

Mission Statement

To Improve the Quality of Life
For Those Who Live and Work in The District

11 April 2011

Dear Councillor

You are hereby invited to a meeting of the **Licensing Sub-Committee** to be held in **Committee Room 2**, Civic Centre, Portholme Road, Selby on **Wednesday 20 April 2011** commencing at **10.00am**.

AGENDA

1. Election of Chair

To elect a Councillor to act as Chair of the meeting.

2. Introductions

3. Disclosure of Interest

To receive any disclosures of interest in matters to be considered at the meeting in accordance with the provisions of Section 117 of the Local Government Act 1972, and Sections 50, 52 and 81 of the Local Government Act 2000 and the Members' Code of Conduct adopted by the Council.

4. Licensing Hearing – Application for a Premises Licence for Hillam and Monk Fryston Cricket Club

To seek the determination of an application for a Premises Licence.

Martin Connor
Chief Executive

Disclosure of Interest – Guidance Notes:

- (a) Councillors are reminded of the need to consider whether they have any personal or prejudicial interests to declare on any item on this agenda, and, if so, of the need to explain the reason(s) why they have any personal or prejudicial interests when making a declaration.
- (b) The Democratic Services Officer will be pleased to advise you on interest issues. Ideally their views should be sought as soon as possible and preferably prior to the day of the meeting, so that time is available to explore adequately any issues that might arise.

Enquiries relating to this agenda, please contact Democratic Services on:

Tel: 01757 292078

Fax: 01757 292020

Email: jhibberd@selby.gov.uk

Guidance on procedure for hearing licensing applications

The Chair introduces him/herself, the other members of the panel, the Clerk to the panel and any officers present

The Chair will ask the parties to introduce themselves, and provide details of any witnesses they will be calling. If more than one interested party, the Chair will ask whether a representative can be appointed to speak on their behalf.

The Clerk summarises the hearings procedure, any time limits for speakers and any additional information to be produced by the parties.

The Licensing Officer gives a summary of his report and any representations received.

The Chair asks for questions for the licensing officer from members, and then the Applicant, responsible authorities, interested parties and officers.

The Applicant or their representative makes a brief opening statement and may call witnesses relevant to the application.

The Chair asks for questions for the applicant from members, and then responsible authorities, interested parties and officers.

Responsible Authorities or their representative makes a brief opening statement and may call witnesses relevant to the application.

The Chair asks for questions for the responsible authorities from members, and then the applicant, interested parties and officers.

The Interested Parties or their representative makes a brief opening statement and may call witnesses relevant to the application.

The Chair asks for questions for the interested parties from members, and then the Applicant, responsible authorities and officers.

The Chair asks the responsible authorities or their representative if they wish to sum up their case, without adding any new evidence.

The Chair asks the interested parties or their representative if they wish to sum up their case, without adding any new evidence.

The Chair asks the applicant or their representative if they wish to sum up their case, without adding any new evidence.

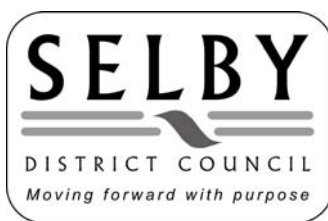
The Chair confirms with all parties that they have had an opportunity to say all they wanted to say in relation to the application.

The Clerk advises the meeting that the panel will retire to deliberate and reach a decision.

Meeting reconvenes

The Chair announces the decision of the committee

Meeting Closes



Agenda Item No:4

Title: Section 35(3)(a) Application for a Premises Licence for Hillam and Monk Fryston Cricket Club, Hillam LS25 5HP

To: Licensing Act 2003 Sub-Committee

Date: 20 April 2011

Service Area: Customers and Business Support

Author: Tim Grogan

Presented by: Tim Grogan

1. Summary

- 1.1 To seek the determination by the Licensing Sub Committee of an application for a Premises Licence where relevant representations have been received.
- 1.2 Application reference: TAG/HMFCC
- 1.3 Name of Applicant: Tonu Vaks
- 1.4 Type of authorisation applied for: The nature of the application is to grant a premises licence for Hillam and Monk Fryston Cricket Club, Stocking Lane, Hillam. The applicant requests that the licence be granted for the provision of: regulated entertainment in the form of indoor sporting events, live music, and recorded music; entertainment facilities in the form of making music and dancing; late night refreshment and sale by retail of alcohol from:
(a) Monday to Sunday (inclusive) between 08:00 – 00:00

2. Background

- 2.1 A copy of the application for a Premises Licence is attached at Annex 1.

3. Promotion of Licensing Objectives

- 3.1 The applicant proposes to operate as a responsible and effective manager of the premises in order to promote the licensing objectives and this detail is contained in section P of the Premises Licence Application at Annex 1.

4. Consultation

- 4.1 Consultation was carried out by the applicant in accordance with section 13, and section 17(5) of the Licensing Act 2003 and Regulation 42, parts 2 and 4 of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, which concern the displaying of a notice on the premises, by a notice delivered to properties in the vicinity giving details of the application and by serving a copy of the application on all responsible authorities. The applicant complied with all statutory requirements in this regard.

5. Summary of representations made by Responsible Authorities

- 5.1 A representation has been received from one Responsible Authority listed at Annex 2. The representation is in the form of Selby District Council's Environmental Health Services. The Representations are attached at Annex 3. Essentially the representation is in line with the Licensing objectives regarding the prevention of public nuisance.

6. Summary of representations made by interested parties

- 6.1 Representations have been received from 7 interested parties listed at Annex 4. The Representations are attached at Annex 5. Essentially the representations are in line with the Licensing objectives regarding the prevention of Public Nuisance.
- 6.2 A map of the area showing the various locations is attached at Annex 5. An interested party is defined at section 13(3) of the Act as being a person living in the vicinity of the premises and the interested party is therefore duly qualified.
- 6.3 Councillors are reminded that Representations are only "relevant" if they relate to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.

7. Licensing Officer's report

- 7.1 The Licensing Act 2003 requires that licences be acquired for premises providing regulated entertainment in the form of indoor sporting events, live music, and recorded music; entertainment facilities in the form of making music and dancing; late night refreshment and sale by retail of alcohol.
- 7.2 On the 8th March 2011 Tonu Vaks made application to Selby District Council for a Premises Licence in respect of Hillam and Monk Fryston Cricket Club, Stocking Lane, Hillam.

- 7.3 Under the Licensing Act 2003 the terms of the application are for the licence to authorise:
Provision of; regulated entertainment in the form of indoor sporting events, live and recorded music; entertainment facilities in the form of making music and dancing; late night refreshment and sale by retail of alcohol from:
(a) Monday to Sunday (inclusive) between 0800 – 0000
- 7.4 There are 4 Licensing Objectives with which the Licence Holder has to comply in order to operate within the Licensing Act, they are:
- **the prevention of crime and disorder**
 - **public safety**
 - **the prevention of public nuisance**
 - **the protection of children from harm**
- 7.5 In this particular case representations have been received from Environmental Health Services (EHS) and 7 Interested Parties (residents). Essentially all representations relate to issues of:
- **the prevention of public nuisance**
- The representations relate to: the likelihood of **public nuisance** in terms of the likelihood of **undue disturbance as a consequence of increased traffic, noise, light pollution, parking and depositing of rubbish.**
- 7.6 There is no representation from the Police.
- 7.7 Dealing with EHS it is agreed that providing the Licence Holder complies with the conditions recommended by that department that they will have no opposition to the activity and the hours applied for. Mr Vaks, as I understand it, is willing to accept the imposition of these conditions.
- 7.8 With regard to the Interested Parties it is clear that they anticipate that there will be a disruption to the immediate environment of the premises should the licence be granted in the terms applied for. In particular they refer to the increased likelihood of **undue disturbance as a consequence of increased traffic, noise, light pollution, parking and depositing of rubbish.**

8. Licensing Department's Conclusion

- 8.1 The Licensing Department's view is that the Licensing Sub-Committee makes its decision having considered the information submitted in the attached case papers and the additional verbal evidence presented to it today.

- 8.2 The issues are quite clear. The Police have made no representation and the EHS consider that providing the Licence Holder complies with the conditions recommended by that department they will have no opposition to the activity and hours applied for.
- 8.3 The residents, on the other hand, consider that the terms in which the licence has been applied for will increase the likelihood of the commission of *nuisance* in relation to the likelihood of increased traffic, noise, light pollution, parking and depositing of rubbish. It should be understood that issues of increased traffic and parking are not within the gift of this committee. However, the Licensing Sub-Committee may implement such conditions as they deem appropriate in the circumstances regarding the other issues raised.
- 8.3 Should this Sub-Committee recommend the grant of a Premises Licence to Hillam and Monk Fryston Cricket Club the Licensing Department would strictly enforce any conditions imposed as warnings are no longer necessary given the attention drawn to the matter as a consequence of this hearing.

9. Options

- 9.1 The Sub Committee have the following options available to them in making their decision:

Option 1: Grant the premises licence in the terms applied for.

Option 2: Grant the premises licence with modified/additional conditions imposed by the Licensing Sub Committee

Option 3: Grant the premises licence to exclude any of the licensable activities to which the application relates and modify/add conditions.

Option 4: Reject the application.

10. Analysis

- 10.1 The following could be the result of any decision made by this Sub Committee:

Option 1: This decision could be appealed at Magistrates' Court by the representor.

Option 2: This decision could be appealed at Magistrates' Court by the applicant or the representor.

Option 3: This decision could be appealed at Magistrates' Court by the applicant or the representor.

Option 4: This decision could be appealed at Magistrates' Court by the applicant.

11. Licensing Objectives

11.1 The Licensing Act 2003 has 4 objectives:

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

12. Implications

12.1 Community safety and crime: The Sub Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to cooperate in the reduction of crime and disorder in the district.

13. Risk Management

13.1 The consequence of certain decisions made by the Licensing Sub-Committee could be appealed at Magistrates Court by the applicant. In addition, any decision which is unreasonable or unlawful could be open to legal challenge resulting in loss of image reputation and potential financial penalty. Please see **item 10 (Analysis)** for details.

14. Recommendations

14.1 Councillors determine the application.

ANNEX 1

Copy of the application for a Premises Licence for Hillam and Monk Fryston Cricket Club, Stocking Lane, Hillam.

SELBY
IN THE VALE OF YORK

LEGAL SERVICES
RECEIVED

8 MAR 2011

SELBY DISTRICT COUNCIL
Civic Centre, Portholme Road, Selby, YO8 4SB.

CENTRAL SERVICES

- 8 MAR 2011

RECEIVED

Application for a premises licence to be granted 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 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 HILLAM MONK FRYING CC (insert name(s) of applicant) **apply for premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

Part 1 – Premises Details

Postal address of premises or, if none, ordinance survey map reference or description

HILLAM MONK FRYING CRICKET CLUB
STOCKING LANE
HILLAM

Post town LEEDS

Post code LS 25 5HP

Telephone number of premises (if any)

N/A

Non domestic rateable value of premises

£ N/A

Part 2 – Applicant Details

Please state whether you are applying for the licence as:

- Please tick ✓
- | | |
|--|---|
| a) an individual or individuals* | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual* | |
| i. as a limited company | <input type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input checked="" type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |

- e) The proprietor of an educational establishment ☐ please complete section (B)
- f) A health service body ☐ please complete section (B)
- g) A person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital ☐ please complete section (B)
- h) The chief officer of police of a police force in England and Wales ☐ please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

Please tick ✓

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒
- I am making the application pursuant to a
 - Statutory function; or ☐
 - A function discharged by virtue of Her Majesty's prerogative ☐

(A) **INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr ☒ Mrs ☐ Miss ☐ Ms ☐ Other title (for example, Rev) ☐

Surname

First names

VAKS

TONU

Please tick ✓ yes

I am 18 years old or over

☒

Current postal address if different from premises address

6, THE CRESCENT
MONK BRISTOL

Post Town

LEEDS

Postcode

LS25 5EF

Daytime contact telephone number

01977 685227

Email address (optional)

TONUVAKS@TISCALI.CO.UK

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)Mr ☐Mrs ☐Miss ☐Ms ☐Other title ☐
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

☐Current postal address
if different from
premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name	HILLAM 4 MORGAN RHYSTON CC
Address	SOCKING LANE HILLAM
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.)	CRICKET CLUB
Telephone number (if any)	N/A
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
1	0	0
4	2	0
	1	1

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

If 5000 or more people attend the premises at any one time, please state the number expected to attend

--

Please give a general description of the premises (please read guidance note 1)

CRICKET CLUB PAVILION COMPRISING
BAR SERVING SINGLE ROOM
CLUB SITUATED ON OUTSKIRTS OF
RURAL VILLAGE

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick ✓ yes

Provision of regulated entertainment

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performance of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K)

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

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

<input checked="" type="checkbox"/>

Sale by retail of alcohol (if ticking yes, fill in box M)

<input checked="" type="checkbox"/>

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for performing play (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a films take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	0800	2400	State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue	0800	2400	
Wed	0800	2400	
Thur	0800	2400	
Fri	0800	2400	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 5)
Sat	0800	2400	
Sun	0800	2400	

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			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. (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	08-24-				
Tue	08-24-				
Wed	08-24-		State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	08-24-				
Fri	08-24-				
Sat	08-24-		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. (Please read guidance note 5)		
Sun	08-24-				

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	✓
				Outdoors	✓
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	08-24-				
Tue	08-24-				
Wed	08-24-		State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	08-24-				
Fri	08-24-				
Sat	08-24-		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 5)		
Sun	08-24-				

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			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. (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
			Will the entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri			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. (please read guidance note 5)		
Sat					
Sun					

Provision of facilities for making music Standard day and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing			
			Will the facilities for making music be indoors or outdoors or both – please tick (✓) (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon	08 - 24 -					
Tue	08 - 24 -					
Wed	08 - 24 -		State any seasonal variations for the provision of facilities for making music (please read guidance note 4)			
Thur	08 - 24 -					
Fri	08 - 24 -					
Sat	08 - 24 -		Non standard timings. Where you intend to use the premises for the provision of facilities for making music at different times to those listed in the column on the left, please list. (please read guidance note 5)			
Sun	08 - 24 -					

Provision of facilities for dancing Standard timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (✓) (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
			Day	Start	Finish	Please give further details here (please read guidance note 3)
Mon	08 - 24 -					
Tue	08 - 24 -					
Wed	08 - 24 -		State any seasonal variations for providing dancing facilities (please read guidance note 4)			
Thur	08 - 24 -					
Fri	08 - 24 -					
Sat	08 - 24 -		Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list. (please read guidance note 5)			
Sun	08 - 24 -					

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing		
			Will the entertainment facility be place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the provisions of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)		Indoors	✓
					Outdoors	
					Both	
					Day	Start
Mon	23 -	24 -				
Tue	23 -	24 -				
Wed	23 -	24 -	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)			
Thur	23 -	24 -				
Fri	23 -	24 -				
Sat	23 -	24 -	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. (please read guidance note 5)			
Sun	23 -	24 -				

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 7)	On the premises	
				Off the premises	
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	08 -	24 -	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	08 -	24 -			
Wed	08 -	24 -			
Thur	08 -	24 -	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. (please read guidance note 5)		
Fri	08 -	24 -			
Sat	08 -	24 -			
Sun	08 -	24 -			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor	
Name	MS JUDITH MARIANNE VAKS
Address	9 CHURCH LANE MONK FRYSTON NORTH YORKSHIRE
Postcode	LS25 5DY
Personal licence number (if known)	3131
Issuing licensing authority (if known)	SELBY DISTRICT COUNCIL

N

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 8)

No entertainment of a
adult nature

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0800	2030	
Tue	08 -	2030	
Wed	08 -	2030	
Thur	08 -	2030	
Fri	08 -	2030	
Sat	08 -	2030	
Sun	0800	2030	

Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list.
(please read guidance note 5)

P

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9)

Responsible & efficient management
of the premises

b) The prevention of crime and disorder

As above

c) Public safety

As above

d) The prevention of public nuisance

As above

e) The protection of children from harm

No person U18 unless accompanied
by an adult.
no entertainment of an adult
nature

- Please tick ✓ Yes
- I have made or enclosed payment of the fee ☒
 - I have enclosed the plan of the premises ☒
 - I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
 - I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable ☒
 - I understand that I must now advertise my application ☒
 - I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature

Date 6TH MARCH 2011

Capacity

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature

Date

Capacity

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 19)

SEE APPLICANTS DETAILS

Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) <u>TONUVAKS@FISCALI.CO.UK</u>	

Notes for guidance

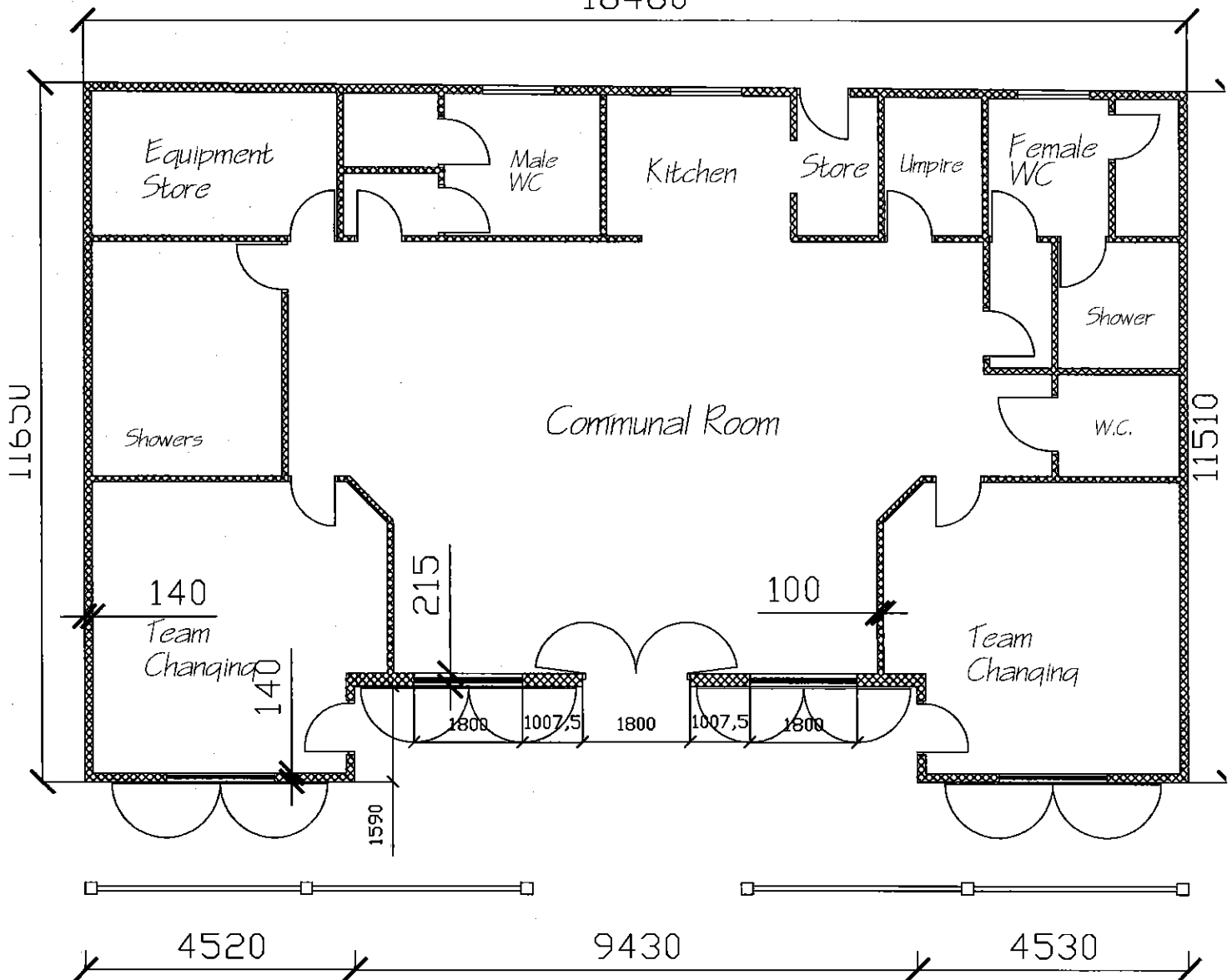
1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e. Christmas Eve.
6. Please give timings in 24 hour clock (eg 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick on. If you wish people to be able purchase alcohol to consume away from the premises, please tick off. If you wish people to be able to do both, please tick both.
8. 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, the presence of gambling machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



North Elevation

Scale 0 1 2 3 4 5 6 7 8 9 10

18480



ANNEX 2

List of Responsible Authorities

Selby District Council's Environmental Health Service.

ANNEX 3

Representation made by Responsible Authority (Environmental Health Services)

Licensing Act 2003 – Representation by Responsible Authority	
Licence Ref:	201144329
Type of Licence:	Premises Licence
Premises Name:	Hillam and Monk Fryston Cricket Club
Address:	Stocking Lane, Hillam
Name of Applicant:	Hillam and Monk Fryston Cricket Club
Date Notification of Application Received by Responsible Authority:	8/3/11
Officer Name: E Lloyd	Designation: Senior Environmental Health Officer
Responsible Authority:	Environmental Health Commercial Team
Authority Address:	Civic Centre, Portholme Road, Selby, YO8 4SB

Representation relates to the following objective/s of the Licensing Act 2003			
Prevention of Public Nuisance	X	Public Safety	
<p>The proposed variation has the potential for causing nuisance to domestic properties close to the premises. I would suggest that the following conditions are attached to the licence:</p>			
1. Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment at the premises between the hours of 23:00 and 07:00 shall not be audible inside habitable rooms of noise sensitive properties in the vicinity.			
2. No external doors and windows to the room/s where regulated entertainment is being provided shall be open during the course of the entertainment, other than for normal access and egress.			
3. Prominent, clear notices shall be displayed at all exits/in the beer garden requesting customers and staff to respect the needs of local residents and leave the premises and area quietly.			
4. All external areas of the premises (beer gardens, patios, etc) must not be used by customers between the hours of 23:00 and 07:00.			
5. The disposal of waste bottles into external receptacles shall not take place between the hours of 23:00 and 07:00.			

Licensing Officer:	<u>E Lloyd</u>
Date:	<u>10th March 2011</u>

Team Leader Food & Safety:	<u>W Pahr</u>
Date:	<u>11/3/11</u>

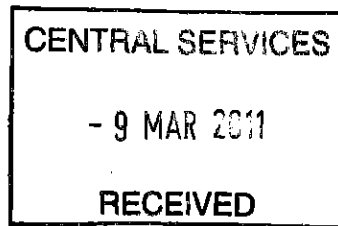
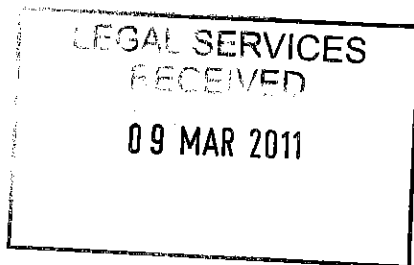
ANNEX 4

List of Representors (Interested Parties)

1. Mr Birdsall Parkview, Chapel Street, Hillam
2. Mr and Mrs Brierley 2, Brambles Court, Hillam
3. Mr Handley Oak Lodge, Chapel Street, Hillam
4. Ms Walton 1, Brambles Court, Hillam
5. Mr and Mrs Holbrook Austfield House, Hillam Common Lane, Hillam

ANNEX 5

Representations made by Representors (Interested parties)



Harry Birdsall
Parkview
Chapel Street
HILLAM
LS25 5HP

Licensing Authority
The Licensing Office
Selby District Council
Civic Centre
Portholme Road
SELBY
YO8 4SB

Application for License at Hillam & Monk Fryston Cricket Club

Dear Sirs

The cricket club is in what could be called a residential area therefore I consider the license should be restricted to what is considered normal trading hours of public premises, which is from 12.00 until 23.00. It should be remembered the sound could travel some distances if played at the wrong level. Also the road leading to the cricket club is only single track with passing places this may lead to the use of horns outside permitted hours of use.

Yours,

Harry Birdsall

LEGAL SERVICES
RECEIVED
09 MAR 2011

CENTRAL SERVICES
- 9 MAR 2011
RECEIVED

Mr & Mrs J. Briarley

2 Brambles Court

Hillam

LEEDS

LS25 5GA

RE: Premises License for Hillam & Monk Fryston Cricket Club.

I write to express my concerns about the application for a premises licence at the above location. There are number of issues that would cause a huge amount of problems for the surrounding area. These are the main concerns:

- => Lacking of parking means people have to park on the main road.
- => Noise - pollution as the permit is for opening hours everyday until 24:00 hrs. The Cricket Club is right behind a residential area and these properties would be hugely effected, potentially taking significant value off the value of properties in the area.
- => Lack of suitable lighting in the area would lead to potential accidents
- => The issue of rubbish in and around the surrounding areas.
- => The permit requested potentially turns a quiet area into a nightclub which does not have the correct sound proofing or facilities to cater for this event & local people would suffer as a result.

I urge you to consider the application with our concerns in mind & promptly deny such a scheme at this location.

Yours Sincerely

J Briarley

From: Greg Handley [mailto:greg@westparkgraphic.com]
Sent: 10 March 2011 14:43
To: tim grogan
Cc: Julia Handley
Subject: Hillam Monk Fryston Cricket club

Dear Sir

It has been brought to my attention by Mr Tonu Vaks that Hillam and Monk Fryston cricket club have applied for a Licence for the following.

1. Sale by Retail of Alcohol
2. Live Music
3. Recorded Music
4. Dancing
5. Late night refreshment.

Being resident at Oak Lodge Chapel Street our property backs on to the cricket field and where as we have no objection to items 1. 4. and 5. we feel that we would have to oppose and application for the playing of live or recorded music 7 days a week 08.00hrs to 24 hrs. I am sure there is scope for discussion re the playing of live or recorded music on a Friday and Saturday night.

Would you kindly inform me how we should proceed with the objection or if this mail is sufficient in order to raise our objection to the proposal, I look forward to hearing from you.

Best Regards
Greg Handley

Mobile: + 44 (0) 7766 513051 | Skype: greg.handley

West Park Graphic Equipment Ltd | Unit 5, Blackburn Industrial Estate | Enterprise Way | Sherburn in Eimet | Leeds | LS25 6NF | United Kingdom
Tel: + 44 (0) 1977 681125 | Fax: + 44 (0)1977 681040 | www.westparkgraphic.com



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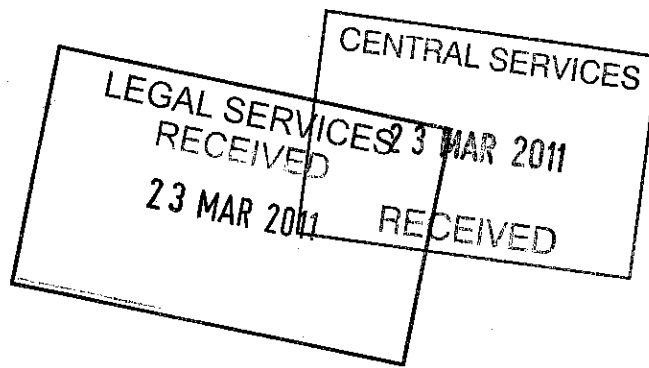
1 Brambles Court

Hillam

Leeds

LS25 5GA

20th March 2011



Dear Sir/Madam

I am writing to voice my objections to the Licensing application made by Mr.T Vaks for a premises licence for the Hillam and Monk Fryston Cricket Club, Stocking Lane, Hillam LS25 5HP.

The grounds for my objection are twofold: Firstly that this is a rural residential area and the playing of late night live and recorded music will disturb the peace and tranquillity of the area. Noise disturbance will be inevitable in an area where there is no background noise of traffic and other urban activities. I have a young family and I dread having to keep my windows closed throughout the warmer months so they can have undisturbed sleep. This is purely a rural residential area and residents should be allowed to enjoy their evenings without being disturbed by a variety of events some of which will attract people who have no interest in the well being of the people in the immediate neighbourhood.

Secondly such events will need suitable parking. The associated parking and moving of cars late at night will cause further disturbance to residents. This is already apparent when large events occur.

I feel that the granting of such a licence will have a profound and negative impact on both the quality of my life and that of my neighbours.

The Monk Fryston Community Centre is already available for events which require a licence only a short distance away and I see no further need for a licence to be granted for a second venue in such a small village.

Yours

A handwritten signature in black ink, appearing to read 'J Walton'.

Ms J Walton

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28 MAR 2011

Austfield House
Hillam Common Lane
Hillam
Leeds LS25 5HU

Selby District Council
Civic centre
Portholme Road
Selby
YO8 4SB

CENTRAL SERVICES

28 MAR 2011

RECEIVED

21 March 2011

Dear Sirs

Re: Licensing Application - Hillam & Monk Fryston Cricket Club, Stocking Lane, Hillam LS25 5HP

Further to the application made to the Licensing Authority in connection with the above-mentioned premises, I now write in order to formally object to the proposal as submitted.

In my opinion the nature of the application is inappropriate in such a residential area and would cause undue disturbance to neighbouring properties such as my own, particularly at night.

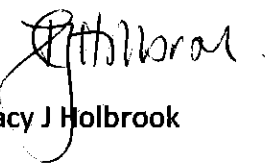
The location is a particularly quiet and peaceful part of a small rural village and its character would undoubtedly be adversely affected by the traffic, noise and light pollution that would be created by the proposal. Moreover, there would also be an impact on the local wildlife.

In addition, the restricted access to the site is inadequate for a night-time venue.

In summary, I believe the proposal as submitted would be detrimental to surrounding area and would respectfully request that it be declined.

Please acknowledge this representation.

Yours faithfully



Tracy J Holbrook

Austfield House
Hillam Common Lane
Hillam
Leeds LS25 5HU

Selby District Council
Civic centre
Portholme Road
Selby
YO8 4SB

21 March 2011

CENTRAL SERVICES

28 MAR 2011

RECEIVED

LEGAL SERVICES
RECEIVED

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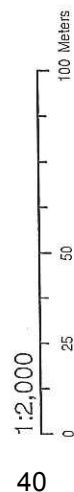
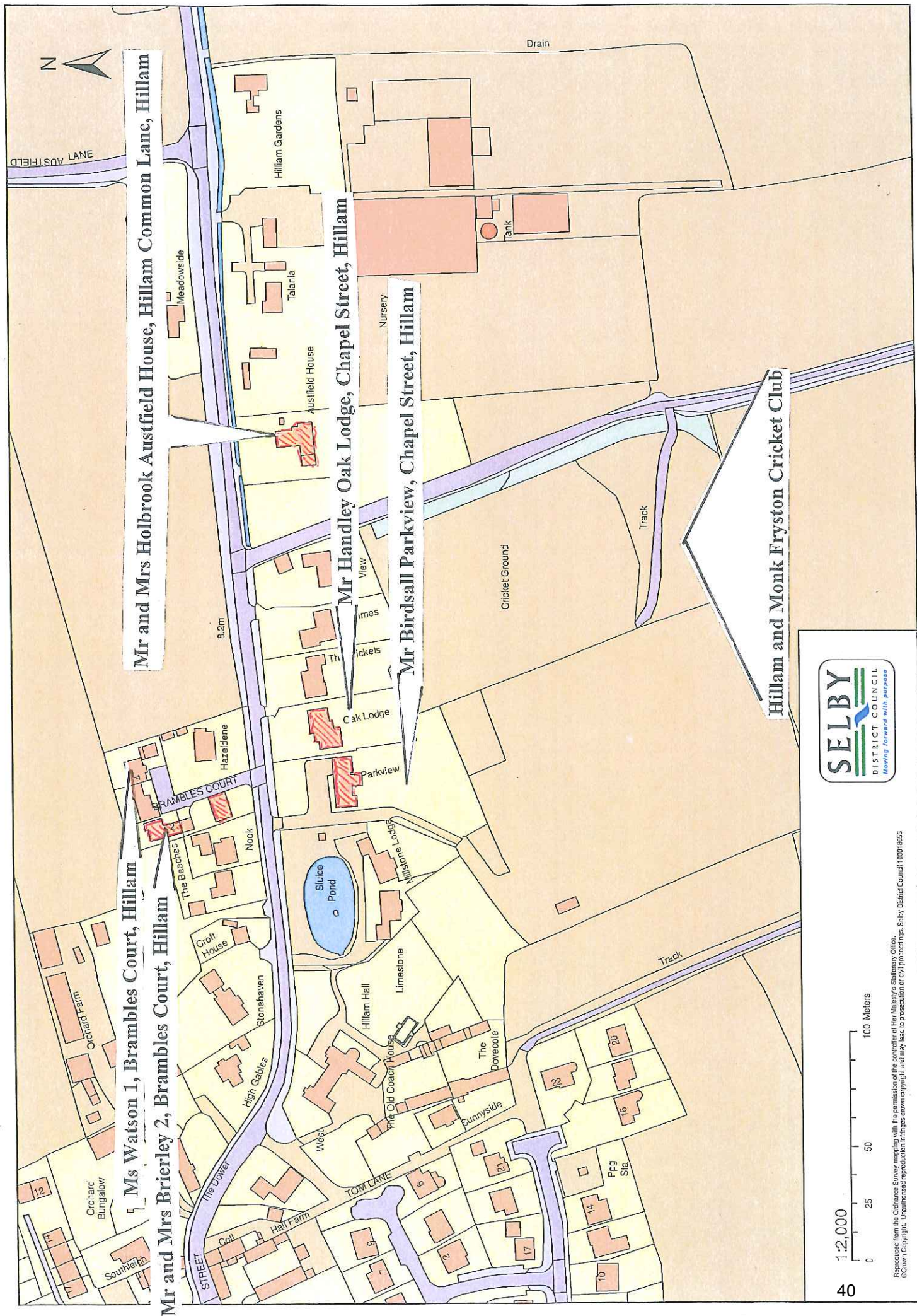
Yours faithfully



David M Holbrook

ANNEX 6

Map of the area concerned



1:2,000

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