON HALL
 AWNING SHOWN BLUE
 DOTTED + OR WEATHER
 PROTECTIVE BAG PARTY
 PHOTOGRAPHS USING THE
 NEW CURVED STEPS AS
 THREE TIER STANDING

WRAP AROUND GARDEN
 AREA WITH HIGH
 HEDGING, FOLIAGE OR BAG WOV
 PHOTO OPPORTUNITIES

REDUCE THE EXISTING
 IN THE GENTS TO
 INCLUDE A SMALL
 CELLAR WHIST
 CREATING A NEW
 DISABLED WITHIN THE
 EXISTING LADIES
 SPACE.

GLASSWASH AREA WITH
 QUICK HAND-DIE, GLASS
 DRYING RACKING UNIT &
 BIS WINE TO DISPOSE OF
 ICEFRUIT ETC. WHEN
 LOADING THE WASHER &
 POWERFUL VAPORISER
 TO REMOVE STEAM
 FROM THE MACHINE

NEWTON HALL BAR
 SHOWN BLUE
 DOTTED

BOOTH WITH
 PERMANENT
 ROOFS COVER

NEW DEPLOYABLE
 AWNING SHOWN
 DOTTED.

'GIGANTIC' SLIDING
 DOORS ONTO THE
 TERRACE AREA.

WATER FEATURE
 PROVIDING BAG WOV
 PHOTO OPPORTUNITY

HIGH WALL REQUIRED TO
 PREVENT NOISE
 FROM THE ROAD

1M WIDE THEATRICAL
 FOLIAGE

300MM HIGH RAISED
 BAG PLATFORM

ARCHED TREES &
 WALKWAY FOLIAGE
 PROVIDING BAG WOV
 PHOTO OPPORTUNITIES

RED HATCHED
 INDICATES FLOOR
 LEVEL BOXED OUT
 HEATING PIPES



RESERVED PARKING
 FOR PROPERTY NO. 3

EXISTING ADJACENT
 PROPERTIES &
 GARDENS

EXISTING ADJACENT
 PROPERTIES

ADJACENT PROPERTIES
 PRELIM

ADJACENT PROPERTIES
 PRELIM

ADJACENT PROPERTIES
 PRELIM

REDHOUSE
 The Arts Building, Margate, Margate, Kent
 Team Valley, Gateshead, West End
 Tel: 0141 703 9961 | www.redhousegroup.co.uk
 Email: redhouse@redhousegroup.co.uk
 www.redhousegroup.co.uk

CLIENT: THE APARTMENT GROUP
 PROJECT: THE CROFT HURWORTH DARLINGTON
 TITLE: PROPOSED PLAN
 SCALE: 1:225 @ A3
 DATE: DEC 22
 DRAWING NO: REV: RH-802-APG-P02 (7)

The Croft Hotel, Dalton Road, Croft on Tees DL2 2ST
Operating Schedule

1. The operator shall ensure that at all times when the premises are open for any licensable activity there is sufficient trained, competent staff on duty at the premises for the purposes of fulfilling the requirements of the Licensing Act 2003 and for promoting the licensing objectives.
2. The operator and designated premises supervisor shall conduct a risk assessment for the general operation of the premises and in the case of individual bespoke events.
3. The maximum number of persons permitted on the premises at any one time shall not exceed a figure prescribed by the risk assessment carried out by the premises licence holder in accordance with fire safety legislation.
4. The designated premises supervisor shall ensure that there are effective management arrangements in place to enable him/her to know how many people there are in the premises at times prescribed within the management risk assessment.
5. A CCTV system shall be designed, installed and maintained in proper working order, to the satisfaction of the Licensing Authority and in consultation with Durham Police. Such a system shall:-
 - (i) be operated by properly trained staff;
 - (ii) be in operation at all times that the premises are being used for a licensable activity;
 - (iii) ensure coverage of all entrances and exits to the licensed premises internally and externally;
 - (iv) ensure coverage of such other areas as may be required by the Licensing Authority and Durham Police;
 - (v) provide continuous recording facilities for each camera to a good standard of clarity. Such recordings shall be retained on paper or otherwise may be put on tape or otherwise (for a period of 28 days), and shall be supplied to the Licensing Authority or Police Officer on request;
 - (vi) During times licensable activities are provided, a member of management or staff will be contactable and trained in the retrieval of CCTV footage, with the ability to download relevant footage onto a disc within a reasonable time of any request from Durham Police to do so.
6. Noise from the licensed premises, including noise from patrons, amplified music and live music shall not be audible at the nearest noise sensitive property to the premises so as to cause statutory nuisance to nearby residents.
7. An incident and refusals log shall be maintained on the premises (in writing or digitally) to record incidents and refusals and shall be made available to officers of the Licensing Authority or Durham Police upon request.
8. Subject to the exemption within section 150(4) of the Licensing Act 2003, all members of staff at the premises shall seek credible photographic proof of age from any person who appears to be under the age of 25 years and who is seeking to purchase alcohol on the premises. Such credible evidence shall include a photograph of the customer which will either be a passport, photographic driving licence or proof of age card carrying a PASS logo.

Good Afternoon, Lucy

Thank you for your email. Could we agree to amend the condition as follows?:-

Whenever regulated amplified musical entertainment is taking place inside the premises windows and doors must be kept closed save for ingress and egress purposes.

I'm conscious that as written the interpretation may be that the windows and doors would need to be closed even when there is some piped background music in the venue. With the addition of the word "regulated" that would make it clear that the restriction applies to music being played at a higher volume.

Kind regards
Sarah

Sarah Smith

Partner | Sintons LLP

Direct Dial: +44 (0) 191 226 4897

Switchboard: +44 (0) 191 226 7878

Email: sarah.smith@sintons.co.uk



From: Lucy Moffatt <Lucy.Moffatt@northyorks.gov.uk>
Sent: Wednesday, May 24, 2023 1:35 PM
To: Sarah Smith <sarah.smith@sintons.co.uk>
Cc: Vince Ravetta <Vince.Ravetta@northyorks.gov.uk>
Subject: Croft Hotel Premises Licence Variation

This message originated from outside our organisation.

Good afternoon Sarah

Following our conversation earlier, these are the noise conditions we discussed for the Croft Hotel premises licence variation:

(no 6 on schedule) Noise from the licensed premises, including noise from patrons, amplified music and live music shall not be audible at the nearest noise sensitive property to the premises so as to cause statutory nuisance to nearby residents.

(new condition) Whenever amplified musical entertainment is taking place inside the premises windows and doors must be kept closed save for ingress and egress purposes.

Kind regards

Lucy Moffatt

Environmental Health Team Leader

North Yorkshire Council

Environmental Health
Mercury House
Richmond
DL10 4JX

Telephone: 01748 901 176
Email: Lucy.Moffatt@northyorks.gov.uk
Web: www.northyorks.gov.uk



The Croft Hotel, Dalton Road, Croft on Tees DL2 2ST
Operating Schedule Rev B

1. The operator shall ensure that at all times when the premises are open for any licensable activity there is sufficient trained, competent staff on duty at the premises for the purposes of fulfilling the requirements of the Licensing Act 2003 and for promoting the licensing objectives.
2. The operator and designated premises supervisor shall conduct a risk assessment for the general operation of the premises and in the case of individual bespoke events which would include risk assessing the need for SIA door supervisors for each event.
3. The maximum number of persons permitted on the premises at any one time shall not exceed a figure prescribed by the risk assessment carried out by the premises licence holder in accordance with fire safety legislation.
4. The designated premises supervisor shall ensure that there are effective management arrangements in place to enable him/her to know how many people there are in the premises at times prescribed within the management risk assessment.
5. A digital colour CCTV system will be installed at the premises.
 - (i) It will be maintained, working and recording at all times when the premises are open for licensable activities.
 - (ii) The recordings should be of capable of providing clear images to be produced in Court or other such hearing.
 - (iii) Copies of the recordings will be kept available for any Responsible Authority for **28 days**. Subject to Data Protection requirements.
 - (iv) Copies of the recordings shall be made available to any Responsible Authority **within 24 hrs** upon request. Subject to Data Protection requirements.
 - (v) Copies of the recordings will display the correct time and date of the recording.
 - (vi) North Yorkshire Police licensing unit must be immediately informed (via email NYPLicensing@northyorkshire.police.uk) if the CCTV system is not operational. Immediate steps should be taken to repair the CCTV system and get it back online within ten working days of the discovery of the fault. Details of the above should be fully documented in the premises incident log book.
6. Noise from the licensed premises, including noise from patrons, amplified music and live music shall not be audible at the nearest noise sensitive property to the premises so as to cause statutory nuisance to nearby residents.
7. Whenever regulated musical entertainment is taking place inside the premises windows and doors must be kept closed save for ingress and egress purposes.
8. No open drinking vessels, or bottles, shall be taken out of the licensed premises, or licensed area, on to the pavement or highway, except for consumption in a clearly delineated external area, intended for this purpose, i.e. an area covered by a pavement licence or within a beer garden or outdoor seated area under the control of the premises.
9. All "off sales" of alcohol shall be in sealed containers except where they are for consumption in a clearly delineated external area, intended for this purpose, i.e. an area covered by a pavement licence or within a beer garden or outdoor seated area under the control of the premises.

10. An incident log will be kept at the premises and made available on request to an authorised officer or the police which will record the following:
 - (i) all crimes reported to the venue;
 - (ii) any complaints received regarding crime and disorder;
 - (iii) any incidents of disorder;
 - (iv) any refusal of sale;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].
11. A documented staff training programme shall be provided to all members of staff that are involved in licensable activities in respect of the following:-
 - (i) age verification policy;
 - (ii) operation of the CCTV system, including the downloading of evidence (designated staff only);
 - (iii) conditions attached to the Premises Licence;
 - (iv) permitted licensable activities;
 - (v) the licensing objectives;
 - (vi) any training specified by a Responsible Authority;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. Subject to the exemption within section 150(4) of the Licensing Act 2003, all members of staff at the premises shall seek credible photographic proof of age from any person who appears to be under the age of 25 years and who is seeking to purchase alcohol on the premises. Such credible evidence shall include a photograph of the customer which will either be a passport, photographic driving licence or proof of age card carrying a PASS logo.

The Croft Hotel: Application to Vary Premises Licence - OBJECTION

To Whom It May Concern,

RE: OBJECTION: application to vary Premises Licence at The Croft Hotel, Dalton Road, Croft-on-Tees; Premises Licence no: 13/00475/PREM

We wish to lodge a formal objection to the proposed extension of licensing hours for the Croft Hotel enabling provision of their services from 9:00am until 02:00am seven days a week.

Extension beyond the existing licence's daily limit of 23:00 (including serving alcohol and allowing recorded and performed music etc) is unreasonable. It is entirely inappropriate within the village setting of the hotel with potential to have a huge negative impact on numerous local residents due to late night disturbance from both the noise of music/entertainment provided, as well as the patrons' behaviour in the early hours.

We live approximately 300 yards from the venue and have, historically, had reason to complain about unacceptable noise from the hotel and been disturbed at night by the drunken behaviour of their patrons, outside our own property. The specific site of the venue means that the rear/west and south sides of the hotel enable the easy dispersal of noise (across the rear car park and neighbouring field) throughout the village. This problem would be all the more likely now, in view of the extensive alterations being made. Of specific significance these include: newly made direct access for patrons to the exterior areas from the function room, to the new permanent exterior booths and awning-covered areas outside at the southern aspect of the hotel.

Of particular relevance, the egress of sound has proved problematic for local residents in the past, when windows in the southern-facing function room were opened at night during functions (assumably for cooling purposes). This facilitated the easy dispersal of noise, particularly to all those residential properties lying to the south and south-west of the hotel - more than 15 properties lie in this direction. There are obviously many, many more residents who live to the west of the hotel - behind the rear car park and into the village beyond - who are also likely to be significantly negatively affected by extended late-night noise disturbance.

It is certainly not reasonable for a single business to have such a large negative impact on so many local residents, at anti-social hours, simply for its own financial benefit.

Yours sincerely,

Mr & Mrs T Collin.
Cream Cottage, Croft-on-Tees.

Variation of Premises Licence at The Croft Hotel, Dalton Road, Croft on Tees

Dear Sirs

We write to object in the strongest terms to the proposed variation of the premises licence for The Croft Hotel

In our opinion, the existing licence causes enough problems, and we have in the past complained to the hotel about noise levels during some evenings emanating from the premises.

Whenever there is a wedding or similar function at the hotel; the music resonates throughout the village and at the end of the evening, car doors are banging in the car park and guests are making lots of noise.

Guests stand outside the front and rear of the hotel, smoking, drinking and making lots of noise.

This is particularly bad at weekends and over The Christmas period when there are lots of office parties

To see this extended until 2 a.m. would be devastating

Croft on Tees is a quiet village and we would not wish to see the existing problems emanating from the hotel multiplied.

We would be grateful if you would be kind enough to acknowledge receipt of this objection and we would strongly recommend refusal of this application.

Tim & Jenny Catterall

Pasture View

4 The Terrace

Croft on Tees

Darlington

DL2 2TD

PS: Please note that the notice refers to The Coft Hotel, not The Croft Hotel and the email address for objections does not work and bounces back

Re. 13/00475/PREM -- Variation Application by Croft Spa Hotel

We live at 3 South Terrace Croft, a distance of approx. 200 metres from Croft Spa Hotel. Since we have lived here from 1984 we have not been unduly disturbed by activities at this Hotel, under the present licensing conditions, carried out by considerate owners. We are very concerned that this Variation will allow the new owners to play music and serve alcohol from 9.00a.m -2.00a.m every day. This is clearly unreasonable and inconsiderate of the many residents who live in close proximity in Croft Village.

- 1.The planned re development shows large patio windows opening out from the Function Room onto their new outside Terrace, This outside area directly faces the nearest residences , and the resultant noise and music will be clearly audible and very disturbing. to them and ourselves.
- 2.The extension of alcohol provision for consumption inside and outside until 2.00am is also very concerning as alcohol fuelled revellers mingle outside and possibly into the surrounding area.
- 3.How are the current owners going to prevent indiscriminate parking in the Village when parking on their premises is full.

In our view there should be no consent to a variation of the present licensing permissions.

Brian Woodward

Patricia Woodward

REC'D
31 MAY 2003

North Yorkshire Council, Licencing Section,
Mercury House, Station Road, Richmond DL10 4JX

26/05/2003

Mr A C Hall
8 Spa Courtyard
Croft on Tees
DL2 2SU

Application for Variation of Premises Licence at Croft Hotel, Dalton Road, Croft-on-Tees DL2 2ST

Dear Sir's

First of all, I would like to point out that the public notice displayed outside the hotel contains incorrect information, namely: licencing.ric@richmondshire.gov.uk does not appear to be a valid email address for objections.

I wish to object to the proposed variation for the following reasons:

- My property is only 35 meters from the Croft Hotel and I have high concern that the proposed changes will adversely affect my and my family's quality of life, health and wellbeing. We do not want noise nuisance after 11pm.
- Croft-on-Tees is a quiet and ancient rural village, and the peace & tranquillity of the village is precious to the residents.
- It is unclear whether the proposal is for consumption of alcohol inside the premises or outside of the premises during the proposed extended hours? I have high concern that if alcohol is to be consumed until 2am, this will inevitably lead to a higher risk for anti-social behaviour and public nuisance to take place on my doorstep.
- Additionally, I am concerned about the level of noise pollution that will be generated in allowing alcohol induced wedding guests to 'party' close my premises after midnight, until an unreasonable time in the early hours of the morning. This will undoubtedly disturb the peace and disrupt my family's sleep and thus quality of life, as confirmed in the government's Noise Policy Statement for England (NPSE), 'it is recognised that noise exposure can cause

annoyance and sleep disturbance both of which impact on quality of life.' Several complains about noise have been made to the hotel in the past by myself and by my neighbours (this with the current licencing arrangement).

- The proposed changes would increase the level of business for the hotel beyond what is reasonable, leading to:
 - more deliveries (already an issue as the access is limited and there is enough disturbance with the current level of activity)
 - More refuse collections (already an issue due to the noise and associated disturbance created). Several complaints by myself & my neighbours have been made to the hotel in the past about this and especially about pre-8am collections.

- Parking at the Croft Hotel is limited and a significant increase in activity at the hotel will inevitably lead to customers having to park in the village. The village is very small and already has issues with parking.

I have lived in the village for 16 years and know the premises in question well. I welcome and support the investment in the hotel but these new proprietors must be mindful that this is a residential area and the operational hours of the business need to remain reasonable.

There is a trend towards midweek weddings as they are cheaper, and the licencing proposal is worded to reflect this. Effectively the proprietors (who own several other venues specialising in weddings) are attempting to operate a 'Wedding Factory' on our doorstep.

I am aware that there are 45 x midweek weddings booked at the adjacent church within the next 12 months, and this supports the trend mentioned in the paragraph above.

I note from conversations with my closest neighbours that 100% of the Spa Courtyard residents are going to formally object, which is significant.

Lastly, it is believed that the planning approval for the Spa Courtyard development (originally the car park of the hotel in question) is subject to a contractual and thus legal restriction in the licencing hours of the hotel. This must be investigated before a licencing variation is considered.

I strongly object to the proposed licencing variation and urge you to reject.

Yours sincerely, 

Mr A C Hall

8 Spa Courtyard, Croft-on-Tees DL2 2SU

North Yorkshire Council, Licencing Section,
Mercury House, Station Road,
Richmond,
DL10 4JX

2 Spa Courtyard,
Croft on Tees,
DL2 2SU

Monday 29th May 2023

Application for Variation of Premises Licence at Croft Hotel, Dalton Road, Croft-on-Tees DL2 2ST

Dear Sir/Madam

We wish to object to the Croft Hotel's proposed variation of premises licence for the following reasons:

- Our property is situated within the grounds of the hotel, and we have high concern that the proposed changes will adversely affect our own and our family's quality of life, health and wellbeing.
- We are concerned about the level of noise pollution that will be generated by allowing the hotel to play music and serve alcohol and food until 2am. This noise pollution would be created from allowing wedding guests to 'party' close to our premises until 2am and also the disturbance that would be caused when guests leave the premises. This will undoubtedly disturb the peace and disrupt our family's sleep and thus quality of life, as confirmed in the government's Noise Policy Statement for England (NPSE), 'it is recognised that noise exposure can cause annoyance and sleep disturbance both of which impact on quality of life.' Several complaints about noise have been made to the hotel in the past (this with the current licencing arrangement).
- The proposed changes would increase the level of business for the hotel beyond what is reasonable, leading to:
 - More deliveries (already an issue as the access is limited and there is enough disturbance with the current level of activity)
 - More refuse collections (already an issue due to the noise and associated disturbance created).
- Parking at the Croft Hotel is limited and a significant increase in activity at the hotel will inevitably lead to customers having to park in the village. The village is very small and already has issues with parking.

We have lived in the village for 10 years and know the premises in question well. We welcome and support the investment in the hotel, but the new proprietors must be mindful that this is a residential area and the operational hours of the business need to remain reasonable.

Additionally, there is a trend towards midweek weddings as they are cheaper, and the licencing proposal is worded to reflect this. As the proprietors (who own several other venues specialising in weddings) are marketing the hotel as a wedding venue, this could lead to more midweek weddings, with music playing and food and alcohol being served until 2am, potentially 7 days a week.

We note from conversations with our closest neighbours that 100% of the Spa Courtyard residents are going to formally object, which is significant.

We strongly object to the proposed licencing variation and urge you to reject.

Yours sincerely,

Mr and Mrs Patterson

Charlotte Liversedge-Gell
Clerk
Croft-on-Tees Parish Council
3 Bargate
Richmond
North Yorkshire
DL10 4QY

North Yorkshire Council Licensing Section
Mercury House
Station Road
Richmond
DL10 4JX

6th June 2023

Reference:

Opposition to Variation of Premises Licence at The Croft Hotel, Dalton Road, Croft-On-Tees, DL2 2ST

Dear Sir/Madam

I am writing this letter on behalf of Croft-on-Tees Parish Council to express our concerns and oppose the variation of the License at The Croft Hotel that has been applied for.

The Croft Hotel is within our rural Village Community and a 7 day a week, 2am alcohol license would create a great deal of anxiety and concern for our residents.

We have concerns that the noise created by people intoxicated up to 2am and the subsequent noise and anti social behaviour would be incredibly detrimental to our residents. St Peters Church in Croft is a popular setting for weddings and more and more are being carried out mid-week. With a lot of these weddings then using The Croft Hotel as a Wedding Reception, residents are going to be disturbed by the noise from loud music and the noise generated by wedding revelry. For this to continue until 2am any evening of the week would be devastating for many residents and have a huge impact on their daily lives.

We have properties within the actual Court Yard of The Croft Hotel that would be deeply affected by an extension to a 2am alcohol license. The Parish Council would like to raise the issue that in the original Planning Application for these houses, it was explicitly stipulated that the hotel license would be until midnight. This was a very important consideration for many people who bought those properties – that the noise, music, disruption and potential for anti-social behaviour would be curtailed at midnight. Having now being faced with the potential of a 7 day 2am license it is causing some serious anxiety and concerns for many residents. The houses in the Courtyard are home to children as well as adults – children who attend school and college and whom a 2am license would have a huge detrimental affect on.

We would also like to address the problems that the increase in use at the hotel would create for parking. The Village already has limited parking – we have a busy Primary School, an active Village Hall with many events taking place and Public Footpaths that start at Croft that walkers from out of area come to enjoy – this makes parking within the Village at an already premium. The extension of the licence at Croft would exacerbate this problem even further. Meaning the residents of Croft would suffer further to go about their everyday lives easily.

Croft enjoys a peaceful, rural setting and has a very strong sense of Community which they have worked hard for. We have lived alongside The Croft Hotel for many years and see it as an asset to our area. However we strongly object to the proposal of the change in licensing.

I have received eleven separate objections from parishioners. Many residents have expressed that they would be open to a consultation with Planners and the Council in order for us to discuss concerns and alternatives to the change to a 7 day a week 2am license.

I look forward to hearing from you

Kind Regards

Charlotte Liversedge-Gell
Clerk
Croft-on-Tees Parish Council
07743733438

From: Mr Michael (Mike) Brian Pears OBE BSc (Hons) MBA

**North Yorkshire Council
Licensing Section
Mercury House
Station Road
Richmond
DL10 4JX**

2 The Terrace
Croft-on-Tees
North Yorkshire
DL2 2TD

Mobile: 07818 058143

Email: pearsdrops@btinternet.com

12 June 2023

Dear Sir/Madam,

Variation of Premises Licence at The Croft Hotel, Dalton Road, Croft on Tees, DL2 2ST – Representation Against Proposed Variation

I am writing to register my objection to the application for the variation of premises licence at The Croft Hotel, Dalton Road, Croft on Tees, DL2 2ST.

The application is to:

- permit films, performance of dance and activities similar to music and dancing from 09:00 to 02:00 hours daily
- permit provision of late-night refreshment to 02.00 hours daily.
- amend the opening hours as set out in the application.
- vary the layout plan in accordance with the plan submitted with the application.
- vary the seasonal and non-standard timings as set out in the application.
- add conditions to the licence as set out in the schedule of conditions submitted with the application.

The basis for my objection is that granting the variations requested would not promote the four licensing objectives, in that (considering each objective in turn):

1. *Crime and Disorder* – the variation as proposed, if approved in full, risks drawing (further) unwelcome and undue attention and increased footfall at unsociable hours in what is a residential and conservation area. This in turn presents the real risk of the increased incidence of anti-social behaviour (i.e. rowdy or inconsiderate behaviour including shouting, swearing and/or singing (no matter how harmonious), street drinking, littering, vehicle nuisance), and/or other low-level nuisance during unsociable hours (i.e. between 23:00 – 06:00hrs).
2. *Public safety* - the proposed extension of premises opening and operating hours has the potential to attract more traffic than the site and its environs can handle, possibly leading to significant congestion on surrounding residential roads – especially on/in South Parade, The Mill Race, the Spa Courtyard and Dalton Road. This would in turn potentially result in increased road safety issues in/on stated roadways and parking areas, particularly bearing in mind the close proximity of the

Hotel to the Croft Village Hall and St Peter's Church, and existing levels / need for residential street parking.

3. *Public Nuisance* - The proposed marked extension of the Hotel's opening and operating hours – i.e. the hours during which the performance of dance and activities similar to music and dancing will be allowed, both indoors and outdoors – in what is and should remain a quiet residential zone, itself located within the Croft Conservation Area, will see people visiting/leaving and active around the Hotel and its environs at unsociable hours, on any weekday and at weekends, including at times after the 02:00hrs closing time cite in the variation.

If all the proposed variation(s) are approved as published, there is a risk that the Hotel will attract late drinkers and/or diners - i.e. guests from other local hostleries in and around the Croft, Hurworth, Dalton-on-Tees and surrounding area – who, having left other local licenced premises in the area which (when open) close at/or around 23:30hrs, move onto the Hotel to continue their entertainment/revelry, etc. until, and practically after, 02:00hrs and a period of time thereafter as people depart / disperse after closing time. Such will potentially add to the number of pedestrians and vehicles entering and leaving the Hotel site during unsociable hours. There is also potential overspill from events such as weddings and parties that routinely take place in the Croft Village Hall, located c.1-2 minutes away from the Hotel (please notes that the events at the Hall always end at no later than 23:00hrs to ensure that local residents are not unduly disturbed).

Additional Hotel traffic to, and resultant increased pressure on residents parking - caused by increased demand for and also sadly inconsiderate parking by Hotel guests, on an already busy junction and tight corner, plus narrow approach road to the parking located at the rear of the Hotel/adjacent to the Spa Courtyard, will add to existing parking problems faced by local residents – especially those living on/in South Parade, The Mill Race and Spa Courtyard, and visitors to such residents' homes, also visitors to the nearby Croft Village Hall and St Peter's Church.

We are aware from local consultation that residents in the area surrounding the Hotel, have previously suffered noise nuisance and antisocial behaviour linked to the activities and poor conduct of non-resident and/or resident Hotel guests. The proposed extension of opening hours and also the proposed changes to the Hotel's entertainment activities, extension of outdoor guest seating /socialisation area(s) – e.g. the proposed expanded garden area(s) - will only add to the potential for increased disturbance to local residents due to noise etc caused by Hotel guests using these areas late into the night, and indeed early morning.

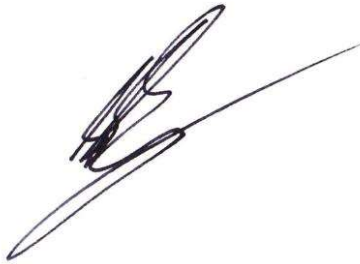
All in all the additional and prolonged hours of hotel guest noise, light pollution, hotel traffic and associated guest traffic-related noise (such as people leaving/returning to parked cars etc), that will no doubt arise if the variation(s) re: opening/operating hours and activities are allowed, will all have marked and heightened negative impact on local residents and the wider Croft Conservation Area.

4. *The Protection of Children from Harm* - the licence conflicts with the amenities available to children living in and visiting the area, putting them at increased and extended risk from noise disturbance, anti-social behaviour, and increased potential for road traffic incidents.

Additionally, the Croft Village Hall which is located close to the Hotel is a venue for hire for children's parties and family functions such as weddings and christenings, also regular community/village events which run into the evening.

Finally, I note the fact that the statutory notice of application for the Croft Hotel (the name of such was misspelt in the issued notice) was published by the local authority's Licencing Section with an invalid/incorrect e-mail response address – the notice directed that any representations be sent to licensing.ric@richmondshire.gov.uk, rather than the correct licensing.ric@northyorks.gov.uk address. This risks that local residents and other interested parties have not been able to make their representations (of whatever type) to this public notice.

Yours sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

For the urgent attention of the Licensing Team, North Yorkshire County Council

I write with reference to the recent application by Modnarway 2 Limited for a Variation to the Premises Licence (Licensing Act 2003) at Dalton Road, Croft on Tees, Darlington DL2 2ST and known as The Coft Hotel.

This application is clearly disproportionate and thoughtless. It takes no account of the impact on the daily lives of those living close to The Croft Hotel, who are already frequently subjected to the noise and disruption arising from events at the hotel. These are becoming more frequent and the noise and distraction is a real nuisance.

The nature of this application is more suited to that of a downtown entertainment venue; definitely not that of a central location in a quiet village. The proposed range of events and services to be allowed to take place indoors and out up to 2.00 am is disproportionate and imbalanced when taking account of the daily life of the village. We already have significant disruption especially in the summer when too many people running these events at The Croft Hotel have a fondness for playing bass booming music all evening and often after midnight. Enough is enough.

This proposal must be rejected strongly and at speed - the existing license is more than sufficient. While Modnarway 2 is clearly keen to expand the profitability of the Croft Hotel, this must not be achieved at the expense of the character of the village and the normal life of its residents.

Please submit this as an objection through the normal planning processes and acknowledge by e-mail that this submission will be included.

Yours sincerely,

Ms Anne Wrightson and Dr Chris Sauer,
1 The Terrace,
Croft on Tees,
North Yorkshire, DL2 2TD

Andrew Hurst

Reference:	337781	Date Created:	25/May/2023 19:34
Status:	In Progress	Created By:	System
Date Closed:		Allocated To:	Ravetta, Vince

Introduction

Use this form to:

Contact the council about general enquiries and any comments you wish to make.

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To report a problem, apply, report, pay or request a council service please use the relevant online form to ensure that your request is sent directly to the right person:

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Apply for a service
Make a request
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Upon completion of this form, we will respond to your enquiry as quickly as possible, however more complex queries may take us longer to respond as further research may need to be undertaken.
What you'll need to provide

Your contact details
Enquiry details

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The information you provide on this application form will be used to facilitate your general enquiry request. The information will only be disclosed to individuals in the Council who require it to complete your request. Please be aware that your information may be passed to the Council's Counter Fraud Service and/or the Police if we suspect any fraudulent activity. For more information about how we use your personal data please see the Council's Privacy Notice on its website.

Your Details

First name	Andrew
Last name	Hurst
Address	Mole End Northallerton Road Croft On Tees DARLINGTON DL2 2SX
Contact number	01325 721929
Email address	Hurstac1@btinternet.com
Confirm email address	Hurstac1@btinternet.com

General Enquiry

Please provide details about your enquiry	Objection to License application for The Croft Hotel
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Other Fields

Back Office Notes Section

Back Office Notes	
General Enquiry Team List	

Notes

Date	Person	Comment
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OBJECTION TO APPLICATION FOR VARIATION OF PREMISES LICENCE AT CROFT HOTEL,
DALTON ROAD, CROFT ON TEES, DL2 2ST
23/00350/PREM

Urna Semper

27 May 2023

North Yorkshire Council, Licensing Section,
Mercury House,
Station Road,
Richmond. DL10 4JX

Dear Sir / Madam

I wish to object to the proposed variation for premises licence at croft hotel 23/00350/PREM for the following reasons:

- My property is only 50 Meters from the Croft Hotel and I have major concerns over the changes affecting both mine and our young families life, health and well being.
- We are concerned about the level of noise pollution that will be generated in allowing alcohol induced wedding guests to 'party' close to our premises, leaving / arriving at premises after midnight, until an unreasonable time in the early hours of the morning. We have 3 young children under the age of 10 who would be majorly affected by the undoubtedly noise this will cause. It will disturb the peace and disrupt our family's sleep and thus quality of life, as confirmed in the government's Noise Policy Statement for England (NPSE), 'it is recognised that noise exposure can cause annoyance and sleep disturbance both of which impact on quality of life.' Several complains about noise have been made to the hotel in the past by ourselves and by our neighbours (this with the current licencing arrangement).
- There is an upward trend towards midweek weddings as they are cheaper, and the licencing proposal is worded to reflect this. Effectively the proprietors (who own several other venues specialising in weddings) are attempting to operate a 'Wedding Factory 'on our doorstep.
- We have been informed by the parish council that there are 45 x midweek weddings booked at the adjacent church within the next 12 months, which is a huge increase to recent bookings and this supports the trend mentioned in the bullet point above.
- Croft-on-Tees is a quiet and ancient rural village, and the peace & tranquillity of the village is precious to the residents.
- We are also concerned about the proposed extended hours allowing alcohol consumption both inside and outside the premises. I have major concerns that if alcohol is to be consumed until 2am, this will inevitably lead to a higher risk for anti-social behaviour and public nuisance to take place on our doorsteps.
- The proposed changes would increase the level of business for the hotel beyond what is reasonable, leading to:

- more deliveries (already an issue as the access is limited and there is enough disturbance with the current level of activity including trucks having to drive onto the pavement just outside our property)
- More refuse collections (already an issue due to the noise and associated disturbance created). Several complaints by neighbours have been made to the hotel in the past about this and especially about pre-8am collections.
- Parking at the Croft Hotel is limited and already causes parking issues when the hotel is in full occupancy. With the license extending hours, this poses a significant increase in activity at the hotel which will inevitably lead to customers having to park in the village. The village is very small and already has issues with parking.

We have lived at this address for over 10 years and know the Hotel in question well. We welcome and support the investment in the hotel but these new proprietors must be mindful that this is a residential area and the operational hours of the business need to remain reasonable.

We note from conversations with neighbours that 100% of the Spa Courtyard residents are going to formally object, which is significant.

Lastly, it is believed that the planning approval for the Spa Courtyard development, is subject to a contractual and thus legal restriction in the licencing hours of the hotel. This must be investigated before a licencing variation is considered.

We strongly object to the proposed licencing variation and urge you to reject.

Yours sincerely,

Mr and Mrs Tarrant

1 Spa Courtyard, Croft-on-Tees DL2 2SU



The Apartment Group
First Floor
TWO Jesmond Three Sixty
Newcastle Upon Tyne
NE2 1DB

Our Ref: SJS.JA.48158.061

29th June 2023

Dear Sir/Madam,

The Croft Hotel, Dalton Road, Croft on Tees, DL2 2ST- Application to vary Premises Licence

I recently applied to vary the premises licence of The Croft Hotel. I note that you have lodged a representation to that application and have raised concerns about the impact of the proposed changes.

As a number of other residents have made representation lodging similar concerns we propose hosting a **meeting at The Croft Hotel on Monday 17th July at 3pm** to which you are cordially invited.

The purpose of the meeting is to outline in more detail what the application involves, what the operating style of the premises is, and to address to the concerns raised. It would also be a useful opportunity to build good communication between the hotel and their neighbours.

I have noted in the representation that there seems to be a common perception that the application seeks to extend the standard hours that the premises is currently able to operate. However, this is not the case. The premises licence already permits supply of alcohol, live and recorded music from 09:00 hrs to 02:00 hrs daily. The only extension to hours that we seek is for New Year's Eve (which I would be happy to withdraw if required) and for residents to have access to facilities 24 hours a day, which is standard in hotels.

I stress that, whilst the current licence hours provide flexibility, they do not propose operating until 02:00 hours daily and would not anticipate offering all the licence activities sought on a regular basis.

The main purpose of the application is to update the approved premises plan to reflect the internal changes to the hotel. As part of their investment I am in the process of carrying out a £1m refurbishment of the building which includes enhancing and improving the bedrooms accommodation, bar and restaurant facilities.

I have taken the opportunity to review and update the current terms of the licence as part of the application. That involves adding some additional licence activities, picking some anomalies on the current licence and adding conditions appropriate to a modern hotel offering.

I note that the main concerns expressed by residents to the application is the potential for increased noise and disturbance emanating from the hotel. There is also reference to historic complaints. By way of reassurance on this point, I can confirm that on taking over ownership of the premises I employed a noise expert to assess the potential for noise nuisance and to advise on appropriate noise attenuation measures. Those measures include regular sound monitoring during events.

I can promise, noise levels will be monitored throughout events to ensure that the correct levels are maintained.

Finally, in order to ensure that the licensing objectives are promoted at all times we have built into our application conditions which must be complied with. The current premises licence is only restricted by mandatory conditions and has no conditions specific to this operation. The proposed conditions are set out within the operating scheduled attached. The conditions offered have been reviewed and approved by the responsible bodies including the Police and Environmental Health Officers.

Hopefully, I will see you at the proposed meeting time, but please don't hesitate to contact me if you would prefer to discuss the matter over the telephone.

Your sincerely,

Stuart A. Bailey (FIH)
CEO

Email: stuartbailey@apartment-group.com
Tel: 0191 232 1341