Public Document Pack

SELBY DISTRICT COUNCIL

Meeting:	**LICENSING SUB-COMMITTEE**
Date:	**THURSDAY, 28 OCTOBER 2021**
Time:	**2.00 PM**
Venue:	**COUNCIL CHAMBER - CIVIC CENTRE, DONCASTER ROAD, SELBY, YO8 9FT**
To:	**Councillors R Sweeting, S Duckett and J Cattanach**

Agenda

1. Election of Chair

To elect a Member to act as Chairman of the meeting.

2. Apologies for Absence

3. Disclosures of Interest

A copy of the Register of Interest for each Selby District Councillor is available for inspection at www.selby.gov.uk.

Councillors should declare to the meeting any disclosable pecuniary interest in any item of business on this agenda which is not already entered in their Register of Interests. Councillors should leave the meeting and take no further part in the consideration, discussion or vote on any matter in which they have a disclosable pecuniary interest.

Councillors should also declare any other interests. Having made the declaration, provided the other interest is not a disclosable pecuniary interest, the Councillor may stay in the meeting, speak and vote on that item of business.

If in doubt, Councillors are advised to seek advice from the Monitoring Officer.

4. Procedure for Licensing Hearings (Pages 1 - 4)

To confirm the procedure to be followed at the meeting.

5. Application for a Premises Licence for 14 Garth Avenue, North Duffield, Selby, YO8 5RP (Pages 5 - 78)

To receive the report from the Licensing Manager, which asks Members to determine an application for a premises licence, which has been made under the Licensing Act 2003.

Janet Waggott

Janet Waggott, Chief Executive

Enquiries relating to this agenda, please contact Dawn Drury on 01757 292065 or email ddrury@selby.gov.uk.

Recording at Council Meetings

Recording is allowed at Council, Committee and Sub-Committee meetings which are open to the public, subject to:- (i) the recording being conducted with the full knowledge of the Chairman of the meeting; and (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact the Democratic Services Officer on the above details prior to the start of the meeting. Any recording must be conducted openly and not in secret.

Selby District Council
Procedure for licensing hearings

Mobile phones must be turned off throughout the hearing

The purpose of this procedure is to clarify how the Licensing Sub-Committee (the "Committee") will conduct licensing hearings made under the Licensing Act 2003 and under other licensing regimes covered by the Licensing Committee. All hearings are conducted with due regard to the Council's Constitution, relevant legislation and guidance.

The hearing will take the form of a discussion led by the Committee. Any questions will go through the Chair.

Where a large number of interested parties are involved; they will be encouraged to appoint a spokesperson or spokespersons so as to avoid duplication of representations being made.

Licensing Sub-Committee Hearings

All Applicants, Responsible Authorities and Other Persons (who have submitted a valid representation/objection) (collectively called "Parties") will only be able to participate in the hearing provided they take the following steps :-

(1) All Parties (and their adviser) **must register to participate** in the hearing by emailing the **Democratic Services Team of the Council** at democraticservices@selby.gov.uk no later than **12 noon on Wednesday 20 October 2021.**

(2) All Parties should **arrive for the hearing taking place in the Civic Chamber, Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT at least 15 minutes** before the advertised start time to ensure they are ready to start at the advertised start time.

(3) After the advertised start time has passed no registered parties will be allowed to join, except in exceptional circumstances, when permitted by the Chairman, as this could disrupt the meeting.

Final Submissions before the Hearing

If representations have been made objecting to or supporting the application to the Council's Licensing team within the consultation period these will automatically be part of the report and do not need to be resubmitted.

All Parties (including the Applicant) should have submitted any evidence in support of their application or representations/objections within the permitted period and should have set out the key points, policies and conditions that a Party wishes the Committee to take account of in determining the application.

Any late submissions that a Party wishes to make, **(that have not been submitted in time to be included in the committee report) should** be submitted to the Democratic Services Team at democraticservices@selby.gov.uk by **no later than 12 noon on Wednesday 20 October 2021. Please note, if you provide additional information on the day of the hearing, it will only be accepted if all other parties consent to it.**

Procedure

1. **The Chair** will open the meeting and introduce himself, the other members of the Committee, the clerk to the Committee and any other officers present.

2. Each Member of the Committee will be asked to confirm whether they have any declarations of interests to make.

3. **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.

4. **The Chair** will summarise the procedure of the hearing, explain how the hearing will proceed and any time limits for the speakers.

5. **The Licensing Officer** from the Licensing Authority will introduce the application, giving a brief description of the application.

6. **The Chair** will ask for questions for the licensing officer from members, and then the Applicant, interested parties and officers.

7. Each party who has registered to speak, will be invited to make their representations and will be allowed **a maximum of 15 minutes each**. In order to ensure that the hearing is fair to all parties and is conducted in an orderly manner, the Chair has the discretion to extend this time limit where it is appropriate for the determination of the application.

8. **Parties** will normally speak in the following order, (the order may change for other types of licensing applications):
   a. The Applicant
   b. Other Persons/objectors (e.g. including residents and residents' associations).

9. After each Party's submission, the Committee Members will ask questions of that Party if they wish to do so.

10. **The Chair** will then allow each Party to ask questions of the opposing Party for a **maximum of 10 minutes each.**

11. **The Chair** will ask each party if they wish to sum up their case, without adding any new evidence.

12. **The Chair** will confirm with all parties that they have had an opportunity to say all they wanted to say in relation to the application.

13. **The Chair** will then **close the meeting** and all Parties will leave the meeting. The Decision will not be announced at the end of the hearing unless there is a legal requirement to do so.

14. The Committee will deliberate in closed session and all Parties will be advised of the outcome in writing. Unless otherwise required by the Regulations, the Full Decision will

be made within five working days of the last day of the hearing and sent to the Parties by the Democratic Services Team.

Rules during Licensing Hearings

The following rules must be followed by all Parties to ensure the hearing can progress as successfully as possible:

- All Parties must only address the hearing when invited to do so by the Chair.
- All Parties are asked to keep their comments as succinct as possible.
- All Parties should be mindful that the hearing is being streamed live onto the Council's website and is therefore open and visible to the public unless it is in the public interest to hold them in private.
- To ensure the smooth running of hearings, a time limit will be placed on each Party's submissions. This time limit must be adhered to, but the Chair has the flexibility to amend the time limit when it is considered appropriate to do so.
- When referring to the hearing papers, participants should give the page and paragraph number when appropriate.
- The Chair has the discretion to amend these rules in any given case where they consider it is appropriate to do so.

Council Committee Recordings

Members of the public who may wish to watch the broadcast of the hearing can do so by following the link to the hearing available on the Council's website here: https://democracy.selby.gov.uk/ieListMeetings.aspx?CommitteeId=299

This page is intentionally left blank

SELBY DISTRICT COUNCIL

Report Reference Number: L S-C/21/4

To:	**Licensing Committee**
Date:	**28th October 2021**
Ward(s) Affected:	**Selby**
Author:	**Sharon Cousins, Licensing Manager**
Lead Officer:	**Alison Hartley, Solicitor to the Council**

Title: Determination of a Premises Licence for Sally May Smith, 14 Garth Avenue, North Duffield, YO8 5RP ("the Premises").

Summary

The Licensing Authority received an application for a Premises Licence for the above Premises (Appendix 1), however, representations against this application have been made. The Licensing Authority is now under a duty to determine the Premises Licence application under Section 18 of the Licensing Act 2003 ("the Act").

Recommendation:

The Sub-Committee to determine the Premises Licence application in respect of the Premises.

In determining this application, the Sub-Committee must have regard to the representations and take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are

(a) To grant the licence subject to:-
  (i) any conditions modified to such extent as the Sub-Committee considers appropriate for the promotion of the licensing objectives (the conditions in the operating schedule accompanying the application are modified if any of them is altered or omitted or any new condition is added); and
  (ii) any mandatory conditions which must be included on the licence under section 19, 20, or 21 of the Act.
(b) To exclude from the licence any of the licensable activities;
(c) To refuse to specify a person in the licence as the premises supervisor; or
(d) To reject the application

In making its decision, the Sub-Committee must act with a view to promoting the licensing objectives. The Sub-Committee must also have regards to its Statement of Licensing Policy and the Guidance issued under section 182 of the Act, issued by the Secretary of State for Culture, Media and Sports.

1. Introduction and background

The applicant Sally May Smith is proposing to carry out licensable activity at the Premises.

1.1 The application is to permit the sale of alcohol, off sales only, on any day of the week, between the times as detailed below.

1.2 Licensable activities:

Sale of alcohol (off sales)

Sunday to Monday 00:00 – 00:00

1.3 Public Hours

N/A internet sales only

1.4 Seasonal Variations

None

1.5 To promote the licensing objectives, the applicant has proposed the steps detailed part 3 (operating schedule) and part M of the application form.

1.6 As part of the application the applicant has submitted a DPS (Designated Premises Supervisor) consent form. **Please see attached at Appendix 3**.

1.7 A plan of the building, **attached at Appendix 2**, shows the licensable area of proposed Premises outlined in red. This shows where the licensable activity would be permitted to take place.

2. PROMOTION OF LICENSING OBJECTIVES

2.1 Section 4 of the Act places a duty on the Licensing Authority to carry out its function 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

2.2 Each objective is of equal importance. It is important to note that there are no other licensing objectives, so that these four objectives are paramount consideration at all times.

<u>RELEVANT REPRESENTATIONS</u>

3. RESPONSIBLE AUTHORITIES

3.1 Conditions have been agreed between North Yorkshire Police and the applicant following a consultation. These will now be included in the Operating Schedule and form the conditions of any granted licence. **Please see attached at Appendix 4.**

4. REPRESENTATIONS FROM OTHER PERSONS

4.1 The Licensing Authority has received **4** representations from Other Persons which is against the application. **A copy of the representations is attached at Appendix 5.** The representations are based on the grounds of the Prevention of Public Nuisance only.

4.2 A plan showing the location of the individual Other Persons in relation to the Premises has been produced in **Appendix 6.**

5 Consultation

5.1 Consultation was carried out by the applicant in accordance with the Act and the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, which concern the displaying of a notice on the Premises and an advertisement in a local paper, giving details of the application and serving a copy of the application on all responsible authorities. The applicant complied with all statutory requirements. The newspaper notice was published on the 9th September 2021 and has been attached at **Appendix 7.**

5.2 All procedural aspects of this application have been complied with.

6. POLICY CONSIDERATIONS AND S182 GUIDANCE

6.1 The following sections of the Selby District Council's Statement of Licensing Policy are relevant in considering the licensing objectives in relation to this application.

- Part 3, Paragraph 5 – Conditions
- Part 3, Paragraph 6 – Licensing hours
- Part3, Paragraph 13 – Live Music Act
- Part 3, Paragraph16 - Children
- Part 8, Paragraph 27.4 - things the applicant should consider in its operating schedule.

6.2 The following sections of the Guidance issued under section 182 of the Act issued by the Secretary of State for Culture, Media and Sport (issued April 2018) is relevant in considering the licensing objectives in relation to this application:

- 2.1 Crime and disorder
- 2.7 Public Safety
- 2.15 Public nuisance

- 2.22 Protection of children from harm

7. Corporate Plan Implications

N/A

8. Resource Implications

N/A

9. Other Implications

N/A

10. Legal Implications

10.1 As relevant representations have been made, the Sub-Committee must determine the Premises Licence application.

10.2 The licensing Authority must have regard to the promotion of the four licensing objectives, namely, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm in exercising its functions under the Act.

10.3 Regard should be had to the statutory guidance under Section 182 of the Act and the Councils own statement of licensing policy.

Right of appeal

10.4 Schedule 5 of the Act gives a right of appeal to the applicant and to any person who has made relevant representations.

10.5 Any appeal must be made to the Magistrates Courts and must be made within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Conclusion

11 The Sub-Committee are asked to determine this Premises Licence application for the Premises***.*** A draft copy of the licence incorporating the conditions as agreed between the applicant, the Police be seen in **Appendix 8**.

11.1 External photographs of the Premises are attached at **Appendix 9**.

11.2 **Appendix 10** show additional information received by the applicant on the 20th October 2021.

11.3 The Sub-Committee has the options as set out in the above Recommendation.

12 Appendices

Appendix 1 - Original application
Appendix 2 - Plans
Appendix 3 - DPS consent
Appendix 4 - Police representation
Appendix 5 - Representation from other persons
Appendix 6 - Plan showing premises location of representations received
Appendix 7 - Newspaper advertisement
Appendix 8 - Draft licence, incorporating agreed conditions and hours
Appendix 9 - Photographs of the Premises
Appendix 10 - Additional information sent from applicant

Contact Officer:
Sharon Cousins
Licensing Manager
scousins@Selby.gov.uk
01757 292033

This page is intentionally left blank

Appendix 1

[Insert name and address of relevant licensing authority and its reference number (optional).]

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 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 Sally May Smith
(Insert name(s) of applicant)
apply for a 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, ordnance survey map reference or description **14 Garth Avenue** **North Duffield**			
Post town	Selby	Postcode	**YO8 5RP**

Telephone number at premises (if any)	—
Non-domestic rateable value of premises	**£0**

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

		Please tick as appropriate	
a)	an individual or individuals *	☑	please complete section (A)
b)	a person other than an individual *		
	i. as a limited company	☐	please complete section (B)
	ii. as a partnership	☐	please complete section (B)
	iii. as an unincorporated association or	☐	please complete section (B)
	iv. other (for example a statutory corporation)	☐	please complete section (B)

c)	a recognised club	☐	please complete section (B)
d)	a charity	☐	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 in Wales	☐	please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	☐	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 yes

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 **Smith**			**First names** Sally May		
I am 18 years old or over				☑ Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr ☐	Mrs ☐	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname				**First names**	
I am 18 years old or over				☐ Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY

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

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

The garage dimensions are roughly 5m x 6m, the building has two access points one via a single leaf door and the other a double retractable door. The garage stands alone and is not connected to another building.

Internally, the garage has shelving to store the alcohol, the building will not be supporting collections as we will be delivering the alcohol.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

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

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

Provision of regulated entertainment		Please tick any that apply
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)	performances 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)	☐

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 6)			**Will the performance of a play take place indoors or outdoors or both – please tick** (please read guidance note 2)	Indoors	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
Tue					
Wed			**State any seasonal variations for performing plays** (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 films take place indoors or outdoors or both – please tick** (please read guidance note 2)	Indoors	☐
				Outdoors	☐
Day	**Start**	**Finish**		Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
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			
Tue			**State any seasonal variations for indoor sporting events** (please read guidance note 4)
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 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments 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	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
Tue					
Wed			**State any seasonal variations for 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	☐
Day	**Start**	**Finish**		Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
Tue					
Wed			**State any seasonal variations for the performance of live music** (please read guidance note 4)		
Thur					
Fri			**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)		
Sat					
Sun					

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	☐
Day	**Start**	**Finish**		Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
Tue					
Wed			**State any seasonal variations for the playing of recorded music** (please read guidance note 4)		
Thur					
Fri			**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)		
Sat					
Sun					

G

Performances 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	☐
Day	**Start**	**Finish**		Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
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		
Day	Start	Finish	**Will this entertainment take place indoors or outdoors or both – please tick** (please read guidance note 2)	Indoors	☐
Mon				Outdoors	☐
				Both	☐
Tue			**Please give further details here** (please read guidance note 3)		
Wed					
Thur			**State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)** (please read guidance note 4)		
Fri					
Sat			**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)		
Sun					

I

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	☐
Day	**Start**	**Finish**		Both	☐
Mon			**Please give further details here** (please read guidance note 3)		
Tue					
Wed			**State any seasonal variations for the provision of late night refreshment** (please read guidance note 4)		
Thur					
Fri			**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)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			**Will the supply of alcohol be for consumption – please tick** (please read guidance note 7)	On the premises	☐
				Off the premises	☑
Day	**Start**	**Finish**		Both	☐
Mon	00:00	00:00	**State any seasonal variations for the supply of alcohol** (please read guidance note 4)		
Tue	00:00	00:00			
Wed	00:00	00:00			
Thur	00:00	00:00	**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	00:00	00:00			
Sat	00:00	00:00			
Sun	00:00	00:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name Mrs Sally May Smith
Address
Postcode
Personal licence number (if known)
Issuing licensing authority (if known) SELBY DISTRICT COUNCIL

K

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).
On-line sales only, no public will be granted permission to access to the premises, all alcohol will be delivered by ourselves or via a courier.

L

Hours premises are open to the public
Standard days and timings (please read guidance note 6)

Day	Start	Finish
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

State any seasonal variations (please read guidance note 4)

n/a

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 (please read guidance note 5)

n/a

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

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

The business in on-line and sales will be taken via our website to the public, or via invoice for business accounts. The handover of alcohol to the customer will require age verification (Think 25/Challenge 25).

b) The prevention of crime and disorder

Customers will not be permitted to collect from the premises. Sales will be delivered.

c) Public safety

Customers will not be permitted to collect from the premises. Sales will be delivered.

d) The prevention of public nuisance

Customers will not be permitted to collect from the premises. Sales will be delivered.

e) The protection of children from harm

Customers will not be permitted to collect from the premises. Sales will be delivered.

Checklist:

Please tick to indicate agreement

- 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 designated 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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	27-8-21.
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.**

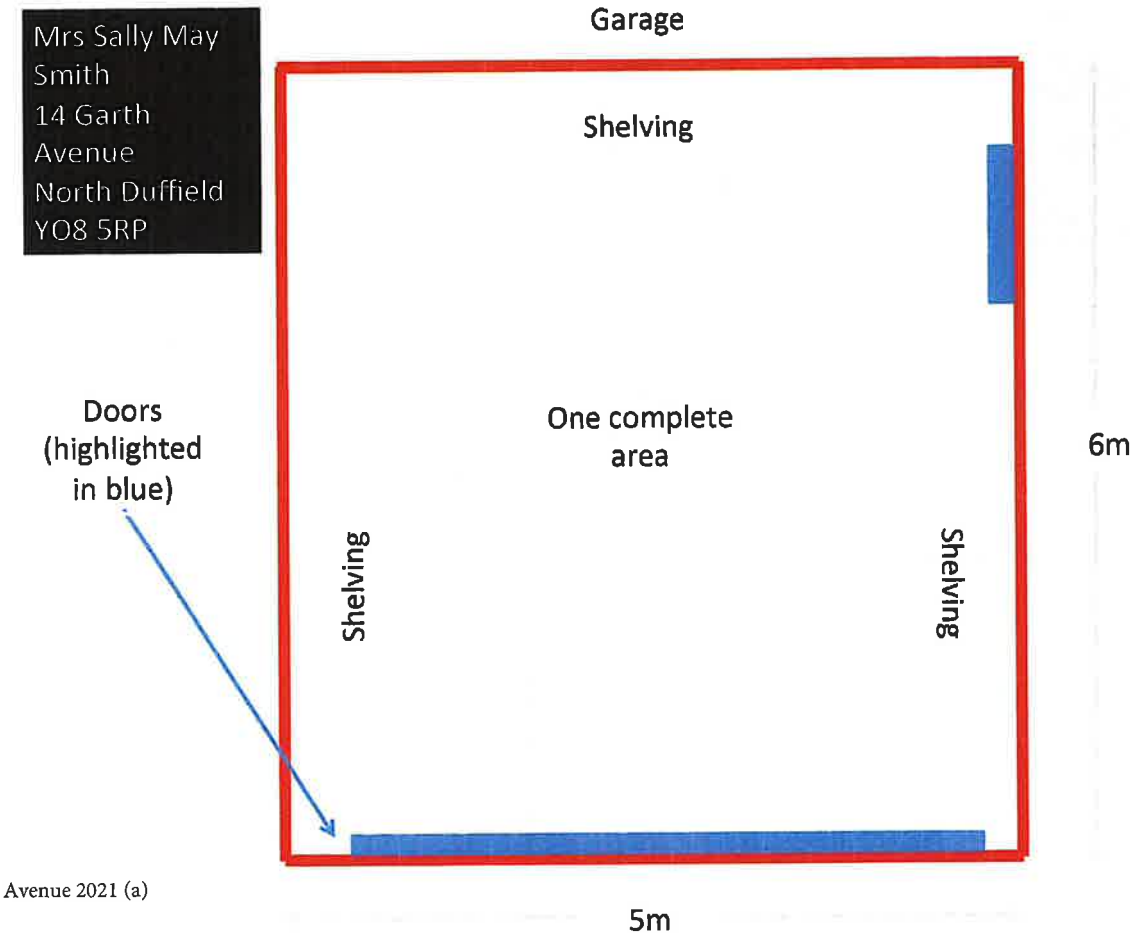
Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Mrs Sally May Smith			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

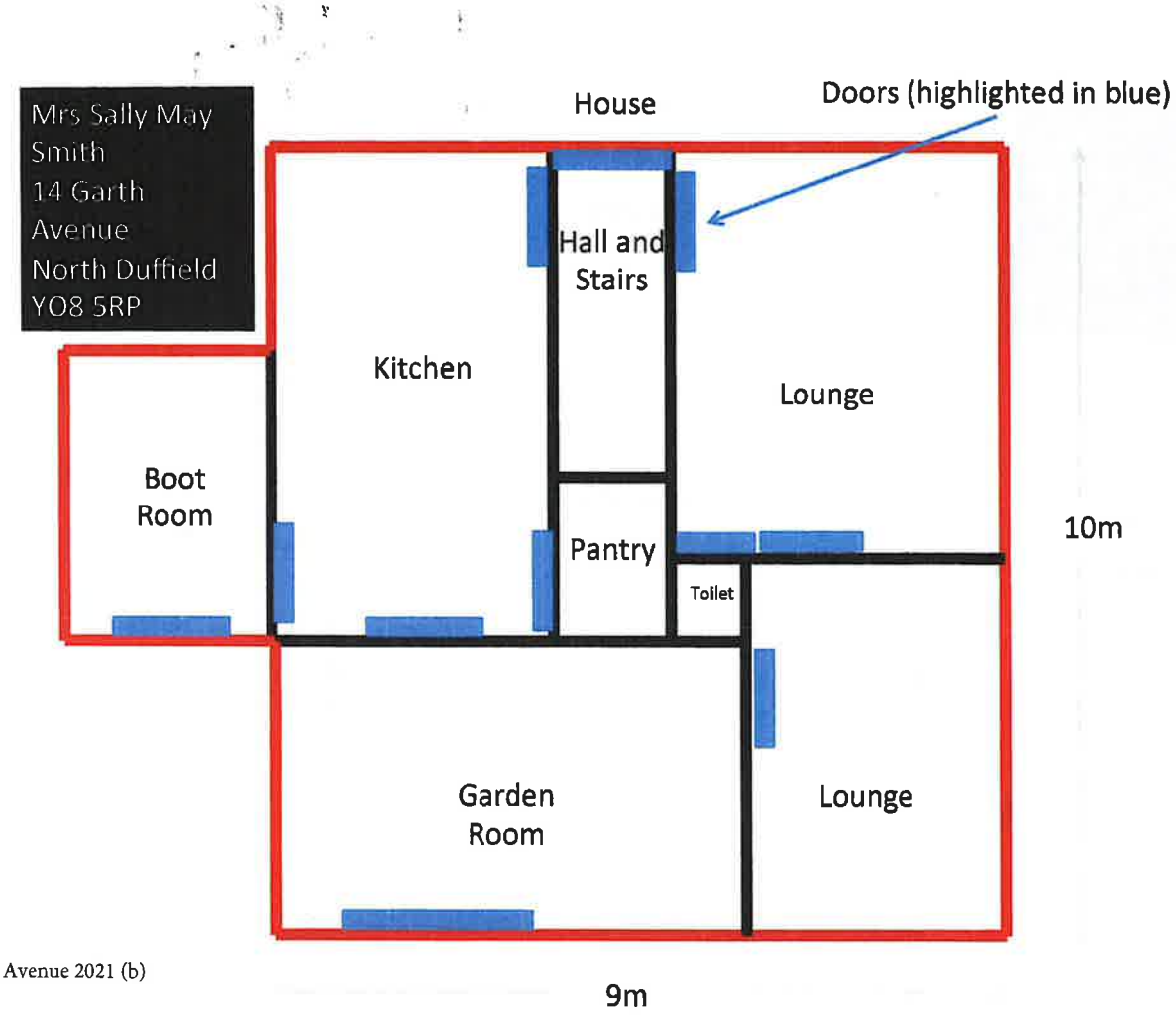
Notes for Guidance

1. 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 for consumption of these off-supplies, you must include a description of where the place will be 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 e.g. Christmas Eve.
6. 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.
7. 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'.
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 or the presence of gaming 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, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Appendix 2



14 Garth Avenue 2021 (a)



·14 Garth Avenue 2021 (b)

Appendix 3

Consent of individual to being specified as premises supervisor

I .....Sally May Smith.....
(full name of prospective premises supervisor)

.....
(home address of prospective premises supervisor)

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

.....Premises Licence.....
(type of application, i.e. grant, variation, variation of DPS)

by .....Sally May Smith.....
(name of applicant)

relating to a premises licence .....
(number of existing licence, if any)

for .....14 Garth Avenue, North Duffield YO8 5RP.....
(name and address of premises to which the application relates)

and any premises licence to be granted or varied in respect of this application made by

.....Sally May Smith.....
(name of applicant)

concerning the supply of alcohol at

.....14 Garth Avenue, North Duffield, YO8 5RP.....
(name and address of premises to which application relates)

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number .....

Personal licence issuing authority .....Selby District Council.....
insert name and address and telephone number of personal licence issuing authority, if any

Signed .....

Name (please print) .....Sally May Smith.....

Date .....02-9-21.....

This page is intentionally left blank

Appendix 4

Dawn Drury

From: [redacted]
Sent: 14 September 2021 19:31
To: Licensing Team
Cc: [redacted]
Subject: FW: premises licence application for 14 Garth Avenue, North Duffield, Selby, YO8 5RP

Dear Selby Licensing Team,

Please see the agreed premises licence conditions (below points 1 – 10) for 14 Garth Ave, North Duffield, Selby.

Mrs Smith – This email is for your information only.

Kind regards

[redacted]
North Yorkshire Police
Licensing Unit
[redacted]

From [redacted]
Sent: 14 September 2021 16:07
To: [redacted]
Subject: Re: premises licence application for 14 Garth Avenue, North Duffield, Selby, YO8 5RP

Dea [redacted]

Please accept this email as my formal acknowledgment to your communication and acceptance to your conditions stated in your email.

Kindest regards

[redacted]

Sent from my iPhone

On 13 Sep 2021, at 09:51 [redacted] wrote:

Sent from my iPhone

Begin forwarded message:

From [redacted]
Date: 10 September 2021 at 13:17:03 BST
To [redacted]
Subject: FW: premises licence application for 14 Garth Avenue, North Duffield, Selby, YO8 5RP

Dear Mrs Smith,

I am a Licensing Officer for North Yorkshire Police, part of my role is to process all licensing applications that are submitted to North Yorkshire Police in our role as a responsible authority (as defined by the Licensing Act 2003). I would ask that you accept this e-mail as both an acknowledgement to your communication and the formal response.

In assessing this application I have considered the Licensing Objectives and the police would seek the following conditions at 14 Garth Avenue, North Duffield, Selby, YO8 5RP, in addition to those offered in your application to mitigate the risk of Crime and Disorder and Public Nuisance at the premises. Should these conditions not be acceptable to you then North Yorkshire Police would submit a formal representation in respect of this matter.

1. 1. The premises shall operate as an online sales business with all goods purchased being delivered by the applicant, her staff or a courier company.

2. 2. There shall be no off-sales of alcohol to any person attending the premises.

Staff Training

3. A documented staff training programme shall be provided to all members of staff involved in the retail sale of alcohol at the premises in respect of the following:-

- retail sale of alcohol;
- age verification policy;
- conditions attached to the Premises Licence;
- permitted licensable activities;
- the licensing objectives;

- 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]

Incident & Refusals book

4. An incident log and refusals register will be kept at the premises and made available on request to an authorised officer or the police which will record the following:

- all crimes reported to the venue
- any complaints / incidents regarding crime and disorder or anti-social behavior
- staff refusals of alcohol for any reason
- any visit by a relevant authority of emergency service
- 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]

Internet / on-line sales

Mandatory Licensing conditions specify that each premises must have an Age Verification policy in respect of the premises. This has a particular impact with

remote sales (telephone and online) as you cannot see the purchaser of the alcohol when making the initial sale. Age verification measures (for example, online age verification) could be used to ensure that alcohol is not sold to any person under the age of 18. You should also consider carefully what steps you could take to ensure that age verification takes place before the alcohol is actually served (i.e. physically delivered to the customer) to be satisfied that that customer is in fact aged 18 or over. It is recommended that photo ID be checked before any physical delivery, and indeed that your terms and conditions state that if your delivery driver cannot verify at the door that the customer is over 18 that the delivery will not be made.

5. Alcohol may be sold on-line, by telephone or by mail order.

6. *Prior to purchasing alcohol on line the purchaser shall be required to confirm that they are aged 18 years old or over. The website shall contain a statement to the effect 'The company will not deliver alcohol to any person until it has been verified that the person is over 18 years of age'.*

7. Where alcohol purchases are delivered by or on behalf of the premises licence holder, the premises licence holder shall ensure that the courier operates a Challenge 25 scheme. Where the courier believe that the recipient is under 25 years of age, no delivery shall take place until such time as the courier has established that the person receiving the alcohol is over 18 years of age. Such confirmation shall be by way of the production of photographic ID. The only acceptable form of ID shall be a valid passport, photographic drivers licence or ID card containing the PASS hologram.

8. The Premises Licence Holder shall install an auditable mechanism to verify that only customers 18+ are capable of purchasing alcohol via the companies on-line portal. Records of purchases shall be retained for a minimum of twelve months (date of transaction), and shall be made available for inspection at the request of a responsible authority (Licensing Act 2003).

9. Alcohol shall only be delivered to a recognised commercial or residential address. Orders for delivery to a highway or public open space are not permitted.

10. Taxi or private hire companies will not be authorised to make deliveries.

I would be grateful if you could respond by 5pm on 17/09/2021 if you are amenable to the above conditions. If I have not received any communication from you by this time, I will submit a formal representation on behalf of North Yorkshire Police to the licensing authority.

If you wish to discuss any of the above please do not hesitate to contact me.

I look forward to hearing from you in relation to this matter.

Kind Regards

NYP Licensing Department

****
***

Internet email is not to be treated as a secure means of communication.

North Yorkshire Police monitors all internet email activity and content.

This communication is intended for the addressee(s) only.

Please notify the sender if received in error. Unauthorised use or

disclosure of the content may be unlawful. Opinions

expressed in this document may not be official policy.

Thank you for your co-operation.

****
***

Appendix 5

30 September 2021

The Licensing Team
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

Dear Madam/Sir

Premise License Application: 14 Garth Avenue, North Duffield, YO8 5RP
Applicant: Mrs Sally May Smith
Public Notice dated 06th September 2021

I am writing to raise my concerns regarding the above-mentioned application.

In the application Mrs May states that she would like to start using the premises for operating an online and telephone sales business for alcohol. The business hours are stated as Monday to Sunday inclusive 00:00 to 00:00 (24 hours).

In other words, if License was granted, Mrs May could start using the premises for the business operation at any time, day and night, seven days a week.

Presumably, the intended business operation would include creation of a trading stock of alcohol products on the premises, which then necessarily would require regular supplies being made, wholesale units being broken up, deliveries being dispatched, commercial waste being collected, etc.

In my opinion, such operation would result in noise and light emissions, which would have negative impact on the neighbouring residents.

No 14 Garth Avenue is located in the heart of a purely residential area, and it shares its boundaries directly with seven residential neighbours. It would be greatly unfair on these neighbours, and the others along the Avenue if they were suddenly subjected to such business-related impact on a 24/7 basis where there was previously none.

There is also a road safety concern to be considered. In-between the _____ is a sharp bend in the Avenue of which I have _____ because of the Covid pandemic I have observed numerous near misses between vehicles, vehicles and cyclists, and vehicles and pedestrians/ dog walkers. On one occasion, a child got injured by falling from his bicycle after being pushed off the road by a suddenly on-coming car.

Larger vehicles, mainly white vans, have often mounted the pedestrian path at the bend because of either suddenly facing an on-coming car, or by lately noticing of an obstruction caused by cars parked along the Avenue immediately after the bend.

In my opinion, an increased traffic volume resulting from the intended business operation on top of the already increased traffic from on-line deliveries in the Avenue would increase the risk of real accidents occurring in this location.

The comprehensive scope of Mrs May's application may be suitable if the premises were located on a dedicated trading estate.
But, they are not! No 14 Garth Avenue is located in the middle of a residential area. And here, the scope of the application is inappropriate.

For these reasons I raise my objection to a Licence being granted on the basis of the details given in Mrs May's current application.

With kind regards

Dawn Drury

From: [redacted]
Sent: 06 October 2021 14:54
To: [redacted]
Subject: FW: Comment on licensing application

From. [redacted]
Sent: 30 September 2021 12:41
To: Licensing Team <licensing@selby.gov.uk>
Subject: Comment on licensing application

Licensing Department
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

Re:
Applicant: Sally May Smith
Address of Premise: 14 Garth Avenue North Duffield YO8 5RP
Applying for: Supply of Alcohol - Monday to Sunday inclusive 00.00hrs to 00.00hrs - 24 hour online sales and telephone sales only.
Hours Open to the Public - N/A

I would like to object to this application on the following grounds:
1) The collection and delivery of bottles of alcohol on a 24-hour basis or even a 12-hour basis, will clearly cause a serious public nuisance with noise and light pollution and vehicle activity bearing in mind the tight residential nature of the location. Even if the applicant agrees to restrict operations, the nuisance will remain.
[redacted] though a different street address [redacted]. This explains my interest.
3) There is a deed of covenent restricting the owners of neighbouring properties from operating a business from their address and I assume the same may apply to the applicant's premises.
4) There is a road safety issue to be considered. The premises are situated in a narrow cul-de-sac usually congested by resident's vehicles, which could give rise to problems involving an increase in commercial traffic.

Kind Regards
[redacted]

[redacted]

03 October 2021

The Licensing Department
Selby District Council
Civic Centre
Doncastor Road
Selby
YO8 9FT

Premise License Application: 14 Garth Avenue, North Duffield, Selby, YO8 5RP
Applicant: Mrs Sally May Smith

I wish to raise my concerns for this application owing to the fact that I an [redacted]. I have put these concerns under the four headings of:

1/ Prevention of crime and disorder
2/ Protection of children from harm
3/ Public Safety
4/ Prevention of public nuisance

1/ Prevention of crime and disorder

The requested license is for 24/7 day and night, seven days a week supply of alcohol to the public via courier. The provision of alcohol in rural North Duffield and surrounding areas may have implications for crime and disorder as alcohol is often linked to this aspect. Once word gets around that large quantities of alcohol are stored in a standard garage then this may become a target for criminals especially when the occupants of 14 Garth Avenue are out. The garage where the applicant wishes to store the alcohol is not a strong room designed for such business use. This could be broken into by adults and children. Access may be gained either by the double retractable door or the single leaf side door or elsewhere on the premise.

2/ Protection of children from harm

The applicant wishes to establish a liquor business within a residential area where children live or visit. Minors living in Noth Duffield may be more likely to develop an interest in alcohol themselves and perhaps access alcohol via an adult where there is a business supplying alcohol very nearby. Having received further information from the Licensing Team I understand that this point has been addressed.

Where a 24 hour business operates within a residential area children in the avenue are much more likely to have their sleep disturbed by either light or noise emanating from the planned business operation. Flood lighting will be required for the safe night time operation of business activities creating light pollution in the village. Noise from night time business operation may take the form of operatives talking or shouting, tail lifts of vehicles, the sound of vehicle engines while assembling and loading the orders, the sound of crates containing bottles which can rattle while being shifted or trolleyed around while assembling orders for customers. There will also undoubtably be deliveries to the premise at any time which the applicant makes no mention of. Children in Garth Avenue do use the cul de sac for cycling, recreation, and sometimes games, and they move aside when vehicles come along. An increased hazard for children may arise where a business is allowed to operate with courier vans, possible heavy goods vehicle deliveries and extra commercial refuse collections.

3/ Public safety

Granting license premise permission may lead to more daytime and nightime drinking in the local area which occasionally may lead to antisocial behaviour and littering. The communication from the Licensing Team shows that this point has also been addressed.

Road Safety There are 3 main areas for concern in Garth avenue where the width of the road is 5.5 metres.

a) The middle bend which is almost at right angles. 14 Garth Avenue is situated close to this bend. Often cars are parked near the bend making the raod even more narrow for vehicles. At peak times there is sometimes congestion either side of the bend. Any vehicles serving the business will either be parked in the driveway of the premise or on the road. This is in addition to the private cars kept at 14 Garth Avenue. The garage will be out of use for private or business vehicles since this is hoped to be used as an alcohol store. The applicant makes no mention of delivery vehicles or commercial refuse collections in their application. Delivery vehicles which may arrive during the day or night will need easy access to this property which is currently awkward owing to narrow road with parked vehicles. These problems are further compounded when an emergecy vehicle e.g a fire engine has to access properties in the avenue.

b) The 'T' turnaround at the end of the avenue. This has become increasingly congested with more parked vehicles over the years. Such is the problem for large goods vehicles like the various refuse collection trucks which have to reverse into the avenue. Commercial and courier vehicles for 14 Garth Avenue may encounter problems in the turnaround.

c) The Give Way junction of Garth Avenue with Main Street is the third problem area. A commercial vehicle is often parked for long periods in Garth Avenue near the Junction and cars are often parked along the far side of Main Street opposite the junction causing some congestion for vehicles entering and leaving the avenue. Vehicles on turning right out of Garth Avenue must drive on the right hand side of the road for some distance alongside the parked cars.

4/ Prevention of public nuisanse

From the initial response from the Licensing Team I understand that the Planning Department and Environmental Health Department at Selby Council have been consulted on any legal restrictions on business operations in this residential area and any other related matters.
However, to help the considerations I provide the following details.
Commercial vehicles which the applicant makes no mention of will be required to access the site as well as the courier vans creating even more vehicle movements.
As mentioned above, the actual business operation will create regular disturbances through noise and light which are unacceptable in a residential area.

14 Garth Avenue shares its boundaries directly with seven residential neighbours. Allowing this application to go through would be very unfair on these neighbours We did not choose to have an industrial unit at the heart of a residential area. Locating this business in an industrial estate would be a much better proposition in my opinion.

With kind regards,

19 October 2021

The Licensing Department
Selby District Council
Civic Centre
Doncastor Road
Selby
YO8 9FT

Additional point for the hearing for the Premise License Application: 14 Garth Avenue, North Duffield, Selby, YO8 5RP
Applicant: Mrs Sally May Smith.

I wish for the sub comittee to take account of the following additional submission:

Resident and staff car parking at the premises and along Garth Avenue

From the applicant's agreement with the police lining out the coinditions for the sales operation it is clear that the business may have more than one member of staff. Therefore the applicant may have one or more staff members operating a 24/7 shift system. Assuming her staff would arrive by car there may be at least one further additional car to the four vehicles already kept at 14 Garth Avenue. We may see five cars parked along Garth Avenue owing to the fact that the garage and driveway would be unavailabe for residents and staff cars as this would be in constant business use for the courier vehicle and delivery vehicles. Larger delivery and collection vehicles would have to be parked also along the Avenue in close proximity to the premise. Altogether, a long stretch of Garth Avenue covering several other residential addresses would be occupied by the cars associated with the household and business operation at the applicant's premise.

With kind regards,

Representation on premises licensing application by Sally May Smith - 14 Garth Avenue, North Duffield - Message (HTML)

File Message Help ADOBE PDF Attachments Tell me what you want to do

Open Quick Print Remove Attachment Actions | Save As Save All Attachments Save to Computer | Upload Save to Cloud | Select All Copy Selection | Show Message Message

Representation on premises licensing application by Sally May Smith - 14 Garth Avenue, North Duffield

Reply Reply All Forward ...

Mon 04/10/2021 15:43

BC [redacted] to Licensing Team

You replied to this message on 05/10/2021 09:46.

Comments on licensing application - 14 Garth Avenue - North Duffield.doc
doc File

Dear Sir or Madam

I wish to make a representation in relation to the above application. I attach your pro forma, completed with the comments that I wish to submit for your consideration.

I have not requested anonymity, given that the nature of my comments would in any case make my identity obvious.

Yours faithfully

[redacted]

Sent from Mail for Windows

Licensing Act 2003 representation pro-forma

Should you wish to comment on the licence application please use this form to help you. Please feel free to attach additional sheets.

You do not have to make any comment, and comments may be made in support of as well as against the application, providing they refer to one or more of the licensing objectives (please see the guidance notes for further advice).

Premises Name and address

Sally May Smith

14 Garth Avenue, North Duffield, Selby, YO8 5RP

Your Name:

Interest:

(E.g. resident, business, TRA Chair, Councillor, solicitor)

Your Address: North Duffield, Selby, YO8 5RP

Email:

Telephone

Please comment on the licensing objectives below relevant to your concerns or observations, you may also wish to include suggestions how your concerns could be addressed:

Public Nuisance

The applicant's property is very close to a bend in the road and they currently own/park more vehicles than they can fit on their drive, even without the garage being out of commission for cars. If there is to be increased on-road parking, given the location of the property, this will present more disruption to the passage of vehicles around what is a rather tight bend in the road. However, it is fair to say that the additional nuisance from this will probably be minimal.

Given a declared 24 hour operation, it is worth enquiring whether there will be significant movements of goods during the hours of darkness, in what is a quiet, residential cul-de-sac.

Crime and Disorder

The premises in question is a single-skinned brick double garage with tiled roof and a large vehicular access door to the front and a side access door. It is possible that the applicant will modify these access points to make them more secure than a normal garage, but this has not been stated in the application. The garage actually forms part of the property boundary. This gap is bridged by a 6 foot tall wooden fence panel. More 6 foot tall wooden fencing forms the continuing boundary behind the garage. It is of some concern to me that the knowledge that significant amounts of alcoholic drinks will be stored in this garage will rapidly become known generally, and there seems to me to be an above-zero risk that it could become targeted by criminals. In that event, not only the applicant's property will be at risk, would afford relatively easy access to the garage in question. The fencing would not provide significant hindrance to criminal access, but could be broken, in the event that access via that route is undertaken. Given the relatively fragile nature of a single-skinned building, rapid access could even be made from th with the aid of a sledge hammer.

Protection of Children from Harm

I am concerned that the application makes reference to 24 hour operation, in what is a quiet, suburban residential cul-de-sac with significant numbers of children in residence. Most delivery vehicles go to the end of the road to turn around, so that any significant numbers of delivery or collection vehicles will increase the overall traffic flow on all of this road.

Public Safety

I wish my identity to be kept anonymous [redacted]/No –

We will treat representations as anonymous where there is a genuine reason to do so; if you wish your name and address details to be withheld then please explain the reason:

Copies of this representation will be sent to the applicant, or their agent/solicitor, including name and address details (but other personal contact information such as telephone numbers and email addresses will be removed) unless you have specifically requested anonymity. Copies of this representation will be included in a report that will be available to the public and will be published on the internet; however the published on-line version of the report will have name and address details removed.

Signature_____

Date_____

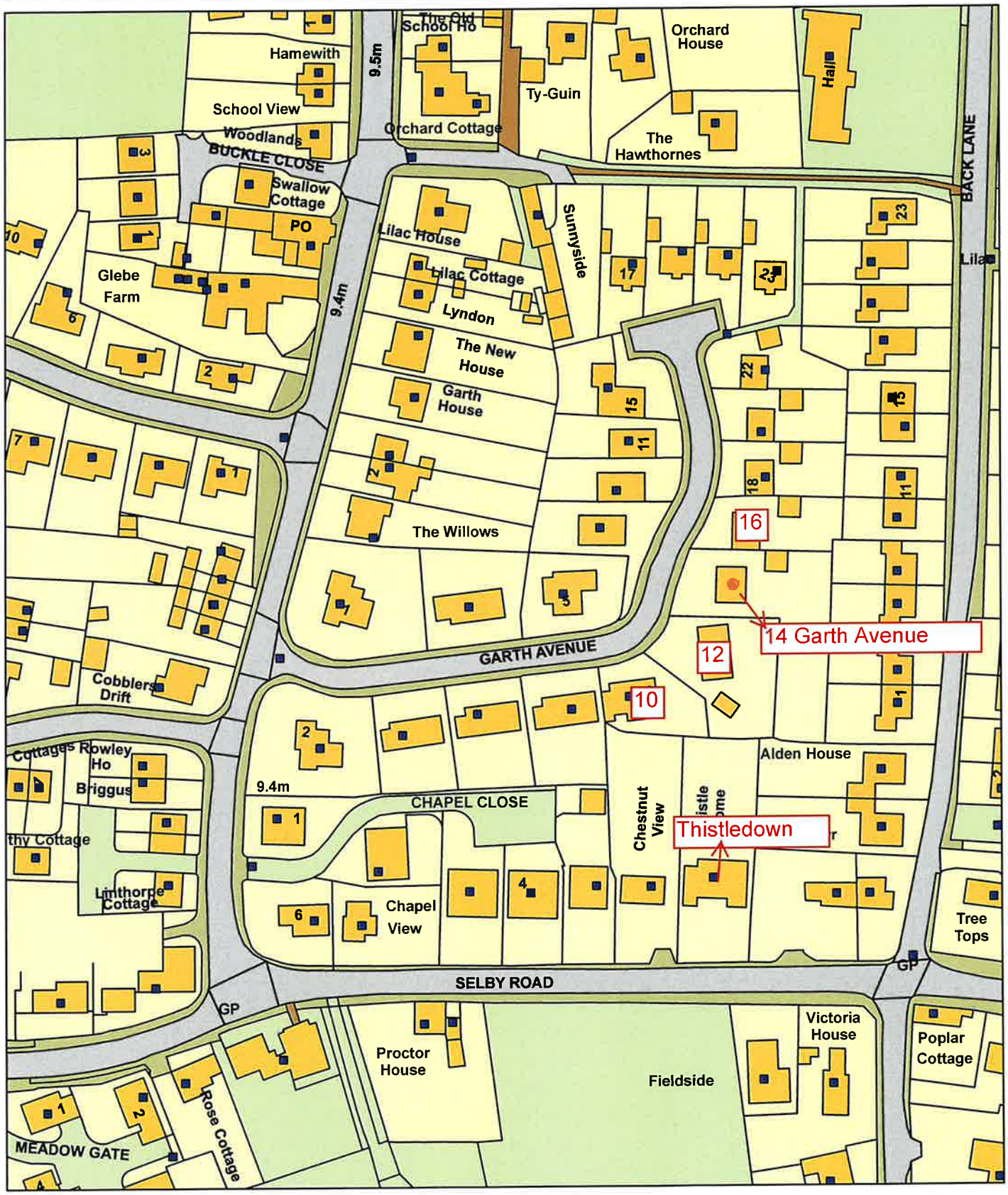
Please ensure name and address details completed above

Return to: Licensing Service
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

or send by email to: licensing@selby.gov.uk

Appendix 6

14 Garth Avenue North Duffield YO8 5RP
Not Set



N

1:1,250

This page is intentionally left blank

Appendix 7

PUBLIC NOTICE

highways england

ROAD TRAFFIC REGULATION ACT 1984 - SECTION 14
THE M18 MOTORWAY (JUNCTION 6) (TEMPORARY PROHIBITION OF TRAFFIC)

NOTICE IS HEREBY GIVEN that Highways England Company Limited intends to make an Order on the M18 Motorway, in the District of Doncaster, to enable expansion joint replacement, deck resurfacing, white lining, stud renewal, and associated works to be carried out in safety.

The works are expected to start on Friday 8 October 2021 for 2 weeks, or until completed, and will take place between 8pm and 10pm Friday and Saturday nights, and between 8pm and 6am on Sunday to Thursday nights.

The effect of the Order will be to close, at times during the works, the M18:
(i) northbound carriageway from the exit slip road at Junction 6 (Waterside Interchange) to the entry slip road at Junction 6, a distance of 900 metres; and
(ii) southbound carriageway from the exit slip road at Junction 6 to the entry slip road at Junction 6, a distance of 1000 metres.

During the closures suitably signed alternative routes will be available.

Traffic signs will indicate the extent of the prohibitions (which will not apply to emergency service vehicles or vehicles being used in connection with the said works or for winter maintenance or traffic officer purposes). The Order comes into force on 7 October 2021 and has a maximum duration of eighteen months.

The contact for any further information about this notice is Clair Galloway, telephone: 0300 470 2593, e-mail: clair.galloway@highwaysengland.co.uk

RICHARD FOXTON, Highways England, 3 South, Lateral, 8 City Walk, LEEDS LS11 9AT.

THE EAST RIDING OF YORKSHIRE COUNCIL
(VARIOUS ROADS IN SKELTON AND KILPIN) (TEMPORARY PROHIBITION OF THROUGH TRAFFIC) ORDER 2021

East Riding of Yorkshire Council has made an Order the effect of which is to prohibit any person from causing any vehicle to proceed along Various Roads in Skelton and Kilpin:

- **Phase 1** – Moorfields Lane, Skelton from **20 September 2021 until 22 September 2021**
- **Phase 2** – Skelton Broad Lane, Skelton from **22 September 2021 until 23 September 2021**
- **Phase 3** – Mill Lane, Kilpin from **23 September 2021 until 28 September 2021**.

The reason for the closure to enable the proposed overlay and verge improvement works, to be carried out and completed in a manner consistent with ensuring the safety of the public. It is anticipated that the works will be completed within nine days.

The alternative route for traffic affected by the Order is via:

- **Phase 1** – Moorfields Lane, Sarah Rhodes Lane, Howden Road, Skelton Broad Lane, Trandy Lane, Station Road, New Lane, Fox Lane and Main Street.
- **Phase 2** – Road to Warehouses East of Ferry Lane, Howdendyke Road, Howden, Howdendyke Road, Kilpin, Main Street, Kilpin and Mill Lane, Kilpin.
- **Phase 3** – Howden Road, Skelton, Road to Warehouses East of Ferry Road, Kilpin Pike, Howdendyke Road, Howden, Howdendyke Road, Kilpin and Main Street, Kilpin.

The roads will be open at all times to pedestrians and for vehicular access to properties directly affected by the closure and for emergency services.

The Order will commence **20 September 2021**, and continue in force for a period not exceeding 18 months or until the works which it is proposed to carry out have been completed, whichever is the earlier. Further information can be obtained from Streetscene Services, Highways Customer Care, tel (01482) 393939. Ref:AS.

Dated 9 September 2021

Mathew Buckley
Solicitor • Head of Legal & Democratic Services
East Riding of Yorkshire Council

East Riding of Yorkshire Council will, on request, provide this document in Braille, audio or large print format. If English is not your first language and you would like a translation of this document, please tel (01482) 393939.

EAST RIDING OF YORKSHIRE COUNCIL
TOWN & COUNTRY PLANNING ACT 1990
PROPOSED DEVELOPMENT

a) Erection of 4 dwellings (Revisions to approved Plots 10-13 of planning permission 18/02356/PLF) and erection of a single storey extension to rear of Plot 6 at Land South of Oakwood Park Pollington DN14 0DB (Ref: 21/03030/PLF)
b) Erection of employment units (Use classes E(g)(ii) and/or E(g)(iii) and/or B2 and/or B8, with ancillary offices) and offices (Use class E(g)(i)) with electric vehicle charging hub and associated landscaping and infrastructure at Land South and South West of Glews Garage Rawcliffe Road Airmyn DN14 8JS (Ref: 21/03027/STPLF)
c) Erection of an agricultural building with office for pig finishing and siting of 4 feed bins at Lodge Farm Bellasize Lane Blacktoft DN14 7XS (Ref: 21/03195/PLF)
d) Outline - Employment Development (up to 4,654m²) (Use classes E(g)(ii) and/or E(g)(iii) and/or B2 and/or B8, with ancillary offices) and associated landscaping and infrastructure (Access to be considered) at Land South and South West Of Glews Garage Rawcliffe Road Airmyn DN14 8JS (Ref: 21/03028/STOUT)

Proposals (a,b,d) are departures from the approved Development Plan of the area.
Proposals (b,c,d) are major developments.
If you wish to view the applications electronically or to check progress logon to ***https://newplanningaccess.eastriding.gov.uk/*** and enter the application number. You can make comments electronically using the feedback option on the above website or by emailing planning@eastriding.gov.uk. Guidance notes on making comments and the right to speak are also available on the above website or on request. If you have any comments or wish to lodge objections in respect of the proposals these must be received by ***30 September 2021***.
Please note by virtue of the provisions of the Local Government Act 1972, anyone may be entitled to read and obtain a copy of any representations you make.

Stephen Hunt
Head of Planning & Development Management

THE EAST RIDING OF YORKSHIRE COUNCIL
(PART OF DERWENT ROAD, GOOLE) (TEMPORARY PROHIBITION OF THROUGH TRAFFIC) ORDER 2021

East Riding of Yorkshire Council has made an Order the effect of which is to prohibit any person from causing any vehicle to proceed along Derwent Road, Goole for a distance of approximately 30 metres from the junction with Moorland Road. The reason for the closure is to enable the proposed manhole repair works, to be carried out and completed in a manner consistent with ensuring the safety of the public. It is anticipated that the works will be completed on ***13 September 2021 between 09.30 hours and 15.30 hours.*** The alternative route for traffic affected by the Order will be via Moorland Road, Hall Road, Shipcote Road and the remainder of Derwent Road. The road will be open at all times to pedestrians and for emergency services.
The Order will commence ***13 September 2021*** and continue in force for a period not exceeding 18 months or until the works which it is proposed to carry out have been completed, whichever is the earlier. Further information can be obtained from Highways Customer Care Team, Streetscene Services, tel (01482) 393939. Ref:AS.
Dated 9 September 2021

Mathew Buckley
Solicitor • Head of Legal & Democratic Services
East Riding of Yorkshire Council

East Riding of Yorkshire Council will, on request, provide this document in Braille, audio or large print format. If English is not your first language and you would like a translation of this document, please tel (01482) 393939.

THE EAST RIDING OF YORKSHIRE COUNCIL
(PART OF BACK STREET, LAXTON) (TEMPORARY PROHIBITION OF THROUGH TRAFFIC) ORDER 2021

East Riding of Yorkshire Council has made an Order the effect of which is to prohibit any person from causing any vehicle to proceed along Back Street, Laxton for a distance of approximately 30 metres from the junction of Front Street/Station Road. The reason for the closure is to enable the proposed works to replace a manhole frame and cover, to be carried out and completed in a manner consistent with ensuring the safety of the public. It is anticipated that the works will be completed on **13 September 2021 between 11.30 hours and 15.30 hours.** The alternative route for traffic affected by the Order is via Front Street, St Peters Lane and the remainder of Back Street. The road will be open at all times to pedestrians and for emergency services. The Order will commence **13 September 2021** and continue in force for a period not exceeding 18 months or until the works which it is proposed to carry out have been completed, whichever is the earlier. Further information can be obtained from Streetscene Services, Highways Customer Care, tel (01482) 393939. Ref:AS.
Dated 9 September 2021

Mathew Buckley
Solicitor • Head of Legal & Democratic Services
East Riding of Yorkshire Council

East Riding of Yorkshire Council will, on request, provide this document in Braille, audio or large print format. If English is not your first language and you would like a translation of this document, please tel (01482) 393939.

THE EAST RIDING OF YORKSHIRE COUNCIL
(HIGH STREET, WEST COWICK (PART)) (TEMPORARY PROHIBITION OF THROUGH TRAFFIC) ORDER 2021

East Riding of Yorkshire Council has made an Order the effect of which is to prohibit any person from causing any vehicle to proceed along part of High Street, West Cowick for 35 metres outside Lindlestone House beginning where Butt Lane joins High Street. The reason for the closure is to enable the proposed drainage works, to be carried out and completed in a manner consistent with ensuring the safety of the public. It is anticipated that the works will be completed within 12 days. The alternative route for traffic affected by the Order is via Butt Lane, Cowick Road, Goole Road, Mill Lane, Lodge Lane, Ivy Lane and High Street. The road will be open at all times to pedestrians and for vehicular access to properties directly affected by the closure and for emergency services. The Order will commence **20 September 2021**, and continue in force for a period not exceeding 18 months or until the works which it is proposed to carry out have been completed, whichever is the earlier.
Further information can be obtained from Streetscene Services, Highways Customer Care, tel (01482) 393939. Ref:AS.
Dated 9 September 2021

Mathew Buckley
Solicitor • Head of Legal & Democratic Services
East Riding of Yorkshire Council

East Riding of Yorkshire Council will, on request, provide this document in Braille, audio or large print format. If English is not your first language and you would like a translation of this document, please tel (01482) 393939.

THE EAST RIDING OF YORKSHIRE COUNCIL
(PART OF BENNETLAND LANE, GILBERDYKE) (TEMPORARY PROHIBITION OF THROUGH TRAFFIC) ORDER 2021

East Riding of Yorkshire Council has made an Order the effect of which is to prohibit any person from causing any vehicle to proceed along Bennetland Lane, Gilberdyke for a distance of approximately 30 metres from the junction of Clementhorpe Lane. The reason for the closure is to enable the proposed BT poling works, to be carried out and completed in a manner consistent with ensuring the safety of the public. It is anticipated that the works will be completed between **16 September 2021 and 17 September 2021.** There is no alternative route for traffic affected by the Order. The road will be open at all times to pedestrians, residents and emergency services. The Order will commence **16 September 2021** and continue in force for a period not exceeding 18 months or until the works which it is proposed to carry out have been completed, whichever is the earlier.
Further information can be obtained from Streetscene Services, Highways Customer Care, tel (01482) 393939. Ref:AS.
Dated 9 September 2021

Mathew Buckley
Solicitor • Head of Legal & Democratic Services
East Riding of Yorkshire Council

East Riding of Yorkshire Council will, on request, provide this document in Braille, audio or large print format. If English is not your first language and you would like a translation of this document, please tel (01482) 393939.

THE EAST RIDING OF YORKSHIRE COUNCIL
(PART OF GOOLE PUBLIC FOOTPATH NO.6) (TEMPORARY PROHIBITION OF PEDESTRIANS) ORDER 2020

East Riding of Yorkshire Council has made an Order the effect of which is to prohibit any person whether on foot, pedal cycle or on horseback to proceed along Goole Public Footpath No.6 from the footpath's northern end (at Humber Street), south-eastwards along Goole Reach to the footway at the A161 for a distance of approximately 425 metres. The reason for the closure is to enable the proposed engineering works by The Environment Agency to maintain the river bank, to be carried out and completed in a manner consistent with ensuring the safety of the public. The alternative route for persons affected by the closure will be via the highways footway along Humber Street, onto A161 south-eastwards re-joining Goole Footpath No.6 on the A161 (before the end of the footpath). It was anticipated that the works would be completed within six months of the closure. However, the works have not yet been completed and approval has been received from the Secretary of State for Transport for a further extension of the Order until ***31 March 2022***. The extension of the Order commenced on ***3 September 2021*** and will continue in force for a period not exceeding ***31 March 2022*** or until the works which it is proposed to carry out have been completed, whichever is the earlier. If the works are not completed within this time the Order may be extended for a longer period with the approval of the Secretary of State for Transport.
Further information can be obtained from Highways Customer Care Team, Streetscene Services, tel (01482) 393939. Ref: SM.
Dated 9 September 2021

Mathew Buckley • Solicitor
Head of Legal & Democratic Services
East Riding of Yorkshire Council

East Riding of Yorkshire Council will, on request, provide this document in Braille, audio or large print format. If English is not your first language and you would like a translation of this document, please tel (01482) 393939.

Public Notice – Licensing Application for a Premises Licence LICENSING ACT 2003

An application has been made by MRS SALLY MAY SMITH to SELBY DISTRICT COUNCIL on 6TH SEPTEMBER 2021 to Grant the Premises/Club Licence for 14 GARTH AVENUE, NORTH DUFFIELD, YO8 5RP. The proposed days and hours of opening is as follows: 00:00 TO 00:00 24 HOURS Activities to include: Supply of alcohol Monday - Sunday 00:00 hours to 00:00 hours 24 hours online sales and telephone sales only. The full application can be viewed at the offices of the Licensing Authority by emailing licensing@selby.gov.uk. All representations to this application must be made in writing to Selby District Council within 28 days from the date of this notice. It is an offence for anyone to knowingly or recklessly make a false statement in connection with an application. The maximum fine on conviction is £5000. LAST DATE FOR REPRESENTATIONS : 4TH OCTOBER 2021. Applicant MRS SALLY MAY SMITH Date of notice 6TH SEPTEMBER 2021

THE EAST RIDING OF YORKSHIRE COUNCIL
(HOWDEN PUBLIC FOOTPATH NO.2) (TEMPORARY PROHIBITION OF PEDESTRIANS) ORDER 2021

East Riding of Yorkshire Council has made an Order the effect of which is to prohibit any person from proceeding whether on foot, pedal cycle or on horseback along Howden Public Footpath No.2 from Selby Road to the junction with Howden Footpath No.01 for a distance of approximately 445 metres. The reason for the closure is to enable the proposed construction works by Bellway Homes Ltd to be carried out and completed in a manner consistent with ensuring the safety of the public. The alternative route for persons affected by the Order is via the western edge of the construction site and vice versa.
It was anticipated that the works would be completed within six months of the closure. However, the works have not yet been completed and approval has been received from the Secretary of State for Transport for a further extension of the Order until ***31 March 2022***.
The extension of the Order commenced on ***3 September 2021*** and will continue in force for a period not exceeding ***31 March 2022*** or until the works which it is proposed to carry out have been completed, whichever is the earlier. If the works are not completed within this time the Order may be extended for a longer period with the approval of the Secretary of State for Transport.
Further information can be obtained from Highways Customer Care Team, Streetscene Services, tel (01482) 393939. Ref: SG.
Dated 9 September 2021

Mathew Buckley • Solicitor
Head of Legal & Democratic Services
East Riding of Yorkshire Council

East Riding of Yorkshire Council will, on request, provide this document in Braille, audio or large print format. If English is not your first language and you would like a translation of this document, please tel (01482) 393939.

Goods Vehicle Operator's Licence

Roadway UK (TM) Limited trading as Roadway UK (TM) Limited of A19 Business Park, Selby, YO19 6QR is applying to change an existing licence as follows to keep an extra 6 goods vehicles at the operating centre at Unit 3 A19 Business Park, Selby, YO19 6QR.
Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's Office.

SELBY DISTRICT COUNCIL

Notice under Town and Country Planning (Development Management Procedure) Order 2015 Article 15 (2) and (4) or 16
Application under Regulation 3 or 4 of Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)

The following applications have been submitted to Selby District Council and can be viewed using the authority's website at www.selby.gov.uk/view-applications-public-access

Any representations should be made within 21 days from the date of this notice to the address below. Please note any comments submitted by post or email will not be acknowledged but will normally be available to view on our website within 3 working days of receipt. Signatures, phone numbers and email addresses will not be displayed.

Creation of two bedsit flats at first and second floor and two shop units at ground floor at 9 New Street, Selby by Mr Simon Benson. **2021/0827/FUL**

Development of one ground floor commercial unit [class uses E(a) and E(b)] and 13 no. residential apartments to include landscaped gardens; cycle storage and refuse storage provision; access and flood barrier walls at Toll Bridge Filling Station (Derelict), Ousegate, Selby by Parkside Corporation Investment Opportunities Ltd. **2021/1087/FULM**

Planning Development Manager,
Civic Centre, Doncaster Road,
Selby, YO8 9FT **Date: 9 September 2021**

Articles For Sale

BLACK metal Victorian style headboard with brass trimmings, to fit 4ft bed. Very good condition. £10. Tel: 01405 765681.

BROWN leather two seater,one chair, button back, vgc comfortable sturdy £60 only Tel: 07956119015

KOCKNEY koi yamitsu mega black box pond filter with 25 watt uv. £45 Graco endure group 123 car seat 9-36kg £30 Tel:07713502851

NETGEAR nighthawk ac1900 router model R7000 £45 Philips cordless phone with answering machine model CD6851 £10 Tel 07713502851

DAYS gone collectables by Lledo in boxes including vans cars and buses £10 for 10 Tel: 01405 762207

Articles For Sale

WOODEN bird table, hand made, good size and choice, ready painted £45.00. Jigsaws 1000 pieces, quality puzzles all complete. Most only completed once. £4.00 each. Tel - 07542 521257

GENTS Falcon cycle. British built, good condition, five speed £30.00. Tel - 01757 268433

DOOR Class one, four panelled fire door complete with five lever lock, keys, hinges. 810mm wide 2 metres high £50.00. Tel - 01757 268433

29 KILNER jars with seals, jam pan and sugar boiling thermometer £15.00 ono. Tel - 01405 860623

FOUR pine dining room chairs with seat pads, very good condition. Bought from Wetherells. £60.00. Tel - 01757 706790

This page is intentionally left blank

Appendix 8

SELBY DISTRICT COUNCIL

PREMISES LICENCE NUMBER **21/00308/LAPREM**

PREMISES DETAILS

Postal address of premises, or if none, ordnance survey map reference or description **14 Garth Avenue** **North Duffield** **Selby** **North Yorkshire** **YO8 5RP**
Telephone number

Where the licence is time limited the dates **Not Time Limited**

Licensable activities authorised by the licence **SALE OF ALCHOL**

The times the licence authorises the carrying out of licensable activities

Licensable Activities – Supply of Alcohol

Supply of Alcohol for Consumption:	**OFF SALES**	
Days of Week	**Open**	**Close**
Monday to Sunday	00:00	00:00
Seasonal Variations:	**Non-Standard Timings:**	

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence: **Sally May Smith**

Registered number of holder, for example company number, charity number (where applicable) **N/A**

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

Sally May Smith

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

Licence Number

Licensing Authority: **Selby District Council**

Date Granted:
Variation Issued:

Miss S Cousins
Licensing Manager

Annex 1 – Mandatory Conditions

Section 19- Alcohol

No supply of alcohol may be made under the premises licence: -

a) at a time when there is no designated premises supervisor in respect of the premises licence, or

b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

That every supply of alcohol under the premises licence must be made, or authorised by, a person who holds a personal licence.

Section 19 (4)(4) Banning of selling alcohol below cost price

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. For the purposes of the condition set out in paragraph 1—
(a)"duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
(b)"permitted price" is the price found by applying the formula—
P= D + (D X V)
where—
P is the permitted price,
D is the rate 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;

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

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this 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. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) 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.
(2) 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

a) General – all four licensing objectives (b,c,d,e)
1. The business is online, and sales will be taken via our website to the public, or via invoice for business accounts. 2.The handover of alcohol to the customer will require age verification (Challenge 25).

b) The Prevention of Crime & Disorder
1. The premises shall operate as an online sales business with all goods purchased being delivered by the applicant, her staff or a courier company. 2. There shall be no off-sales of alcohol to any person attending the premises. **Staff Training** 3. A documented staff training programme shall be provided to all members of staff involved in the retail sale of alcohol at the premises in respect of the following:- retail sale of alcohol; age verification policy; conditions attached to the Premises Licence; permitted licensable activities; the licensing objectives; -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] **Incident & Refusals book** 4. An incident log and refusals register will be kept at the premises and made available on request to an authorised officer or the police which will record the following: all crimes reported to the venue any complaints / incidents regarding crime and disorder or anti-social behaviour staff refusals of alcohol for any reason any visit by a relevant authority of emergency service 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] **Internet / on-line sales** Mandatory Licensing conditions specify that each premises must have an Age Verification policy in respect of the premises. This has a particular impact with remote sales (telephone and online) as you cannot see the purchaser of the alcohol when making the initial sale. Age verification measures (for example, online age verification) could be used to ensure that alcohol is not sold to any person under the age of 18. You should also consider carefully what steps you could take to ensure that age verification takes place before the alcohol is actually served (i.e., physically delivered to the customer) to be satisfied that that customer is in fact aged 18 or over. It is recommended that photo ID be checked before any physical delivery, and indeed that your terms and conditions state that if your delivery driver cannot verify at the door that the customer is over 18 that the delivery will not be made. 5. Alcohol may be sold on-line, by telephone or by mail order. 6. *Prior to purchasing alcohol online the purchaser shall be required to confirm that they are aged 18 years old or over. The website shall contain a statement to the effect 'The company will not deliver alcohol to any person until it has been verified that the person is over 18 years of age'.* 7. Where alcohol purchases are delivered by or on behalf of the premises licence holder, the premises licence holder shall ensure that the courier operates a Challenge 25 scheme. Where the courier believe that the recipient is under 25 years of age, no delivery shall take place until

such time as the courier has established that the person receiving the alcohol is over 18 years of age. Such confirmation shall be by way of the production of photographic ID. The only acceptable form of ID shall be a valid passport, photographic drivers' licence or ID card containing the PASS hologram.
8. The Premises Licence Holder shall install an auditable mechanism to verify that only customers 18+ are capable of purchasing alcohol via the companies on-line portal. Records of purchases shall be retained for a minimum of twelve months (date of transaction), and shall be made available for inspection at the request of a responsible authority (Licensing Act 2003).
9. Alcohol shall only be delivered to a recognised commercial or residential address. Orders for delivery to a highway or public open space are not permitted.
10. Taxi or private hire companies will not be authorised to make deliveries.

c) Public Safety
1.As per condition 2 under The Prevention of Crime and Disorder.

d)The Prevention of Public Nuisance
1. As per condition 2 under The Prevention of Crime and Disorder.

e) The Protection of Children from Harm
1.As per condition 2 under The Prevention of Crime and Disorder.

Annex 3 – Conditions attached after a hearing by the Licensing Authority

No Hearing Held

Annex 4 – Plans: 14 Garth Avenue 2021 (a&b)

Appendix 9

PHOTOS 14 GARTH AVENUE, NORTH DUFFIELD

Photo 1: View of the property from Garth Avenue. The garage can be seen behind large wooden gates.

Photo 2: Closer view of garage behind large wooden gates.

Photo 3: External view of garage.

Photo 4: View to the left of Garth Avenue

Photo 5: View to the right of Garth Avenue

Appendix 10

Mrs Sally M Smith
[redacted]

Friday 20th October 2021

Licensing Act 2003 Application (Supply of Alcohol).

Dear Dawn,

Many thanks for your email dated Friday 8th October.

I have digested the representations put forward in regards to the above application for the 24hr on-line sales of alcohol and storage at the above address.

I am sure you have read the application, so for the purposes of my reply I will not discuss the application to you, but instead cover the points raised by the opposing parties to the application.

Before I proceed a few points must be covered, one of which is how we are treated by our neighbours. We moved into the house [redacted] and we have made the effort to be polite and courteous with our neighbours, such as:

- Offering invites to our house warming party
- Sending Christmas cards
- Cutting hedges
- Delivering Flowers for free
- Smiling and waving when possible

However, a number of neighbours have been very rude and ignorant and have not been welcoming at all. The neighbours we do have contact with comment on how lovely we have made the house and have welcomed us to the avenue which has been wonderful – I would also like to point out that I have lived in the village fo[redacted] to the new house.

Although we have followed the application process, the below neighbours have taken upon themselves to print off the entire application form (the front page has been attached to this email) and have called to each neighbour in avenue, we find this activity very disturbing and stressful.

[redacted]

For each of the representation I will cover the below:

- Our relationship with the party
- Our replies to their objectives

Our relationship:

Since we first [redacted] ne ignored our first meeting. [redacted] was invited to our house warming which they never responded. We did however have our first conversation with our neighbour the day after the party. He approached my partner very angry and aggressively due to the noise of the fireworks – due to the time of the year being Fireworks night we thought it would be appropriate to use fireworks to close the party.

Since this date we have never spoke to the neighbour.

- Public Nuisance

  Our home has 4 cars – 2 on the drive, 1 on the street and a further car in the garage (this car can be seen in the application file). We are not the only house in the street to have a car parked outside their house. Current delivery vehicles do not cause a nuisance nor will our deliveries, which will be catered via ourselves (estate car) or the distillers transit van or estate car.

  The tight bend which the neighbour refers to is out of our control and has not caused any problem – unless you have a HGV. Please note, the street design would have been approved by the Councils Planning department previously.

  The neighbour does not understand the concept of a 24hr on-line business. The operation of the business will be restricted to normal working hours in the light of day (apart from the winter months).

  If the neighbour does not oppose the plethora of delivery vehicles which consistently drive in and out of the avenue, why should our activity cause concern, considering the deliveries may consist of one-two deliveries per week?

- Crime and Disorder

  Due to the contents of the garage we find that that the security more than adequate or we would have been increased the security. Please note, I would like to bring to your attention that I have lived in the village for 22 years and theft and burglary is very rare.

  The activity of deliveries are negatable and discrete as the deliver vehicles used are not sign written. No neighbours would be aware of the usage of the garage if we

didn't have to alter all our neighbours via the conspicuous application post outside on the lamppost and our kitchen window.

As for the amount of alcohol stored, the intention of the garage is to keep additional alcohol for peak demands of the year. The garage is busy and we do not have copious amounts of room at our disposal. It is the intention of the business to acquire additional storage in Market Weighton, where my business is situated.

We very much doubt that a burglar would be daring enough to attempt to access the garage via , given how and more importantly that the

- Protection of Children from Harm

Again, the neighbour is incorrect the operation is not 24 hours. The avenue does not have a significant number of children in residence, the avenue is commonly known as the street for OAPs. It is out of our control that delivery drivers preferred to turn around at the 'T' of the street and not partake in a 3 point turn, equally we do have any authority to restrict residents who live at the entrance of the street, who do exactly the same. One last point the houses where children live a and theses families have not objected to our application, also roads are not a designated play ground for children (the village has a wonderful playfield where children do play in safety).

Our relationship

None. is not a neighbour and we have met him.

- 1

incorrect, again he does not comprehend the intricates of the application. The business does operate 24hrs as it is an on-line business. Also we do not agree with his inflated opinion – our business will not cause 'serious public nuisance".

Regarding noise, a local Milkman who numerous visits to our avenue at pre-business hours; has anyone complain about the noise which he makes? Also we need to bring to your attention of how bottles of expensive alcohol is packaged (a case will be brought to the hearing).

- 2

_____ is incorrect his house does _____ our home and makes reference to being 'one of seven homes' – the reference 'one of seven homes' is repeated a number of times from numerous opposing parties and we believe this information has been provided by _____ along with knowledge of the application.

- 3

No comment.

- 4

Considering _____ does not live in our avenue and does not have first hand knowledge of congestion by resident vehicles and commercial vehicles. The largest vehicles are Council refuge vehicles and building material wagons, both do not have a problem with access.

This application will have no impact on _____ live in anyway (along with residents of Garth Avenue), I believe _____ knowledge of my application was provided by _____ who are instrumental in the drive to destroy the likelihood of the application to be approved.

Our relationship

Since I moved into the avenue, we have had a polite relationship with the _____ The only negative thing I can think of is that they are consistently giving us tips on how to look to after own garden, one of which we ignore, due to the fact _____. Also, we did have/a little friction with _____ and we objected to it.

It came as a great surprise to hear that they did not have courage to engage with us directly and instead visited all our neighbours to promote a negative reaction towards our application.

- 1. Prevention of Crime and Disorder

_____ has made a false statement and does understand the nature of on-lines sales. _____ has stated that alcohol will be transported via a courier, this is correct along with ourselves delivering. However, this statement contradicts the

implications for crime and disorder as the License does prevent sales from the business along with collection of alcohol.

We would like to understand if the houses surrounding the village shop and village pub have issues with crime and disorder – we think not!

———— also comments on the security of the garage. ———— has zero knowledge regarding the garage, so how can he make such a comment? Also, I object to his comment made about adults and children breaking into the garage, especially via 'elsewhere', how else would you break into a garage, removing the bricks from the walls or removing the tiles from the roof – these comments are infantile and zero substance.

- **2. Protection of children from harm**

Yes, we do wish to establish an on-line business whose garage will store alcohol, where you have to be 18 years old to purchase alcohol and when the alcohol is being handed over, the recipient must provide ID to prove their age. Firstly, our business will be faceless and no signs displaying the business name (this is my home and I currently do not display my business name and I have no intention too). Secondly, there is a local village shop which sells alcohol and a pub where you can bring you children in – we are not to blame if the adult provides their children with alcohol in their own home.

I do not believe ———— comments are true and he is exasperating the situation and being concerned for families who do not object against the application. Also, the delivery activity will be normally contained business hours, unlike the plethora or Supermarket and Amazon deliveries which see arriving daily. We need to state that we do not object to such deliveries, along will larger vehicles which have been require for building materials ————

The noise of crates? The bottles will be enclosed in boxes which are padded to ensure they arrive in pristine condition. I would like to bring to your attention the Milkman who does use crates.

Again, is concerned for children who live in the street whose parents do not object to the application – I believe this theory is void and disrespectful the parents (———————————— and should make no such comment).

The business will not require additional extra commercial refuse collections, as the shop provides that service, equally if we had to request an additional service, this activity would not conflict with neighbours livelihoods (the Councils current refuse collection is accepted).

I also reject ————comments regarding flood lighting pollution. We currently have standard external domestic lighting around the property, which no one has objected too and no further flood lights are necessary. If we do decide to introduce

further lighting it will be to increase the aesthetic appeal of the property, not for business purposes.

- **3. Public safety**

There is no substance or gravitas to ——— comments, we cannot be held responsible for actions of members of the public. We are adhering to the legal requirements to ensure that alcohol is only sold and handed to members of the public who are over the age of 18 - this has been stated in the application form which has been ignored ———.

A.

The 'bend' is not a 90 degree and it is not difficult to manoeuvre through it. I'd would like to understand what peak times mean? ——— comment regarding cars parked either side of the road is false, this would mean no vehicles would be able to pass – we have lived in the street for——— and this activity has never occurred doing this time.

The road meets legislation or the planning would have been refused by the Planning Officer, there is no substance tc ——— comments

I reject all of ——— comment as believe there is no gravitas to his comments other than cause a blockage in my application.

I would like to bring to your attention that ——— ——— and they have luxury ———

B.

——— cannot control the number of cars which households own. We need to point out that betwe ———that before ——— the ———had parkin ——— which would mean ——— would have been parked on the street!

Again, ———is concerned for activity in another part of the avenue which does not impact him. As far as I'm aware the households who surround the 'T' do not have any issues and if they did they would have submitted an opposition to the application.

C.

The commercial vehicle whic ——— refers to is owned by ——— ——— as there is no available parking outside his house. Again, comments made ———er are not relevant and if he has a problem with his

parking I suggest he speaks directly to him, which I doubt very much as he didn't have the confidence to engage with me over this application.

- **Prevention of public nuisance**

Again I reject [redacted] claims. The business activity will not disturb the neighbours or inflict excessive noise or light pollution over and above the daily occurrence of delivery and refuse collections in the avenue.

The garage is not an industrial unit, it is a garage storing cases of alcohol. The business is not producing or manufacturing.

[redacted] has commented that my property shares its boundary with seven houses, I must comment that five houses do not have an issue.

[redacted] have one objection, which is to block the application, and we do not understand why they have a vendetta against me.

We have been polite and courteous to [redacted] since we have moved to 14 Garth Avenue and we have no idea why they feel such hated against us. [redacted] have instrumentally led a campaign to stop our application by visiting every household in the avenue by knocking on each door for upto 5 minutes until the neighbour opens the door to be greeted by a 14 page copy of the application and be being preached too. We have spoken to a number of our neighbours and they have been disgusted [redacted]

Our relationship

Since I moved into the avenue, we have had a polite relationship with the [redacted] The only negative thing I can think of is that they are consistently giving us tips on how to look to after own garden, one of which we ignore, due to the fact [redacted] and ours are pristine [redacted] Also, we did have a little friction with [redacted] and we objected to it.

It came as a great surprise to hear that they did not have courage to engage with us directly and instead visited all our neighbours to promote a negative reaction towards our application.

[redacted] it has not defined his points, so our reply will cover all of his letter.

Again, I believe [redacted] understands the dynamics of our business, [redacted] has digested the application. The application clearly states 24hy on-line sales only (which is the nature of all on-line sales businesses).

So far I have read the same objections ———— which is like for like, I am not surprised ———————————— – in my opinion they have tried to give greater gravitas to their opposition ————————————

Again, ———————— is commenting for other households which I find disgraceful and insulting to the other households who do not object to the application.

I would like to bring to your attention t———————————————— please comment.

I hope my bullet point will cover his comments (which I am exhausted to have to read)

- We cannot be held responsible for the actions of drivers.
- We cannot be held for near misses for pedestrians and dog walkers
- We cannot be held responsible for white van parking or how they park
- The increased white van activity is due to households ordering there groceries via the internet rather visiting the supermarket (which we do)
- Also, when we order on-line the deliveries are sent to my business address, as you can see we do not increase the delivery activity in the street.
- Also, I find it disgraceful not to be referred to by complete name (Mrs Sally M Smith) not Mrs Sally May.

Location of all parties.

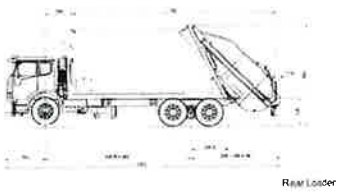
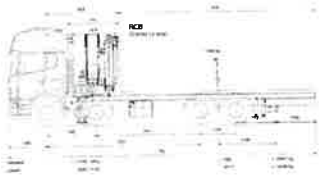
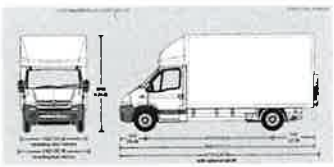
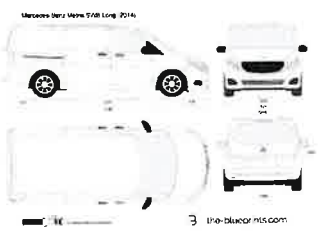
Both parties

which has not been declared in their opposition to the application. However

has stated within his statement that his property

14 Garth Avenue, this is **incorrect**.

Delivery Vehicles

Type of Vehicle	Vehicle information	Dimensions	Frequency	Delivering to which households
Council Refuse Collection wagon		Length 10.3m	Weekly	Every household.
Building materials wagon		Length 11.5m Width	Not very often, but this type of vehicle has been used on a number of	Only to isolated households which are carrying out building work
Fuel oil wagon		Length 9.8m Width 2.5m	Fortnightly	Every household.
Luton van		Length 6.12m Width 2.07m	Daily and can be upto multiple times a day.	Every household. We receive deliveries carried in this type of vehicle.
White van		Length 5.14m Width 2.29m	Daily and can be upto multiple times a day.	Every household. We receive deliveries carried in this type of vehicle.

Dawn Drury

From: [redacted]
Sent: 20 October 2021 12:23
To: Democratic Services
Subject: Premises License - 14 Garth Avenue

Dear Dawn,

I would like to confirm that I currently have a Premises License with East Riding Council.

This license entitles me to store alcohol at my home address, the license has been in operation for over a year and with permission from East Riding Council I use my garage as additional storage to my business located in Market Weighton.

Have a license at my home address will enable me to make deliveries to the village and surrounding areas, rather than Market Weighton which is what currently happens.

--
Kind regards,

Sally

[redacted]