

North Yorkshire Council

Statutory Licensing Sub-Committee

Wednesday 09 April 2025 at 11am

No. 1, 1 The Square, Grassington – Grant of a Premises Licence

Report of the Corporate Director – Environment

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to determine an application for the Grant of a premises licence under the Licensing Act 2003, in respect of No. 1, 1 The Square, Grassington, Skipton BD23 5AQ

2.0 BACKGROUND

- 2.1 An application for the grant of a premises licence No.1, 1 The Square was accepted on 24 February 2025. The premises is described in the application as a restaurant. A copy of the application is attached at **Appendix A** in the report and the licence plan at **Appendix A.1**. This premises previously traded as Glad Rags Boutique and Dales Country Trading.
- 2.2 The applicant is Ms Katie Louise Meggison. The application was served by Absolute Licence Solutions, Brentwood.
- 2.3 The sole licensable activity applied for is the Retail Sale of Alcohol both on and off premises, Monday to Sunday 11:00 to 23:00.
- 2.4 Although Live/Recorded Music have not been applied for, The Live Music Act 2015 means that a licence is *not required* to stage a performance of live music, or the playing of recorded music if:
- it takes place between 8AM and 11PM; and
 - it takes place at an alcohol on-licensed premises; and
 - the audience is no more than 500 people.

A licence is also not required:

- to put on *unamplified live music* at any place between the same hours; or
- to put on amplified live music at a workplace between the same hours and provided the audience is no more than 500 people.

In other circumstances, a licence may be required. There are exemptions from the need for a licence for music entertainment, in defined circumstances, including:

- incidental music - music that is incidental to other activities that aren't classed as regulated entertainment.

3.0 PROMOTION OF LICENSING OBJECTIVES

- 3.1 Section 4 of the Licensing Act 2003 places a duty on the Licensing Authority to carry out its functions under the Act with a view to promoting the licensing objectives. The licensing objectives are:
- The prevention of crime and disorder
 - Public safety

- The prevention of public nuisance
- The protection of children from harm

3.2 The Sub-Committee must carry out its functions with a view to promoting the licensing objectives. Each objective is of equal importance. It is important to note that there are no other licensing objectives; these four objectives are paramount considerations at all times.

4.0 CONSULTATION

4.1 A consultation of the application took place between 24 February 2025 and 21 March 2025. Copies of the application were sent to all statutory Responsible Authorities in accordance with the provisions of the Licensing Act 2003.

4.2 In accordance with Regulation 25 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005, applicants are required to publish a notice in a local newspaper and to display a brief summary of the application on an A4 size notice on blue paper in a prominent position immediately on or outside the premises for at least 28 consecutive days. A record of the application was also published on the Council's website and the full application was made available for inspection at the Council offices.

5.0 REPRESENTATIONS

5.1 On 26 February North Yorkshire Fire service responded to state that they have no objections.

5.2 On 27 February North Yorkshire Police contacted the applicant's agent to agree an additional condition (see **Appendix B**).

5.3 On 28 February we received a representation by post from neighbouring resident Mrs Susan Bailey see **Appendix C**). We communicated with Mrs Bailey by letter as no email address was provided. By 20 March following a conversation between Mrs Bailey and a Licensing Officer, the initial representation was deemed final (albeit not all the content relates to the Licensing objectives) and this was emailed to the applicant's agent.

5.4 An email from 'Katie, Carl Matthew & Kirsty Wilson' was received by Licensing that same day to forward to Mrs Bailey (**Appendix C.1**) which we duly did. A follow up email was received by Licensing on 25 March and passed on to Mrs Bailey.

5.5 On 1 March neighbouring residents Mr & Mrs Ian and Christine Macefield contacted us about the application, and they followed up on 17 March by submitting a valid representation (see **Appendix D**).

5.6 The applicant's agent contacted Mr & Mrs Macefield and proposed some additional conditions to ease their concerns. Please see this communication at **Appendix E**.

5.7 There have been some attempts made by a Mr Matthew Wilson on behalf of the applicant to contact Mr & Mrs Macefield. These can be seen at **Appendix F**.

5.8 A street view of the premises has been provided to assist members, along with some photographs of the premises and its locality – see **Appendix G**.

6.0 ALTERNATIVE OPTIONS CONSIDERED

6.1 All of the Sub-Committee's options are outlined in paragraph 15.0. No alternative options are available.

7.0 FINANCIAL IMPLICATIONS

7.1 Not applicable

8.0 LEGAL IMPLICATIONS

8.1 In making its decision, the Sub-Committee must have regard to the applicant's submissions, the relevant representations, the Council's Statement of Licensing Policy and the Revised Guidance issued under section 182 of the Licensing Act 2003.

8.2 The Sub-Committee must have regard to the promotion of the four licensing objectives in exercising its functions under the Licensing Act 2003.

8.3 The Sub-Committee's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

8.4 In accordance with Schedule 5 to the Licensing Act 2003, the applicant and any person who has made a relevant representation may appeal against the decision of the Sub-Committee.

8.5 The applicant and interested parties have a right of appeal to the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision.

9.0 EQUALITIES IMPLICATIONS

9.1 Not applicable

10.0 CLIMATE CHANGE IMPLICATIONS

10.1 Not applicable

11.0 POLICY CONSIDERATIONS

11.1 Craven District Council Statement of Licensing Policy 2022 – 2027 remains in place by operation of the Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008.

12.0 OTHER CONSIDERATIONS

12.1 The following sections of the [Guidance issued under section 182](#) of the Licensing Act 2003 (updated December 2023) issued by The Secretary of State for Culture, Media and Sport are relevant in considering the licensing objectives in relation to this application:

- Crime and disorder Section 2.1
- Public safety Section 2.8
- Public nuisance Section 2.21
- Protection of children from harm Section 2.28

13.0 HUMAN RESOURCES IMPLICATIONS

13.1 Not applicable

14.0 CONCLUSIONS

- 14.1 An application has been made for the grant of a premises licence for No. 1, 1 The Square, Grassington. Conditions agreed with North Yorkshire Police will form part of the conditions attached to the Premises Licence.
- 14.2 In accordance with section 35 of the Licensing Act 2003, the Licensing Authority must hold a hearing to consider the application and any relevant representations.
- 14.3 The Sub-Committee must, having regard to the above, determine the application and take any steps that are appropriate for the promotion of the licensing objectives.
- 14.4 There are two representations from interested parties for the Sub-Committee to consider, attached at Appendices C and D. Members should note that some of the grounds for the representation may not directly relate to the licensing objectives but have been included in the interests of openness and transparency.

15.0 RECOMMENDATION

- 15.1 To take any of the following steps as the Sub-Committee considers appropriate for the promotion of the licensing objectives:
- i) To grant the licence as applied for (subject to any conditions consistent with the Applicant's operating schedule and conditions added by NY Police)
 - ii) To grant the licence subject to any modifications or additional conditions that Members consider appropriate for the promotion of the Licensing Objectives
 - iii) To reject the application in whole or in part.

APPENDICES:

- Appendix A - Premises Licence Application
- Appendix A.1 - Licence Plan accompanying the Premises Licence Application
- Appendix B - Response from North Yorkshire Police 27.02.25
- Appendix C - Representation received from Mrs S Bailey 28.02.25
- Appendix C.1 - Response to Mrs Bailey from Applicant party 20.03.25
- Appendix D - Representation received from Mr & Mrs Macefield 17.03.25
- Appendix E - Communication between Macefields and Applicant's Agent
- Appendix F - Communication between Macefields and Applicant party
- Appendix G - Street Plan and photographs of premises and adjoining premises

Background document – None

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27 March 2025

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Presenter of Report: Emma Hayton, Senior Licensing Enforcement Officer (West)

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.