

From: [GARRY SHEERINS Sheerins](#)
To: [Licensing \(HAR\)](#)
Cc: [Licensing \(HAR\)](#)
Subject: Re: FW: 1. Hidden Wine Representation - C24/01034/LAPREM
Date: 11 October 2024 20:46:09

Dear Sirs

Thank you for your email and the response from the applicant does not allay my concerns and I wish to maintain my representation.

Kind regards

Garry Sheerins

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

From: licensing.har@northyorks.gov.uk

To: [REDACTED] Cc: licensing.har@northyorks.gov.uk

Sent: Thursday, October 10th 2024, 15:15

Subject: FW: 1. Hidden Wine Representation - C24/01034/LAPREM

Good afternoon,

18 Crawford Close, Tockwith, York, North Yorkshire, YO26 7QT

PREMISES LICENCE APPLICATION

LICENSING ACT 2003

Further to your email on the 8th October 2024 . Please find below a detailed response to your concerns from the Applicant.

If this email allays the concerns raised in your letter and you are able to withdraw your representation please advise by emailing Licensing.

Should you have any questions or require clarification on any particular point please do not hesitate to contact the Licensing Team via email.

Kind regards

Freja Lythgow

Technical Licensing Officer

Licensing – Central Area

North Yorkshire Council

PO Box 787

Harrogate

HG1 9RW

 Tel: 0300 131 2 131

E-mail: [REDACTED]

Website: www.harrogate.gov.uk

Web: www.northyorks.gov.uk



OFFICIAL - SENSITIVE

From: Hidden Wine [REDACTED]
Sent: Thursday, October 10, 2024 2:56 PM
To: Licensing (HAR) <licensing.har@northyorks.gov.uk>
Subject: Re: 1. Hidden Wine Representation - C24/01034/LAPREM

Hi Freja

Thanks for forwarding Garry's representation to us and we certainly appreciate his concerns

Please see the below for response

- "There is no room for 4 cars"

The driveway stretches the width of the property. The side of the house has been concreted by the previous owner and can fit one car. Two cars can fit parallel to the house and final car parked vertically in front of the garage. There is normally only 1-2 cars parked at any time as we only own 2 cars but when guests have come we can confirm the driveway has comfortably fit 4 cars without obstructing the road. This is only to demonstrate that there is space available for couriers to use our driveway when they make deliveries/collections to reduce the disruption or traffic flow in the cul de sac.

- "There is no way genuine proof of ID can be checked by the applicant when an order is placed"

We agree that we are limited in how we can personally ensure that every ID submitted at order is "genuine" proof of age. As part of our age verification policy, there will be an age verification step on entering the website and proof of age will be verified in person by a reputable courier to ensure that goods are handed to an adult over the legal drinking limit. Delivery will only be made to an adult's home or work address which is in

keeping with subsection 6 of s.151 of the Licensing Act 2003 which states that an offence of delivering alcohol to a minor does not take place when a sale is made to an adult and the alcohol is delivered to their home or place of work. As we are a start up micro business it will be feasible for us to individually check that delivery addresses are home or business addresses.

If the courier cannot verify this the customer has the option to arrange redelivery and present ID on redelivery or else this is returned to us where the order is cancelled and refunded.

This is same or similar process which all UK retailers follow and is from what we understand compliant current UK legislation.

Under Section 146 of the Licensing Act 2003 requires that all reasonable steps have been taken to establish the individual's age and that we have exercised all due diligence to avoid committing the offence of supply alcohol to anyone under the age of 18.

We are working with a professional website designer and looking at all the options available for checking ID on the website, as well as a reputable courier (DHL)

- “The applicant will have no control whatsoever over any courier delivering the alcohol to the end user” and “Courier drivers will be unlikely to comply with any request that they are to seek ID from the end user and they will not have the requisite training/monitoring to ensure they always seek ID”

We intend to ship order via DHL which is a well-known, reputable courier. DHL are obligated to check the ID of the receiver if it is reasonable to presume that the person is under the age of 18. Should there be for any reason that ID is not being checked when it is reasonable to do so then we would raise this with DHL for the matter to be resolved and if necessary, ship with an alternative courier. We are selecting a service that requires the driver to check proof of age at delivery if it is reasonable to do so and are paying a premium for this.

- Prevention of crime and disorder

We would like to make it known that as part of our application we have been in contact with North Yorkshire Police and agreed to terms set out by them. Police have confirmed that they have no objections regarding our business, or raised concerns around the risk of potential crime and

disorder it could potentially cause.

We would like to acknowledge that in any circumstances relating to this application or in general terms, it is not possible for anyone to completely eliminate all possible risk. However, we hope that the points below show reasonable steps we are taking to reduce risk wherever possible.

“Accessible from both the front and back” This statement is true and there are two doors to the garage. The front garage door is visible from the road and in plain view of at least 4 neighbours. Should an attempt be made to this door however there is a temporary internal wall behind the garage door which separates the door to where the wine will be stored, therefore making it inaccessible from the front.

With regards to the rear door and also in response to “A Yale lock is inadequate security” the door was replaced 3 years ago with a composite door. Going into more detail about the door, all our external doors are manufactured with a fully reinforced 70mm PVC-U outer frame and high security locking system, which includes multipoint locking system and anti-bump cylinder. When the door is locked it is locked at three points into the door frame for reinforced security. Keys to this door are kept in a safe place away from view of potential intruders.

“Security cameras will not prevent theft or attempted theft”. We agree with this statement as in any circumstance no level of security could entirely prevent the risk of theft. However we are in the process of getting quotations to upgrade our current security system and will look at all options available on how we can reasonably reduce the risks as much as possible. Although cameras cannot prevent theft, statistically they can deter potential criminal activity.

“There is likely to be a knock on effect of other neighbouring properties being broken into as well”. Neighbourhood Watch found research by Nottingham Trent University which shows “**proven measures we can all take to reduce our chances of becoming a victim of burglary by up to 50%**”. These are measures such as keeping doors and windows locked, putting exterior lights on sensor and putting interior lights on timer. We would like it be acknowledged we cannot eliminate all possible risk of theft, however we feel that steps have been taken to reduce this where reasonably possible.

As we are a small start up business our initial stock will be limited due to financial constraints and space. Therefore to put into context the value of the stock we would hold will be less than the value of our car. Therefore

the presence of alcohol will pose no greater risk than our car being on the drive way.

"There is no neighbourhood watch at Crawford Close". We apologise if this is incorrect. We had checked their website beforehand and it seemed to indicate that here is NW in Oak Park which also covered our area. If this is incorrect we are happy to retract the statement.

"It is highly likely that the applicant and Sophie will be away on holidays at various times". Although we have no present arrangements it is probable that at times we may be away from the property. We have already been in touch with trusted family who would be able and willing to house sit for us should we be away from home for an extended period.

"The property will not always be occupied during the day". This statement is true and would be true for most premises whether it be home or a unit, would not be reasonably feasible to be occupied 24hours a day. There will be times during daylight hours that we may be away from the property which is why it would be paramount for us to ensure the property is secure before leaving and that cameras are operating for the time we are out.

"Alcohol is highly attractive to thieves and it will be almost inevitable that a domestic property will be broken into if the application is granted". Again we repeat the comments that it is not possible for us to completely eliminate all possible risk, however we have taken reasonable steps to reduce this as much as possible with securing windows and doors, leaving internal/external lights on where appropriate, use of cameras around the property, ensuring that someone is present in the home if we are away for extended periods. Wine is however a low risk theft item because of it's size, weight and retail value. We do not intend to stock wine of particularly high value or rarity at this time.

"Storage of alcohol also presents a fire hazard". Where the alcohol is kept is within an internal temporary room separate from the boiler and fuse box. All products are cased and secured in glass bottles and there will be no naked flames within the garage to reduce risk of fire. There is also a smoke detector in the room to alert us should there be any fire. The temporary walls are insulated with Rock Wool which is non-combustable.

- Public safety and prevention of public nuisance

"The likelihood of accidents involving both vehicles and pedestrians will

be increased and this will have significant impact on road users particularly when vehicles are being unloaded". We are sensitive that this is residential street and do not wish to cause any unnecessary disruption as we also enjoy the quietness of the area. We are making sure that our courier and suppliers are aware that this is residential area and they are supportive in trying to ensure that appropriate vehicles such as transit vans are used where possible. At present we have had no reason to believe that HGV vehicles would be used as this would inevitably make logistics more complicated. As we are not ordering pallet sized orders it is unlikely HGVs will be used.

As we are a micro start up business we do not anticipate the volume of orders being high at least for the first couple of years. Therefore the frequency of deliveries would approximately be 1-2 per week and collections approximately 2-3 per week. This would be little difference than any other household receiving parcels, shopping or trade works to their home and anticipate minimal disruption. However, should any issues occur we are open to discussing this as and when to see what we can do to resolve any reasonable issues.

Our business model is not designed to appeal to the masses but a smaller niche of customers that are interested in trying wines from lesser well-known regions. Therefore, orders are likely to be small and expect deliveries/collections to take no more than 5-10minutes. Wherever possible we will ensure room is made on the driveway and couriers utilise this space to avoid blocking neighbours access to their homes, out of the way of the pavement and pedestrians.

We have made enquiries with suppliers and so far all who have come back to us confirmed that they deliver by transit vans. As we will not be ordering pallet sized orders it is unlikely that HGV vehicles will be used. However, if this is ever the case we will try to let neighbours know of this where possible. Also, wherever possible we intend to collect orders ourselves from suppliers where it is logistically feasible to do so.

"Delivery times are 9:00am-8:00pm and therefore deliveries will be made during the hours of darkness for half of the year". We have overestimated these times in case of unforeseeable circumstances such as couriers being delayed. It is not guaranteed that deliveries/collections will be made at 20:00.

Important information:

We would also like to make it known that at present this is a brand new

micro business, which means the volume of orders we may get will be low. Should the business grow in the future and deliveries/collections are more frequent and larger, it would be within our neighbour's, the business and our own interests to move it to a more appropriate location and would absolutely agree in this case a business from home would not be sustainable.

At present as this is a new starting, micro business we feel that measurable steps have been taken to be able to begin this business from home. At this present time it would not be financially feasible or logistically viable to base this elsewhere however, as stated above, if the business grows it would be in the interests of our neighbours, ourselves and the business to move to more appropriate premises and we would certainly be agreeable to this.

We feel that our application and the responses satisfy legislation, Police regulations and conditions of the premise licence.

Best wishes,

Charley & Sophie

OFFICIAL - SENSITIVE

From: Licensing (HAR) <licensing.har@northyorks.gov.uk>
Sent: Wednesday, October 9, 2024 9:21:15 AM
To: Hidden Wine [REDACTED]
Cc: Licensing (HAR) <licensing.har@northyorks.gov.uk>
Subject: 1. Hidden Wine Representation - C24/01034/LAPREM

Good morning,

18 Crawford Close, Tockwith, York, North Yorkshire, YO26 7QT

PREMISES LICENCE APPLICATION

LICENSING ACT 2003

Please find attached a representation raised by an interested party in respect of the above application.

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.

Should you have any questions or require clarification on any particular point please do not hesitate to contact the Licensing Team.

Kind regards

Freja Lythgow

Technical Licensing Officer

Licensing – Central Area

North Yorkshire Council

PO Box 787

Harrogate

HG1 9RW

 **Tel:** 0300 131 2 131

 **E-mail:** [REDACTED]

 **Website:** www.harrogate.gov.uk

 **Web:** www.northyorks.gov.uk



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For information about how we process data, please see our Privacy Notice at www.northyorks.gov.uk/privacynotice.

OFFICIAL - SENSITIVE

Nicola Kemp

From: Licensing (HAR)
Sent: 08 October 2024 14:55
To: [REDACTED]
Cc: Licensing (HAR)
Subject: 1. Hidden Wines Ltd - Representation on a current application - C24/01034/LAPREM
Attachments: Police conditions agreed.pdf

Good afternoon,

18 Crawford Close, Tockwith, York, North Yorkshire, YO26 7QT

**PREMISES LICENCE APPLICATION
LICENSING ACT 2003**

We are in receipt of your objection regarding the above application. I can confirm we have accepted the part your representation that relates the prevention of public nuisance in relation to the noise of deliveries and trucks.

I would like to make you aware that the application for the business is for off sales only. There will NO members of the public going to premises to collect orders. They are not running a 24 hours, 7 a day week business. The operating hours of the business are 0900 hrs to 2000hrs. The applicant has agreed conditions with North Yorkshire Police, which I have attached in this email.

Please note that the licensing authority must provide the applicant with copies of any relevant representations and make them publicly available. Under normal circumstances, this will include your name and address. If you believe that, in the exceptional circumstances of your case, it is necessary to withhold your name and part of your address from the applicant, please provide reasons (e.g. fear of intimidation).

Additionally, the applicant or a representative may wish to contact you by email or telephone to discuss their application or to consider any amendments that may be made to alleviate your concerns. Please confirm if we can share any of your contact details for this purpose.

Representations must relate to one or more of the four licensing objectives of crime prevention, public safety, public nuisance and child protection.

1. The prevention of crime and disorder. This relates to any crime, disorder or anti-social behaviour at the premises or related to the management of the premises. A licence holder/applicant cannot generally be held responsible for the conduct of individuals once they leave the premises; 2. Public safety. This relates to the safety of the public on the premises, for instance, fire safety, electrical circuitry, lighting, building safety or capacity, and first aid.

3. Prevention of public nuisance. This can relate to issues such as hours of operation, noise emanating from the premises, vibrations, lighting and litter.

4. Protection of children from harm. This relates to protecting children from the activities carried out on the premises whilst they are there. The law already provides special protections for children under 18 to buy alcohol.

Any comments cannot be considered if they relate to anything else, such as planning permission, the need for the premises, trade competition, or the effect on house prices. Frivolous and vexatious representations will also be rejected.

Your representation has been accepted in regards the to aspect regarding the prevention of public nuisance and noise. It will be sent to the applicant who will be advised to give careful consideration and to contact this department should they wish to start negotiating with a view to resolving the issues you have

raised. Should your concerns be resolved by this process you can withdraw your representation at any point.

I have attached conditions which have been agreed between the applicant and North Yorkshire Police.

If resolution cannot be reached and the representation is not withdrawn the application will be dealt with by a Licensing Sub-Committee hearing which will be arranged within 20 working 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.

Should you have any questions or require clarification on any particular point please do not hesitate to contact the Licensing Team.

Kind regards

Freja Lythgow
Technical Licensing Officer
Licensing – Central Area
North Yorkshire Council
PO Box 787
Harrogate
HG1 9RW

H Tel: 0300 131 2 131

[Redacted]

Website:

<https://eur02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.harrogate.gov.uk%2F&data=05%7C02%7Clicensing.har%40northyorks.gov.uk%7Cd9ea845b28ba427de29c08dce7a0d86c%7Cad3d9c73983044a1b487e1055441c70e%7C0%7C0%7C638639925506565715%7CUnknown%7CTWFPbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQljoiv2luMzliLCJBTiI6lk1haVWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=FOM120i3K6GunvQFTq8Ge97ImoEYcNDqMe%2BIK4hZn3k%3D&reserved=0>

Web:

<https://eur02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.northyorks.gov.uk%2F&data=05%7C02%7Clicensing.har%40northyorks.gov.uk%7Cd9ea845b28ba427de29c08dce7a0d86c%7Cad3d9c73983044a1b487e1055441c70e%7C0%7C0%7C638639925506582010%7CUnknown%7CTWFPbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQljoiv2luMzliLCJBTiI6lk1haVWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=imWILCcss49VPY55dFckT2H3%2BG2Lq%2FQgSAF1TilkABUs%3D&reserved=0>

OFFICIAL

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

From: Sheerins, Garry [Redacted]
Sent: Monday, October 7, 2024 6:46 PM
To: Licensing (HAR) <licensing.har@northyorks.gov.uk>
Cc: Garry Sheerins [Redacted]
Subject: Hidden Wines Ltd - Representation on a current application

Dear Sirs

Please find attached my representation to this application.

Please only use [Redacted] for any communications.

Kind regards

Garry Sheerins

Representations on a current application for the grant or variation of a Premises Licence or Club Premises Certificate under the Licensing Act 2003

Section 1 – Premises details	
Premises name	Hidden Wines Ltd
Premises address	18 Crawford Close Tockwith York YO26 7QT
Licence number (if known)	

Section 2 – Personal details	
Name	Garry Sheerins
Address	[REDACTED]
Email address	[REDACTED]
Telephone number	[REDACTED]
Capacity	<input type="checkbox"/> Responsible authority <input checked="" type="checkbox"/> Local resident <input type="checkbox"/> Local business <input type="checkbox"/> Other person

Please note that the licensing authority must provide the applicant with copies of any relevant representations and make them publicly available. Under normal circumstances, this will include your name and address. If you believe that, in the exceptional circumstances of your case, it is necessary to withhold your name and part of your address from the applicant, please provide reasons below (for example, fear of intimidation).

Additionally, the applicant or a representative may wish to contact you to discuss their application or to consider any amendments that may be made to alleviate your concerns. Please select if you would like any of your contact details to be shared for this purpose:

- Email address
- Telephone number

Your representation must be based on the likely effect of the proposed activities on at least one of the four licensing objectives. Please select all that apply to your representation:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

Please state the grounds for representation (and include any supporting evidence where applicable):

Please see attached documents

Please state if there are any amendments to the application or conditions that may be imposed to overcome any concerns:

No

Section 4 – Signature

Signature



Date

3/10/24

For further information on the application process, please visit:
<https://www.northyorks.gov.uk/licensing-and-registration/alcohol-and-entertainment-licences>

General

The drive is not large enough for four cars. I have lived opposite the property since 1993 and have never seen four cars parked on the property's drive. Normally there are 2 cars, 1 in front of the house and one in front of the garage, there is no more space.

From the description of the business there is no way genuine proof of ID can be checked by the applicant when an order is placed since underage persons could very easily use another person's ID to purchase alcohol.

The applicant will have no control whatsoever over any Courier delivering the alcohol to the end user, thus there is a strong likelihood alcohol could be supplied to underage persons.

Courier drivers will be unlikely to comply with any request that they are to seek ID from the end user and they will not have the requisite training / monitoring to ensure they always seek ID.

Prevention of crime and disorder

The garage is not an outbuilding. It is an integral part of the house attached to the home. It is accessible both from the front and the back. A Yale lock is inadequate security. Security cameras will not prevent theft or attempted theft. As the applicant says the property is located on a quiet cul-de-sac and whilst there may be no visible advertising it is easily discoverable that alcohol will be stored at the property even by a simple reference to Companies House where the address is listed as the trading address. This information is easily publicly available and if the application is granted it will therefore make the property highly attractive to thieves.

There is also likely to be a knock on effect of other neighbouring properties being broken into as well.

The property will not always be occupied at night. This is a domestic property and it is highly likely that the applicant and Sophie will be away on holidays at various times. In addition, the property will not always be occupied during the day as well, since the applicant and Sophie will invariably have to leave the property to undertake normal day-to-day tasks, or even as they say to collect deliveries.

There is no neighbourhood watch scheme on Crawford Close.

Alcohol is highly attractive to thieves and it will be almost inevitable that a domestic property will be broken into if the application is granted.

Public safety

The comments made above concerning ID are repeated.

The storage of alcohol also presents a fire hazard.

The cul-de-sac is already congested with vehicles, and it is highly unlikely any Courier driver visiting the applicant's property will not block the end of the cul-de-sac thus blocking in the applicant's neighbours since this happens regularly. The delivery vehicles would have to reverse and my own vehicle has previously been hit by a reversing vehicle in this cul-de-sac. The likelihood of accidents

involving both vehicles and pedestrians will be increased and this will have a significant impact on road users particularly when vehicles are being unloaded, so it is not the same as a Courier delivering a single parcel.

The same safety concerns apply with regards to collections. Courier drivers will block the end of the cul-de-sac whilst their vehicle is being loaded with orders.

The prevention of public nuisance

In the application the applicant's comments are contradictory in that it is said disruption to the local community is not anticipated but later it is accepted that deliveries could cause disruption. Obviously there will be significant disruption and this is acknowledged by the applicant. The solution to deliver in smaller loads simply means more vehicles visiting to deliver and collect orders therefore increases the public nuisance. There will be an increase in noise. The applicant's delivery times are 9:00 AM-8:00 PM and therefore deliveries will be made during the hours of darkness for half of the year.

The protection of children from harm

Please see previous comments concerning proof of age at the point of purchase which cannot possibly be enforced correctly and the same comments apply to the point of delivery.

Additional comments

We would encourage the applicant to rent a business premises, perhaps at the nearby Tockwith Trading Estate, and run their business from there. If they decide to do that we would wish the applicant much success with their business.



CAROL SHEERINS

3/10/24.