



Meeting: **LICENSING SUB-COMMITTEE**
Date: **TUESDAY, 25 OCTOBER 2022**
Time: **10.00 AM**
Venue: **COUNCIL CHAMBER - CIVIC CENTRE, DONCASTER ROAD, SELBY, YO8 9FT**
To: **Councillors R Sweeting, J Mackman and S Duckett**

Agenda

1. Election of Chair

To elect a Member to act as Chair 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. Minutes (Pages 1 - 16)

To confirm as a correct record the minutes of the Licensing Sub-Committee's held on 28 October 2021 and 21 December 2021.

5. Procedure for Licensing Hearings (Pages 17 - 20)

To confirm the procedure to be followed at the meeting.

6. Application for a Premises Licence for The Ash Tree Inn, London Road, Barkston Ash, Leeds, LS24 9PP (Pages 21 - 134)

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 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 Democratic Services on the above details prior to the start of the meeting. Any recording must be conducted openly and not in secret.

Minutes

Licensing Sub-Committee

Venue:	Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Thursday, 28 October 2021
Time:	2.00 pm
Present:	Councillors R Sweeting, J Cattanach and S Duckett
Officers present:	Kelly Dawson, Senior Solicitor and Legal Advisor to the Sub Committee, Sharon Cousins, Licensing Manager; and Dawn Drury, Democratic Services Officer
Others present:	14 Garth Avenue, North Duffield, Mrs Sally May Smith, Applicant

16 ELECTION OF CHAIR

It was proposed, and seconded, that Councillor Richard Sweeting be elected as Chair for this meeting.

RESOLVED:

To appoint Councillor Richard Sweeting as Chair for this meeting.

17 APOLOGIES FOR ABSENCE

There were no apologies for absence.

18 DISCLOSURES OF INTEREST

There were no disclosures of interest.

19 PROCEDURE FOR LICENSING HEARINGS

The Committee noted the Licensing hearing procedure.

20 APPLICATION FOR A PREMISES LICENCE FOR 14 GARTH AVENUE, NORTH DUFFIELD, SELBY, YO8 5RP

The Chair introduced all the parties present at the meeting and summarised the Licensing hearing procedure which had been circulated as part of the agenda pack. All parties confirmed that they had received a copy of the hearing procedure.

It was noted that one of the representors present at the hearing was also representing other party who had entered a representation in objection to the application but had been unable to attend the hearing.

The Licensing Manager presented the report which outlined the details of the application for the determination of a premises licence for 14 Garth Avenue, North Duffield, YO8 5RP. The hearing had been necessitated by representations which had been received from four members of the public.

The Sub-Committee heard that the application was to permit the sale of alcohol at the designated premises, on any day of the week, for twenty-four-hour internet sales only, and that the premises was not open to the public.

It was confirmed that a consultation had been carried out by the applicant in accordance with the Act and the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, which concerned 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. It was further confirmed that the applicant had complied with all the statutory requirements.

The Licensing Manager informed Members that conditions had been agreed between North Yorkshire Police and the applicant following representations made by the responsible authority. The necessary amendments had been incorporated into the operating schedule following these representations and formed the conditions of any granted licence.

Members noted that the 4 people who had made representations against the application had all objected on the grounds of the prevention of public nuisance objective.

The Sub-Committee listened to evidence from the applicant, Mrs Smith and evidence in support of the relevant representations from two members of the public.

Mrs Smith explained that she believed the wording of the application which referred to the business hours of opening as twenty-four hours, seven days a week (24/7) had been misunderstood and stated that although the online business would be open 24/7 the business would not be processing sales orders 24/7.

Members noted that the applicant also ran a floristry business, with two

members of staff, from a premises in Market Weighton which was licensed, and which offered alcohol as an extra something in addition to the flowers. It was further noted that everything on the premises was available online 24/7 but alcohol could only be sold online via a courier.

Mrs Smith explained that there was very limited storage space at the premises in Market Weighton and the overflow stock was stored in the garage at the premises in North Duffield. It was further explained that this had been happening for the previous thirteen months, during which time there had been no issues around parking, deliveries, or security at the premises in North Duffield.

Mrs Smith stated that it would be preferable for the business and the environment, saving on fuel and mileage, to arrange deliveries from either address.

In response to a Member query regarding how the age of a customer would be confirmed, the applicant stated that Challenge 25 was operated by the business and that deliveries could not be left without the customer showing a form of identification. If the customer was not present at the time of the delivery, then a card would be left at the premises to inform the customer that a delivery had been attempted.

A representor asked whether conditions on extra operating hours would be acceptable to the applicant. Mrs Smith confirmed that 24/7 was only required as trading was online but there was no intention to operate 24/7. The Chairman clarified that it was within the Licensing Sub-Committee's remit to consider whether Members felt it necessary that amended conditions be attached to any licence, if granted, and not the applicant or representors.

A representor sought clarification on two letters that had been sent by the applicant which, in his opinion, contradicted each other regarding the use of the premises in North Duffield as a storage facility only. Further, it was queried, if the applicant had a premises licence in Market Weighton through East Riding Council, why was a premises licence required from Selby District Council just for the purposes of storage.

The representor requested that a letter circulated to local residents by Mrs Smith dated 20 September 2021 be submitted to Members as additional information.

The applicant also requested permission to include additional information in the form of a photograph and a copy of the premises licence application form which Members heard had been circulated to local residents by the representor. It was noted that the application form was already included within the agenda pack. All parties agreed to the inclusion of these documents as additional information and an adjournment took place for copies to be made, circulated, and read.

At the Chairman's request the Licensing Manager clarified that a

premises licence was required for the North Duffield address as the application was not purely for storage, the business provided the online sale of alcohol. Mrs Smith stated that the premises was only used as storage at present, however the premises licence would allow her to gather and package an order from either address and clarified that the letter had been circulated to try and alleviate any concerns that local residents might have.

The first representor raised concerns over the 24/7 hours applied for and stated that although this may not be an issue at the onset of the business, in the future the business could grow considerably, and infrequent deliveries had the potential to become multiple or on demand deliveries 24/7. It was further pointed out that the area was residential, and a growing business could result in noise and light pollution from security lighting and an increase in vehicle movements which would impact on a wider local area.

The representor also noted that there may be a legal charge on the property which prohibited the owner from running a business from the address in North Duffield.

In response to a question from the applicant as to whether the representor had noticed any disturbance at night or at any time in the last thirteen months, the representor responded that no, he had not.

The second representor stated that he was also representing another objector, and that their main area of concern was public nuisance. It was further clarified that this was a technical objection not a personal objection.

The representor commented that he had printed and distributed copies of the premises application for a number of elderly residents who had requested it, as they had no access to computers and submitted that it should not be assumed that those who did not make representations were in support of the premises application.

The representor submitted that the business could grow over time and would be visual and apparent and that, in his opinion, a residential house was not the place for a distribution business or licensed premises.

In response to a question from the applicant as to whether the representor had experienced any nuisance in the last thirteen months, the representor responded that no, he had not as the business had not been open.

In summing up the case for the Council, the Licensing Manager stated that businesses of this type were not unusual in the district.

Mrs Smith concluded that she understood the concerns which had been raised and sought to assure Members that there were no plans to gather orders through the night therefore additional lighting was not required.

Mrs Smith stated that she understood the alcohol licence responsibilities and would adhere to the guidelines.

The first representor had nothing further to add to his submission.

The second representor confirmed that he had nothing further to add to his submission, however, did comment that should the Licensing Sub-Committee agree to grant the premises licence application, the business should not be allowed to operate through the night as it would result in traffic movement and staff working a shift system.

All parties confirmed that they had said all that they needed to say in relation to the application.

The Chairman thanked all parties for attending the Licensing Sub-Committee and requested that they leave the meeting. It was explained that the members of the Sub-Committee would retire together with the Democratic Services Officer and Solicitor to consider the application, and in doing so would consider the representations made, the agenda pack provided, additional information submitted, and the submissions presented to it, as well as the operating schedule. The Sub-Committee would also consider the application in accordance with the Licensing Act 2003, having regard to the Secretary of States Guidance issued under section 182 of the Licensing Act 2003 and Selby District Council's Statement of Licensing Policy.

It was further explained that all parties would be notified of the outcome of the hearing in writing, within five working days, along with the right of appeal.

The Licensing Sub-Committee considered that it was appropriate and proportionate, having considered all representations and all the evidence presented and the promotion of the licensing objectives to **grant** the Premises Licence, as applied for, to the applicant.

RESOLVED:

The Sub-Committee decided unanimously to grant the Premises Licence as applied for.

Reasons for Decision:

The Licensing Sub-Committee considered that it was appropriate and proportionate for the promotion of the licensing objectives.

The meeting closed at 3.20 pm.

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Minutes

Licensing Sub-Committee

Venue:	Microsoft Teams - Remote
Date:	Tuesday, 21 December 2021
Time:	10.00 am
Present:	Councillors R Sweeting, J Chilvers and P Welch
Officers present:	Kelly Dawson, Senior Solicitor and Legal Advisor to the Sub Committee, Sharon Cousins, Licensing Manager; and Dawn Drury, Democratic Services Officer
Others present:	The Comus Inn, Selby Road, Camblesforth, Selby, YO8 8HR , Mr Ian Campey and Miss Jade Campey on behalf of the applicant, Campey Estates Limited

21 ELECTION OF CHAIR

It was proposed, and seconded, that Councillor Richard Sweeting be elected as Chair for this meeting.

RESOLVED:

To appoint Councillor Richard Sweeting as Chair for this meeting.

22 APOLOGIES FOR ABSENCE

There were no apologies for absence.

23 DISCLOSURES OF INTEREST

There were no disclosures of interest.

24 PROCEDURE FOR LICENSING HEARINGS

The Committee noted the Licensing hearing procedure.

25 APPLICATION TO VARY A PREMISES LICENCE FOR THE COMUS INN, SELBY ROAD, CAMBLESFORTH, SELBY, YO8 8HR

The Chair confirmed that the Sub-Committee had read and considered the additional information as set out in the supplementary agenda pack that had been circulated, following the publication of the agenda pack on Monday 13 December 2021.

The Chair introduced all the parties present at the meeting and summarised the Licensing hearing procedure which had been circulated as part of the agenda pack. All parties confirmed that they had received a copy of the hearing procedure.

The Licensing Manager presented the report which outlined the details of the application for the determination of a full variation to the existing premises licence for The Comus Inn, Selby Road, Camblesforth, YO8 8HR. The hearing had been necessitated by representations which had been received from 67 members of the public, 29 of whom had requested to remain anonymous.

It was noted that six representations in support of the application had also been received.

The Sub-Committee heard that the application was to extend the licensable hours at the designated premises, between the times as detailed within the report, and clarification was given that the licensable area of the premises had not changed from the existing licence.

It was confirmed that a consultation had been carried out by the applicant in accordance with the Act and the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, which concerned 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. It was further confirmed that the applicant had complied with all the statutory requirements.

Members noted that conditions had been agreed between North Yorkshire Police and the applicant and Environmental Health and the applicant following representations made by the responsible authorities. The necessary amendments had been incorporated into the operating schedule following these representations and formed the proposed conditions of any granted licence.

It was further noted that additional amendments to the proposed conditions had been made to the operating schedule in terms of an amendment to condition 14 under the prevention of crime and disorder to be amended to 22:00 hours to correspond with condition 10, under the prevention of public nuisance relating to the use of external areas; and conditions 7 & 9 under the prevention of public nuisance were duplicates and would be removed and replaced with condition 2 under annex 3 of

the current premises licence.

The Sub-Committee was informed that of the 67 people who had made representations objecting to the application, these had predominantly been based on the grounds of the prevention of public nuisance objective.

Member's attention was drawn to the supplementary agenda that had been circulated and the photographs contained therein.

The Sub-Committee listened to evidence on behalf of the applicant, Campey Estates Limited, from Mr Ian Campey and Miss Jade Campey and evidence in support of the relevant representations from five members of the public.

Miss Campey clarified that the aim of the application was to develop the restaurant and enable the premises to accommodate the occasional private event; and that the licensable activities at the premises remained the same as the existing licence but allowed the use of the function room and kitchen.

It was further clarified that all conditions had been agreed with North Yorkshire Police, North Yorkshire Fire and Environmental Health, and that the conditions would be complied with.

Miss Campey addressed the concerns of the representors as set out within their individual emails of representation contained within the agenda pack. In relation to the car park, and cars pulling out onto the main road, this was not a licensing consideration but a matter for Highways. In terms of the possibility of vandalism and littering, there was no evidence to suggest that the litter had come from the premises and there had been no incidences of vandalism, to date, that the applicant was aware of.

Miss Campey pointed out that the application was for one extra hour in the evening to allow guests additional time to leave the premises at the end of a function. The 6am start time applied for was to allow the hotel to provide breakfast with an alcohol beverage if requested by residents and would also enable the premises to accommodate events such as wedding parties, funeral wakes and guests would be able to purchase alcoholic drinks while watching popular sporting events when televised.

Mr Campey concluded that the Comus Inn was a community asset for the use of the local community.

In relation to a query from one of the representors regarding the premises currently being advertised as to let, and whether the new tenants would be as considerate as Miss Campey was, Mr Campey emphasised that he had invested a large amount of capital into the premises and was looking to recoup the investment. To this end the premises would be a restaurant, not a public house, and the representors were assured that each potential tenant's portfolio would be thoroughly vetted before a final

decision was made.

One representor queried why the applicant had sought to apply for all activities to be included on the licence if the intended use was as a restaurant, Mr Campey confirmed that the activities applied for on this licence were identical to the current licence with the exception of boxing and wrestling entertainment and the additional opening hours.

Clarification was sought regarding a planning condition around the fitting of a noise limiter at the premises, Mr Campey stated that there was a condition in place for a noise limiter which prevented music exceeding a 90decibel limit. Miss Campey further stated that once an event was underway there was a requirement that the noise be measured and recorded, at least once per event, and should it be found that the sound was exceeding the limit then the band would be asked to turn the speakers down.

The Licensing Manager confirmed that the noise limiter had been a condition of the planning approval and had also been one of the conditions that the applicant had agreed with Environmental Health; it was further confirmed that should complaints be received about the premises regarding loud music, then this would be investigated by the Environmental Health department.

The first representor stated that his primary concerns were based on noise and anti-social behaviour (ASB), particularly on longer events where, it was alleged, beer bottles and glasses had been thrown into nearby gardens.

It was questioned how the requirement to keep doors closed would be policed, and why an extension to closing times to allow guests to leave the premises would be required as that would be included in the current licence.

The representor commented he was not against the premises, but local resident's amenity should be taken into account and that, in his view, an extension to outside events should not be given.

A scooter rally event which had taken place at the premises in July 2020 was highlighted by the representor, and the loud noise which had been generated, Miss Campey clarified that the event should have been held inside the premises, however, due to the guidelines for Covid-19, and having just come out of a lockdown, the decision had been taken to situate the singer outside. It was noted that the singer had finished at 4pm and although Environmental Health officers attended the premises to take noise readings, nothing further had been heard by the applicant following the officer's visit.

The second representor confirmed that she agreed with the comments made by the previous representor and drew Member's attention to the fact that during the day of the scooter rally the level of noise was high and

continued through to 4pm so that neighbours were unable to use their gardens, and the noise was also audible indoors. Grave concerns were raised as this was a residential area and noise from the premises was an ongoing issue.

The Sub-Committee heard that there was a paddock and wooded area opposite the premises which housed various wildlife and it was queried if the impact of noise and disruption from events of this nature would cause the wildlife to leave their natural habitat.

Mr Campey stated that the scooter rally event had been a one-off event in a two-year period.

The Licensing Manager advised Members that the existing premises licence permitted the licence holder to hold events such as the one referred to.

The third representor informed the Sub-Committee that local residents were not seeking to lose the premises as a public house, but had concerns in relation to the applied for extension of licensing hours and additional activities, and stated that the extension of hours was more akin to a town centre nightclub rather than a residential village public house, and therefore inappropriate.

Members heard that a number of local residents had objected to the original planning application in May 2020 for the modifications to the public house and the erection of the new function room, which when applied for was to be used primarily as a restaurant with the occasional function. Now, having seen the extent of the change to the licence and, in his view, how the applicant appeared to have ticked every box on the application form indiscriminately without thought to local residents, grave concerns had been raised.

In terms of hotel residents, it was felt that they could be catered for without a need to extend the operating hours and, if approved, it was considered that it would have a significant impact on the quality of life for those living nearby.

In response to a question from the Chairman enquiring what the representor envisaged would happen if the extended hours were to be granted, the representor explained that guests leaving the premises later had the potential to cause a disturbance into the early hours of the morning, which would prolong what local residents were already experiencing, in terms of excessive noise and disturbance.

Mr Campey re-iterated that the application before Committee was no different to the licence that the Comus Inn already held except for the extension to the licensing hours. Miss Campey stressed to the Sub-Committee that the application was predominantly for a restaurant and explained that prior to this a marque had been used to hold functions which had no sound protection, therefore residents should notice a

reduction in noise. It was further stated that guests would no longer be allowed to smoke at the rear of the premises and that guests would leave the premises by the front door.

At the Chairman's request the Licensing Manager clarified that it was not unusual for applicants to tick every box on the application form.

The fourth representor advised that what he had wanted to say had, in the main, been covered by the previous speaker, however he asked that Members try to understand the close proximity of the function room to the nearby houses and stated that the photographs submitted as part of the supplementary agenda showed a truer representation of how close the rear of the function room was to residential properties.

It was highlighted that most of the representations had been brought about because of previous history at the premises and due to this local residents had a lack of faith in the applicant. It was commented that the applicant did not always behave with integrity and therefore trust between the applicant and the residents had been eroded. It was further commented that had the applicant not failed to do what had been said they would do residents would not have had to complain to the Council on numerous occasions and would not be in this position today.

Mr Campey responded to the representor and refuted the accusation as there was no evidence to suggest what had been said was true. Mr Campey stated that he ran a number of establishments, had a good reputation and had no issues with the Licensing department at Selby District Council.

The Licensing Manager explained that the function room was already part of the licensable area therefore events could be held within the room on the current licence.

In terms of noise complaints, it was confirmed that over the course of the last three years Environmental Health had received eleven reports of potential noise nuisance regarding the Comus Inn. Members were informed that should reports of noise be received by the Council then both the Licensing and Environmental Health team would investigate the claims; and that every licence had the potential for a review.

The fifth and final objector agreed with all the comments that had been made by the previous representors and stated that she had no objection to the public house, however, the closing times of 1.30am and 2.30am, as applied for, were excessive in a residential area.

In summing up the case for the Council, the Licensing Manager highlighted that should the licence application be refused the applicant had the option to apply for a Temporary Event Notice (TEN), which if approved would allow the premises to hold a private function until 4 am in the morning. At present there was a limit of 21 events per year, however this was due to rise to 26 events per year in 2022, and there was also a

cost to the applicant for each TEN applied for.

Mr Campey stated that he wished he had used the land for other purposes, such as to build houses.

The first representor accepted that there may have only been eleven noise complaints received by the Council but highlighted that not all complaints were made to the authority. A query was raised why there was a need for an extension of licensable hours if a TEN could be sought and it was stated that most anti-social behaviour was caused when people leave the public house, therefore it was felt that longer hours would mean more problems.

The second representor stated that she was in agreement with the first representors comments and added that the extra hours were not necessary for a village public house.

The third representor summed up by querying why Mr Campey didn't operate the public house himself. Mr Campey explained that he had eight properties to oversee and that his vision for the premises was for a restaurant, and to achieve this goal he needed an established food operator to manage the premises.

The fourth representor summed up by stating that if the premises did become a restaurant village pub it would be very welcome and that local residents were just asking for consideration.

The fifth representor stated that she did not want events taking place at the premises seven days a week but would be amenable to events taking place on the odd occasion.

All parties confirmed that they had had the opportunity to say everything they wished to say.

The Chairman thanked all parties for attending the Licensing Sub-Committee and requested that they leave the meeting. It was explained that the members of the Sub-Committee would retire together with the Democratic Services Officer and Solicitor to consider the application, and in doing so would consider the representations made, the agenda pack provided, the supplementary agenda, and the submissions presented to it, as well as the operating schedule. The Sub-Committee would also consider the application in accordance with the Licensing Act 2003, having regard to the Secretary of States Guidance issued under section 182 of the Licensing Act 2003 and Selby District Council's Statement of Licensing Policy.

It was further explained that all parties would be notified of the outcome of the hearing in writing, within five working days, along with the right of appeal.

The Licensing Sub-Committee considered that it was appropriate and

proportionate, having considered all representations and all the evidence presented and the promotion of the licensing objectives to reject that part of the application in relation to the extension to licensable hours in respect of the finish times; and to grant that part of the application in relation to the extension to licensable hours to an earlier start time but subject to a modification that the start time shall be 8am, and subject to the modified conditions as set out in the draft licence at appendix 10 to the report, and the amendments proposed by the Licensing Officers update in respect of: prevention of crime and disorder condition 10; and prevention of public nuisance conditions 7& 9; and carrying forward annex 3 condition 2 of the existing licence, and the seasonal variations as per the existing licence.

RESOLVED:

The Licensing Sub-Committee decided unanimously that it was appropriate and proportionate, having considered all the representations, all the evidence presented to it and the promotion of the licensing objectives, to:

- i) reject that part of the application in relation to the extension to licensable hours in respect of the finish times;**
- ii) grant that part of the application in relation to the extension to licensable hours to an earlier start time but subject to a modification that the start time shall be 8am, and subject to the modified conditions as set out in the draft licence at appendix 10 to the report, and the amendments proposed by the Licensing Officers update in respect of: prevention of crime and disorder condition 10; and prevention of public nuisance conditions 7& 9; and carrying forward annex 3 condition 2 of the existing licence, and the seasonal variations as per the existing licence.**

Reasons for Decision:

The Sub-Committee considered the concerns raised around public nuisance in relation to noise and anti-social behaviour. The Sub-Committee also had regard to the residential nature of the area, the proximity of the premises to residential properties, and the nature of the premises. The Sub-Committee considered that the proposed extension to licensed hours with finish times of 01:00 hours Sunday to Thursday and 02:00 hours on Friday to Saturday would undermine the licensing objective of the prevention of public nuisance.

In respect of the earlier start time of 06:00 again the Sub-Committee had concerns that this would undermine the licensing objective of the prevention of public nuisance and considered that 08:00 was more

appropriate and proportionate having regard to the premises and residential nature of the area.

The meeting closed at 11.45 am.

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Agenda Item 5

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(s) 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 Monday 17 October, 2022.**

(2) All Parties should **arrive for the hearing taking place in the Council Chamber, Selby District Council, Civic Centre, Doncaster Road, SELBY, YO8 9 FT 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 Monday 17 October 2022**. **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 10 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. Responsible authorities (Environmental Health)
 - c. 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>

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Report Reference Number: L S-C/22/1

To: Licensing Sub-Committee
Date: 25 October 2022
Status: Non-Key Decision
Ward(s) Affected: Barkston Ash
Author: Sharon Cousins, Licensing Manager
Lead Officer: Martin Grainger, Head of Planning

Title: Determination of a Premises Licence relating to The Ash Tree Inn, London Road, Barkston Ash, Leeds, LS24 9PP (“the Premises”).

Summary

The Licensing Authority received an application for a Premises Licence for the Premises, however, representations against this application were received. The Licensing Authority is now under a duty to determine the application for a Premises Licence 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

1.1 The applicant is a Sole trader, Christine Martin, proposing to carry out licensable activities at the Premises. A copy of the application is at **Appendix 1**. The plan to the application showing the proposed licensable area can be seen in **Appendix 2**. External photographs of the Premises can be seen in **Appendix 3**.

1.2 There is an existing premises licence in place for the Premises. The licence was granted on 24 November 2005 and can be seen in **Appendix 4**. The applicant decided to submit an application for a new Premises Licence for the Premises, instead of making a variation to the current premises licence.

1.3 The application is to permit the sale of alcohol, regulated activity and late-night refreshments, on the following days and times:

1.4 Licensable activities:

Sale of alcohol (on and off sales)

Sunday to Thursday	08:00 – 23:00
Friday - Saturday	08:00 - 00:00

Live music (indoors and outdoors)

Sunday to Thursday	10:00 – 23:00
Friday - Saturday	10:00 - 00:00

Recorded music (indoors and outdoors)

Sunday to Thursday	10:00 – 23:00
Friday - Saturday	10:00 - 00:00

Performance of dance (indoors and outdoors)

Sunday to Thursday	10:00 – 23:00
Friday - Saturday	10:00 - 00:00

Anything of a similar description to fall within category (e), (f) and (g) of the application (indoors and outdoors)

Sunday to Thursday	10:00 – 23:00
Friday - Saturday	10:00 - 00:00

Late Night Refreshment (on and off the premises)

Friday to Saturday	23:00 – 00:00
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1.5 Public Hours

Sunday to Thursday	08:00 – 23:30
Friday - Saturday	08:00 - 00:30

1.6 Details of the proposed operating schedule are as follows:

- 1.7 To promote the licensing objectives, the applicant has proposed the steps detailed on pages 5 (section 5), 12 and 13 (section 18), of the application form, attached at **Appendix 1**.
- 1.8 As part of the application the applicant has submitted a DPS (Designated Premises Supervisor) consent form. **Please see attached at Appendix 5.**
- 1.9 A plan of the building is included in the application, **attached at Appendix 2**, this shows the licensable area of the 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 these four objectives are paramount consideration at all times.

RELEVANT REPRESENTATIONS

3. RESPONSIBLE AUTHORITIES

- 3.1 Amendments have been made to the Operating Schedule of the draft Premises Licence following representations from a Responsible Authority.
- 3.2 Conditions have been agreed between Environmental Health Protection and the Applicant. These conditions will now be included in the Operating Schedule of any granted Premises Licence. **A copy of the representation and the agreed conditions can be seen in Appendix 6.**

3.3 North Yorkshire Police Licensing worked with the applicant on the proposed conditions in the Premises Licence application prior to submission and therefore did not submit a representation.

4. REPRESENTATIONS FROM OTHER PERSONS

4.1 The Licensing Authority has received three representations from Other Persons, which are against the application. A copy of all the representations are attached at **Appendix 7**. The representations are predominantly based on the grounds of the Prevention of Public Nuisance licensing objective.

4.2 A plan showing the location of the representations to the Premises has been produced at **Appendix 8**. The Premises is marked on the left of the plan and the street names relating to the representations are shown as a star on the Plan.

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 concerns 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 has complied with all statutory requirements. The newspaper notice was published on the 8 September 2022 and has been attached at **Appendix 9**.

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

6.0 Additional Information provided by the applicant

6.1 The applicant submitted **Appendix 10** on the 13 October 2022 as additional information for the Committee to consider. This is a noise survey, carried out by NOVA Acoustic Ltd on behalf of the applicant. This document has been shared with the Environmental Health Team.

7. POLICY CONSIDERATIONS AND S182 GUIDANCE

7.1 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.

7.2 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

8. Corporate Plan Implications

N/A

9. Resource Implications

N/A

10 Other Implications

N/A

11. Legal Implications

11.1 As relevant representations have been made, the Sub-Committee must hold a hearing to consider the representations and, having regard to the representations, determine the Premises Licence application.

11.2 The Sub-Committee 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.

11.3 The Sub-Committee must also have regard to the statutory guidance under Section 182 of the Act and the Councils own Statement of Licensing policy in exercising its functions under the Act.

11.4 The Sub-Committee must make its determination within five (5) working days of the last day in which the hearing was held.

Right of appeal

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

12.1 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

13 The Sub-Committee are asked to determine this Premises Licence application for the Premises. A draft copy of the Premises Licence can be seen in **Appendix 11.**

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

14 **Appendices**

- Appendix 1 Premises Licence application
- Appendix 2 Plan
- Appendix 3 External & Internal Photographs of the Premises
- Appendix 4 Current Premises Licence in situ
- Appendix 5 DPS Consent form
- Appendix 6 Responsible Authority representation/conditions (Environmental Health)
- Appendix 7 Three Representations from Other Persons
- Appendix 8 Plan showing Premises location to the representations received
- Appendix 9 Newspaper advertisement
- Appendix 10 Noise Survey submitted by the applicant
- Appendix 11 Draft Premises Licence

Contact Officer:

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



Selby
Application for a premises licence
Licensing Act 2003

For help contact
licensing@selby.gov.uk
Telephone: 01757 705101

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name	Ash Tree Inn
* Street	London Road
District	Barkston Ash
* City or town	Leeds
County or administrative area	
* Postcode	LS24 9PP
* Country	United Kingdom

Agent Details

* First name	Michael
* Family name	O'Brien
* E-mail	
Main telephone number	
Other telephone number	

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
 A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK? Yes No

Business name	O'Brien Licensing & Training Services	If your business is registered, use its registered name.
VAT number	-	Put "none" if you are not registered for VAT.
Legal status		
Your position in the business		
Home country	United Kingdom	The country where the headquarters of your business is located.

Continued from previous page...

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name	6a Alder House
Street	Pasture Lane
District	Seamer
City or town	Scarborough
County or administrative area	North Yorkshire
Postcode	YO12 4QJ
Country	United Kingdom

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name	The Ash Tree Inn
Street	London Road
District	Barkston Ash
City or town	Leeds
County or administrative area	
Postcode	LS24 9PP
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Christine Anne

Family name

Martin

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

* Date of birth

 / /

* Nationality

Documents that demonstrate entitlement to work in the UK

Right to work share code

Right to work share code if not submitting scanned documents

[Add another applicant](#)

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

 / /

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

 / /

Provide a general description of the premises

Continued from previous page...

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.

The Ash Tree Inn is a large detached public house and restaurant on London Road in Barkston Ash near Tadcaster. The premises caters, in the main, as a destination venue for customers who wish to take advantage of the extensive food menu that they provide. There is also a large garden / seating area at the rear of the premises which can be used for dining as well as outdoor seating. It is intended that functions e.g. weddings, birthday celebrations etc can be held inside the premises and in the outdoor area. Where appropriate, a marquee will be used in the rear garden to hold events in. There is also a bar in the outside garden area. The sale of alcohol will be applied for from 08:00 hrs. This is to cater for customers who would be having breakfasts before going to fishing matches, which are held in the area, coach parties and similar groups who are on route to York races and similar events. This facility would be available for family celebrations e.g. Champagne Breakfasts, Funerals and Christenings and similar events. A condition has been agreed with North Yorkshire Police Licensing Officer, PC _____ that the sale of alcohol between 08:00 hrs and 10:00 hrs will be ancillary to food.

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Continued from previous page...

Will you be providing live music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not
exclusively) whether or not music will be amplified or unamplified.

This is to enable live music in the form of Bands, Singers either solo or groups to perform and the music will either be amplified or unamplified as required. A specific performance space has been created in the beer garden which is under cover and has been modified with soundproofing materials to minimise the noise outbreak that could affect neighbouring properties. An acoustic assessment is being carried out by a professional company, NOVA Acoustics on the 15th / 16th September 2022 to establish acceptable decibel readings which will be agreed with the local environmental health officer. The agreed sound levels will be reflected in conditions which will be put forward by the environmental health officer before the end of the consultation period.

Continued from previous page...

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

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.

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Please see the entry made under "Live Music". The same rationale will apply to recorded music re acceptable decibel levels. The recorded music played over the 15th / 16th September will also be assessed by NOVA Acoustics.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See [guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start 10:00

End 23:00

Start

End

WEDNESDAY

Start 10:00

End 23:00

Start

End

THURSDAY

Start 10:00

End 23:00

Start

End

FRIDAY

Start 10:00

End 24:00

Start

End

SATURDAY

Start 10:00

End 24:00

Start

End

SUNDAY

Start 10:00

End 23:00

Start

End

Will the performance of dance take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Please see entries for "Live & Recorded Music".

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

Continued from previous page...

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

Give a description of the type of entertainment that will be provided

Continued from previous page...

Will this entertainment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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.

Continued from previous page...

WEDNESDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="23:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

On the premises Off the premises Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

Continued from previous page...

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

Continued from previous page...

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

There will be no adult entertainment

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 18 of 21

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

STEP 1
A documented staff training programme shall be provided to all members of staff at the premises in respect of the:-

- operation of the CCTV system (including the playback of evidence);
- retail sale of alcohol;
- age verification policy;
- conditions attached to the Premises Licence;
- permitted licensable activities;
- the licensing objectives; and
- opening times for the venue.

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]

STEP 2
An incident log will be kept at the premises and made available on request to an authorised officer or the police which will record the following:

- all crimes reported to the venue
- any complaints received regarding crime and disorder
- any incidents of disorder
- any faults in the CCTV system

Continued from previous page...

- any refusal of sale of alcohol

- 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];

STEP 3

The premises will be predominantly food led, and will not operate as a vertical drinking establishment.

STEP 4

All sales of alcohol for consumption off the premises shall be in sealed containers.

STEP 5

A Refusal Register and an Incident Report Register shall be maintained for each bar within the premises. Such registers will record incidents of staff refusals to under age or drunk people as well as incidents of any anti-social behaviour and ejections from the premises. Such Registers shall be kept for a minimum of one year. [For the avoidance of doubt, the one year period relates to each respective entry in a Register and runs from the date of that particular entry in the Register].

b) The prevention of crime and disorder

STEP 6

1. A colour digital CCTV system shall be installed within the premises and be operational and recording at all times when licensable activities take place and at any other times where members of the public are present on the premises.

2. The CCTV equipment shall have constant time/date generation which must be checked on a daily basis for accuracy.

3. CCTV cameras shall be installed to provide adequate cover of all public areas in the premises (excluding toilets).

4. The CCTV system must be capable of providing quality images of good evidential value. The CCTV system will have sufficient storage retention capacity for a minimum of 28 days consecutive footage.

5. North Yorkshire Police or a Responsible Authority (as defined in the Licensing Act 2003) may at any time request a recording. This should be complied with within 24 hours of the request being made.

6. It is the responsibility of the management to ensure that there are sufficient members of staff available during the hours of operation to be able to download evidence from the CCTV system at the request of the police or responsible authority.

7. The need for SIA door supervisors will be risk assessed on an ongoing basis by the licence holder and/or designated premises supervisor. Where, engaged, SIA door supervisors shall be licensed by the Security Industry Authority and will wear high visibility armbands.

8. When employed, a register of those door supervisors employed shall be maintained at the premises and shall include:

a. the number of door staff on duty

b. the SIA badge number and name of each member of door staff

c. the times the door staff are on duty.

d. Any incidents involving door supervisors

STEP 7

The premises shall operate the Challenge 25 policy for the sale of alcohol.

STEP 8

The only acceptable proof of age identification shall be a current passport, Photo card Driving Licence or identification carrying the PASS logo (until other Effective identification technology e.g. thumb print or pupil recognition, is adopted by the Premises Licence Holder).

STEP 9

Between the hours of 08:00 hrs and 10:00 hrs daily, the sale of alcohol will be ancillary to food.

c) Public safety

STEP 10

The Premises has a current Health & Safety risk assessment and a current Fire Safety risk assessment completed by Supply Me Ltd. The Premises were inspected by North Yorkshire Fire & Rescue Fire Safety Inspector, _____ on Monday 15th August 2022. Advice was given regarding necessary upgrading of fire safety features which are being carried out in a time scale agreed between the applicant and North Yorkshire Fire & Rescue Service. This will comply with the requirements of the Fire Safety (Regulatory Reform Order).

Continued from previous page...

d) The prevention of public nuisance

STEP 11

Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

STEP 12

Outside areas as defined by the premises plan, shall not be used after 23:00 hours, with the exception of Friday and Saturdays for pre-booked functions, where the outside areas shall not be used after 00:00.

STEP 13

THERE HAVE BEEN PREVIOUS COMPLAINTS REGARDING EXCESSIVE NOISE CREATED BY MUSIC AND SINGING IN THE REAR OUTDOOR GARDEN. THIS IS BEING ADDRESSED BY NOVA ACOUSTICS WHO WILL CARRY OUT A NOISE ASSESSMENT AT EVENTS ON SEPT 15TH / 16TH. SELBY DC SENIOR ENVIRONMENTAL HEALTH OFFICER, _____ VISITED THE PREMISES ON AUGUST 15TH AND IS AWARE OF THE PROPOSED ASSESSMENT BY NOVA ACOUSTICS. IT IS INTENDED THAT A REPORT GIVING THE FINDINGS OF THAT ASSESSMENT WILL BE FORWARDED TO _____ AS SOON AS POSSIBLE AFTER COMPLETION WHEN APPROPRIATE CONDITIONS WILL BE AGREED TO MANAGE THE EFFECT OF NOISE ON SURROUNDING NOISE SENSITIVE PREMISES. THESE CONDITIONS WILL BE SUBMITTED TO THE LICENSING AUTHORITY BEFORE THE COMPLETION OF THE CONSULTATION PERIOD.

e) The protection of children from harm

STEP 14

There shall be no adult entertainment on the premises.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

DECLARATION

Continued from previous page...

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

I/WE UNDERSTAND IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO
* CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date

01	/	09	/	2022
dd		mm		yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/selby/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number	Ash Tree PremLic
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) Next >

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ASH TREE INN, BARKSTON ASH - 22/00420/LAPREM

PHOTOS

1. View from outside the premises towards Sherburn in Elmet



2. View from outside the premises towards Tadcaster



3. View from front door of the premises to neighbouring properties



4. View from front door of the premises to neighbouring properties



5. Beer Garden looking towards rear fields



6. Beer Garden, view towards London Road



7. Beer Garden, view towards London Road



8. Beer Garden, view towards the premises



9. New outside bar, in Beer Garden



10. Beer Garden, view towards the rear of the premises



11. Beer Garden, view towards the rear of the premises



12. Outside static seating booths



13. Outside centre static booth



14. Carpark area to the side of the premises



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PREMISES LICENCE NUMBER

PREMISES DETAILS

Postal address of premises, or if none, ordnance survey map reference or description	
THE ASHTREE INN LONDON ROAD BARKSTON ASH	
Post town LEEDS	Post code LS24 9PP
Telephone num. _____	

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

Licensable activities authorised by the licence SALE BY RETAIL OF ALCOHOL PROVISION OF REGULATED ENTERTAINMENT
--

The times the licence authorises the carrying out of licensable activities

Supply of alcohol Standard days and timings			Supply of alcohol for consumption	On the premises	<input type="checkbox"/>	
				Off the premises	<input type="checkbox"/>	
Day	Start	Finish		Both	<input checked="" type="checkbox"/>	
Mon	11.30	15.00	<u>Seasonal variations for the supply of alcohol</u>			
		18.00		23.00		
Tue	11.30	15.00				
		18.00		23.00		
Wed	11.30	15.00				
		18.00		23.00		
Thur	11.30	15.00		<u>Non-standard timings</u>		
		18.00			23.00	
Fri	11.30	15.00				
		18.00			23.00	
Sat	11.30					
					23.00	
Sun	12:00					
					23.00	

Recorded music Standard days and timings			Playing of recorded music will take place:	Indoors	<input checked="" type="checkbox"/>						
				Outdoors	<input type="checkbox"/>						
				Both	<input type="checkbox"/>						
Day	Start	Finish	Further details:								
Mon	11.30	15.00									
	18.00	23.00									
Tue	11.30	15.00									
	18.00	23.00									
Wed	11.30	15.00				Seasonal variations:					
	18.00	23.00									
Thur	11.30	15.00									
	18.00	23.00									
Fri	11.30	15.00							Non standard timings:		
	18.00	23.00									
Sat	11.30										
		23.00									
Sun	12:00										
		23.00									

Hours premises are open to the public Standard days and timings			Seasonal variations:					
Day	Start	Finish						
Mon	11.30	15.00						
	18.00	23.00						
Tue	11.30	15.00						
	18.00	23.00						
Wed	11.30	15.00				Non standard timings:		
	18.00	23.00						
Thur	11.30	15.00						
	18.00	23.00						
Fri	11.30	15.00						
	18.00	23.00						
Sat	11.30							
		23.00						
Sun	12:00							
		23.00						

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

Christine Martin

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

James Edward Brvan

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

Signed: ...
Sharon Cousins
Licensing Manager
Selby District Council

Date Granted: 24th November 2005
S37 & S42: 4 June 2020
S37: 2 November 2020

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 19A (1)

1.— (1) The responsible person must ensure that all staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective.
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
- (e) dispensing alcohol directly into the mouth of another (other than where that other customer is unable to drink without assistance by reason of disability)

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

3.— (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –

- (a) holographic mark
- (b) an ultraviolet feature

4. The responsible person must ensure that–

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available in the following measures–

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises: and

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

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—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) 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)

Effective and Responsible management of the premises
There shall be a 30 minutes 'drinking up' time after the last permitted sale of alcohol
The licence holder reserves the right to move the fire appliances, AWP machines, cigarette machine and/or other similar objects temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.

b) The Prevention of Crime & Disorder

Effective and Responsible management of the premises
Acceptance of accredited proof of age scheme
Provision of outside lighting
Most of our customers are local
Outside areas regularly cleared of glasses etc.
Availability of a Taxi service
Member of Pubwatch Scheme.

c) Public Safety

Effective and Responsible management of the premises
Regular testing (and certification) of procedures, appliances etc.
Adequate and maintained emergency lighting system
Adequate and maintained fire alarm and fire fighting equipment
Adequate and maintained illuminated fire exit signs
Provision of outside lighting
Provision of first aid box
Smoking Policy

d) The Prevention of Public Nuisance

Effective and Responsible management of the premises
Collection and disposal of litter

e) The Protection of Children from Harm

Effective and Responsible management of the premises
No unaccompanied children on the premises
Limitations on the hours when children may be present on the premises
Acceptance of accredited proof of age scheme
No entertainment of an adult of sexual nature provided
AWP machines in a highly visible area for monitoring of play
Designated no smoking area

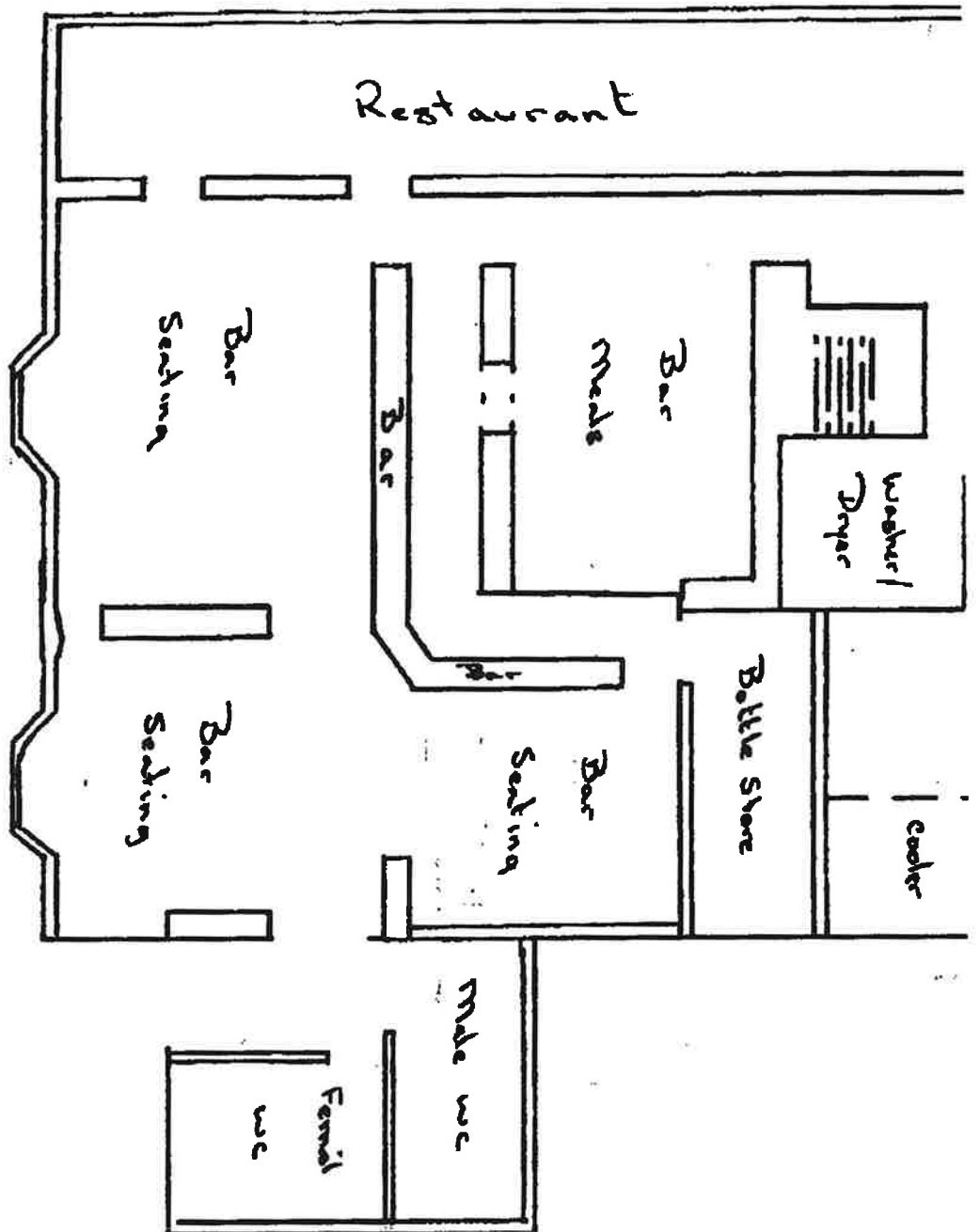
Annex 3 – Conditions attached after a hearing by the Licensing Authority

No Hearing Held

Annex 4 - Plans

As attached Reference: Plan A

Outside Plan Some 1:100



Consent of individual to being specified as premises supervisor

I JAMES EDWARD BRYAN
(full name of prospective premises supervisor)

of [redacted]
(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 CHRISTINE MARTIN
(name of applicant)

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

for THE ASH TREE INN, LONDON RD, BARKSTON ASH
(name and address of premises to which the application relates) LEEDS LS24 9PP

and any premises licence to be granted or varied in respect of this application made by
CHRISTINE MARTIN
name of applicant)

concerning the supply of alcohol at
THE ASH TREE INN LONDON RD BARKSTON ASH
(name and address of premises to which application relates) LEEDS LS24 9PP

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 [redacted]

Personal licence issuing authority [redacted]
insert name and address and telephone number of personal licence issuing authority, if any

Signed [redacted]

Name (please print) JAMES EDWARD BRYAN

Date 16-8-2022

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FAO: Licensing Comments
 Licensing Department
 Selby District Council
 Civic Centre
 YO8 9FT

Your Prof-
 Our Ref. _____
 Please a. _____
 E-Mail: _____
 Telephone: 01757 705101

Friday 30 September 2022

Dear Sir or Madam,

Licence Type: Premises Licence
Address: Ash Tree Inn, London Road, Barkston Ash, Tadcaster, LS24 9PP

Further to your consultation dated 13/09/2022 concerning the above proposals. I have considered the information provided by the applicant and would make the following comments in relation to the prevention of public nuisance.

It is intended that functions, for example weddings and birthday celebrations, will be held in the outdoor area and the measures noted to prevent public nuisance are to implement the findings of a Noise Impact Assessment. I have not received such an assessment at the time of writing, therefore, by default there is no proposals for promoting this licensing objective put forward by the applicant.

Whilst this is a new Premises Licence application, it is considered that the current operators have had control of the business since at least August 2021 in line with the Food Business Registration dated

It is proposed to play amplified music in external areas during the events between 0800 and 2400hrs on Friday and Saturday and between 0800 and 2300hrs on other days. Whilst acknowledging that statutory guidance issued under section 182 of the Licensing Act 2003 states that no licence permission is required for amplified music between 0800 and 2300hrs on premises authorised to sell alcohol provided that the audience does not exceed 500, I would stress that there is a history of noise complaints from amplified music in external areas during these hours from events held in September 2021, November 2021, January 2022, July 2022 and September 2022.

This department carried out noise monitoring of an event held on 15 September 2022 at a nearby residential receptor, the findings of which identify excessive noise impact from amplified music in gardens to the point that the song/artist is easily recognised. Moreover, there was audibility inside the property in the late evening, albeit barely perceptible on this occasion.

In view of the above, it is a reasonable assumption that noise from amplified music has the potential to cause public nuisance. It is also reasonable to conclude that this will occur frequently and that restricting the number of annual events is neither conducive with the proposals nor does it fulfil the licensing objective of preventing public nuisance. Therefore, I would object to this application in its current form.

Yours faithfully,

Senior Environmental Health Officer
Regulatory Services

FAO: Licensing Comments
Licensing Department
Selby District Council
Civic Centre
YO8 9FT

Your Ref: _____
Our Ref: _____
Please ask for: _____
E-Mail: _____
Telephone: 01757 705101

Friday 14 October 2022

Dear Sir or Madam,

Licence Type: Premises Licence
Address: Ash Tree Inn, London Road, Barkston Ash, Tadcaster, LS24 9PP

Further to our representation dated 30/09/2022 concerning the above proposals. I have considered the additional information provided by the applicant and would make the following comments in relation to the prevention of public nuisance.

In response to Noise Impact Assessment re _____ dated 28/09/2022:

The report provides a robust assessment of external amplified music with the aim of achieving inaudibility at nearby residential receptors in reference to the relevant 'Good Practice guide on the Control of Noise from Pubs and Clubs'. Existing background levels are well defined in terms of octave band $L_{90,T}$ and $L_{A90,T}$ values and quantitative noise monitoring of a wedding event held on 15/09/2022 was carried out for comparison, which identified clear audibility of amplified music including low frequencies of percussion and bass lines. This is quantified in Table 5.0 and highlights significant noise impact at residential receptors and, therefore, categorised as Significant Observed Adverse Effect Level (SOAEL) in accordance with the Noise Policy Statement for England (NPSE).

Consequently, the report recommends to either reduce/limit the amplified music octave band L_{eq} levels to those set out within Table 6.0 or to upgrade the sound insulation of the outdoor marquee to the specification set out within Table 8.0.

Overall, I concur with the report and can therefore propose the following conditions:

1. Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment at the premises shall not be audible inside habitable rooms of noise sensitive properties between the hours of 23.00 and 07.00
2. The licence hereby approved shall be carried out in accordance with Nova Acoustics Noise Impact Assessment re _____ dated 28/09/2022
3. The disposal of waste bottles into external receptacles shall not take place between the hours of 23:00 and 07:00

Should the aforementioned conditions be agreeable with the applicant then I withdraw my earlier representation of 30 September 2022. Alternatively, I would recommend that the conditions are considered in full at the Licensing Hearing on 25 October 2022.

Yours faithfully,

————— **MSc MCIEH AMIOA**
Senior Environmental Health Officer
Regulatory Services

Dawn Drury

From: _____
Sent: 23 September 2022 08:53
To: _____
Subject: Re: Ash Tree Pub

Morning _____

I am happy to receive any further information

Regards

Get [Outlook for iOS](#)

From: _____
Sent: Friday, September 23, 2022 8:39:03 AM
To: _____
Subject: RE: Ash Tree Pub

Hi _____

Apologies, I will need your full address in order to consider this as an official representation also if you could provide that.

Kind Regards

Sharon Cousins

Licensing Manager

t: 01757 705101
e: scousins@selby.gov.uk
w: www.selby.gov.uk

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Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT.



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From: _____
Sent: 23 September 2022 06:31
To: _____
Subject: Re: Ash Tree Pub

Good morning, _____

I have no objection to the Ash Tree Pub extending its opening hours to serve food and drinks. My objection is to the regulated entertainment part of the application. As I have expressed in the past, the level of noise from an outdoor venue is uncontrollable. Whether that be under a marquee, tent or open air.

Events held in the past have exceeded playing music after 23:00. Many times, we have had to call the pub to complain about the high volume being played. But nothing gets done. All of my complaints have been logged with Selby Council.

I would also like to address the lack of not notifying residents of Barkston Ash. Especially the ones that live close to the pub. I have also learned that the parish council in Barkston Ash have not been aware of the application.

_____ we walk on _____ the pub, I didn't notice the planning application notice attached to the board outside the pub. It was first brought to my attention by _____ when I call to ask about a marquee being erected on the grounds. There's not many residents who use the Ash Tree Pub. Also due to its location, it's not a building you pass on a daily basis. You would only notice the planning application if you were using the pub.

Publicizing the planning notice in a Selby paper and on the council website is not beneficial to the residents of Barkston Ash. There's not many people who buy a paper on a daily/weekly basis. Let alone check the council website to see if and new planning application.

If you can not separate the two sections of the application, I would therefore hold a strong objection to any planning regarding any licensing to the Ash Tree Pub.

Regards

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From: _____
Sent: Tuesday, September 20, 2022 9:10:00 AM
To: _____
Subject: FW: Ash Tree Pub

Sharon Cousins

Licensing Manager

t: 01757 705101
e: scousins@selby.gov.uk
w: www.selby.gov.uk

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Good Morning _____

Thank you for your email.

The application for a premises licence includes the live and recorded music, dance and anything similar under regulated entertainment, both inside and outside until 2300 hours each day except for Friday and Saturday when it is applying until midnight.

In regard to the marquee this comes under planning and you are correct that there was temporary provisions under Covid that permitted the extended use of these.

The police and Environment Health Team have worked with the applicant prior to submitted the application for a premises licence. The proposed conditions will be on any licence granted.

The proposed conditions are:

'STEP 1

A documented staff training programme shall be provided to all members of staff at the premises in respect of the:-

- operation of the CCTV system (including the playback of evidence);
- retail sale of alcohol;
- age verification policy;
- conditions attached to the Premises Licence;
- permitted licensable activities;
- the licensing objectives; and
- opening times for the venue.

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]

STEP 2

An incident log will be kept at the premises and made available on request to an authorised officer or the police which will

record the following:

- all crimes reported to the venue
- any complaints received regarding crime and disorder
- any incidents of disorder
- any faults in the CCTV system

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Continued from previous page...

- any refusal of sale of alcohol
- 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];

STEP 3

The premises will be predominantly food led, and will not operate as a vertical drinking establishment.

STEP 4

All sales of alcohol for consumption off the premises shall be in sealed containers.

STEP 5

A Refusal Register and an Incident Report Register shall be maintained for each bar within the premises. Such registers will

record incidents of staff refusals to under age or drunk people as well as incidents of any anti-social behaviour and ejections from the premises. Such Registers shall be kept for a minimum of one year. [For the avoidance of doubt, the one year period relates to each respective entry in a Register and runs from the date of that particular entry in the Register].

b)

STEP 6

1. A colour digital CCTV system shall be installed within the premises and be operational and recording at all times when

licensable activities take place and at any other times where members of the public are present on the premises.

2. The CCTV equipment shall have constant time/date generation which must be checked on a daily basis for accuracy.

3. CCTV cameras shall be installed to provide adequate cover of all public areas in the premises (excluding toilets).

4. The CCTV system must be capable of providing quality images of good evidential value. The CCTV system will have sufficient storage retention capacity for a minimum of 28 days consecutive footage.

5. North Yorkshire Police or a Responsible Authority (as defined in the Licensing Act 2003) may at any time request a recording. This should be complied with within 24 hours of the request being made.

6. It is the responsibility of the management to ensure that there are sufficient members of staff available during the hours

of operation to be able to download evidence from the CCTV system at the request of the police or responsible authority.

7. The need for SIA door supervisors will be risk assessed on an ongoing basis by the licence holder and/or designated

premises supervisor. Where, engaged, SIA door supervisors shall be licensed by the Security Industry Authority and will

wear high visibility armbands.

8. When employed, a register of those door supervisors employed shall be maintained at the premises and shall include:

a. the number of door staff on duty

b. the SIA badge number and name of each member of door staff

c. the times the door staff are on duty.

d. Any incidents involving door supervisors

STEP 7

The premises shall operate the Challenge 25 policy for the sale of alcohol.

STEP 8

The only acceptable proof of age identification shall be a current passport, Photo card Driving Licence or identification

carrying the PASS logo (until other Effective identification technology e.g. thumb print or pupil recognition, is adopted by

the Premises Licence Holder).

STEP 9

Between the hours of 08:00 hrs and 10:00 hrs daily, the sale of alcohol will be ancillary to food.

STEP 10

The Premises has a current Health & Safety risk assessment and a current Fire Safety risk assessment completed by Supply

Me Ltd. The Premises were inspected by North Yorkshire Fire & Rescue Fire Safety Inspector, on Monday

15th August 2022. Advice was given regarding necessary upgrading of fire safety features which are being carried out in a

time scale agreed between the applicant and North Yorkshire Fire & Rescue Service. This will comply with the requirements

of the Fire Safety (Regulatory Reform Order).

STEP 11

Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

STEP 12

Outside areas as defined by the premises plan, shall not be used after 23:00 hours, with the exception of Friday and

Saturdays for pre-booked functions, where the outside areas shall not be used after 00:00.

STEP 13

THERE HAVE BEEN PREVIOUS COMPLAINTS REGARDING EXCESSIVE NOISE CREATED BY MUSIC AND SINGING IN THE REAR

OUTDOOR GARDEN. THIS IS BEING ADDRESSED BY NOVA ACOUSTICS WHO WILL CARRY OUT A NOISE ASSESSMENT AT

EVENTS ON SEPT 15TH / 16TH. SELBY DC SENIOR ENVIRONMENTAL HEALTH OFFICER, JACK HOPPER, VISITED THE PREMISES

ON AUGUST 15TH AND IS AWARE OF THE PROPOSED ASSESSMENT BY NOVA ACOUSTICS. IT IS INTENDED THAT A REPORT

GIVING THE FINDINGS OF THAT ASSESSMENT WILL BE FORWARDED TO MR HOPPER AS SOON AS POSSIBLE AFTER COMPLETION WHEN APPROPRIATE CONDITIONS WILL BE AGREED TO MANAGE THE EFFECT OF NOISE ON SURROUNDING

NOISE SENSITIVE PREMISES. THESE CONDITIONS WILL BE SUBMITTED TO THE LICENSING AUTHORITY BEFORE THE COMPLETION OF THE CONSULTATION PERIOD.

There shall be no adult entertainment on the premises'.

If you wish to continue with the representation, this matter will need to go before the Licensing committee for the final decision. All of your contact information and the representation will be shared with the applicant and will be in the public domain.

Can you please confirm by email prior to the 30 September 2022 at the latest if you wish to continue with the representation? Please also confirm if you are happy for all correspondence about the hearing to be sent to this email address?

Kind Regards,

From: _____
Sent: 19 September 2022 20:28
To: Licensing Team <licensing@selby.gov.uk>
Subject: Ash Tree Pub

I write today to request further information about the Ash Tree pub at Barkston Ash recent planning application for extension of opening hours. In particular, I would like more information about the "regulated entertainment" section of said application. If this entertainment, as I assume is to be live music as in the past, is to take place outside either in the open air or under a semi permanent structure, then I would like to object in the strongest possible terms. If however the entertainment is limited to the inside of the building with no our door space being used I have no objection. The reason for my objection would be based on the correspondence I have had with the council in the past. During and, for some time after, the COVID pandemic, the pub had a marquee erected in the beer garden. This was used many times as a venue for live bands so obviously loud music. This loud music on a weekend had a significant negative impact on my own and _____ quality of life. Not to mention many other local residents aswell. I tried numerous times to

contact the owners about the noise level, sadly to no avail. So I contacted Selby council numerous times to lodge a complaint. Details of which are,

:26th November 2021

:10th December 2021

:15 January 2022

:16th July 2022

I also have recorded evidence to the level of noise on such dates.

As a _____ I didn't take the matter any further as I was assured the marquee and open air music were a temporary measure and I thought if it helps keep the pub open I would put up with the inconvenience for a sort period. However if loud outdoor music is now to be common place I have no alternative but to object to the application. If you could reply to the point i make about the location of the entertainment as a matter of urgency I would be extremely grateful. So I can either persue , amend or withdraw my objection.

Many thanks.

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From: Dawn Drury
Sent: 07 October 2022 11:43
To: _____
Subject: Entertainment Noise - Ash Tree Inn, London Road, Barkston Ash, Tadcaster, LS24 9PP

From: _____
Sent: 21 September 2022 13:53
To: _____
Subject: Re: Entertainment Noise - Ash Tree Inn, London Road, Barkston Ash, Tadcaster, LS24 9PP

Thank you for the prompt reply

Yes I am more than happy for you to put my details forward

If the request is approved, I do believe it will change the village. It's a quiet place and I feel this needs to be preserved for all the residents.

I also believe very few residents in the village know about the plan, the parish council at barkston were not aware of the plans

I have no problem with the pub/restaurant trying to improve/increase business but not at the expense of the local residents.

The noise levels that have been previously generated at events have certainly been disruptive, I wouldn't like to think it will be allowed to be extended any later into the evening.

Regards

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From: _____
Sent: Wednesday, September 21, 2022 11:54:17 AM
To: _____
Subject: FW: Entertainment Noise - Ash Tree Inn, London Road, Barkston Ash, Tadcaster, LS24 9PP

Good morning _____

Thank you for your email.

We can confirm that under the Licensing Act 2003 the only requirement for advertising of the premises licence application is to have a public notice on display at the premises and a notice in a newspaper, within the first 10 days of a the consultation starting. As well as this we publish it on our website.

Can you please confirm that you wish your concerns below to be considered for a representation? If, so and the representation is deemed by the licensing authority to be valid. A hearing will need to take place after the consultation period has ended.

If you do proceed with this representation all of your details and the representation will be shared with the applicant and will be in the public domain.

Additionally, If you do wish to proceed with the representation can you also confirm that you would be happy to accept all of the information about a hearing via this email address?

Kind Regards,

Sharon Cousins

Licensing Manager

From: _____

Sent: 21 September 2022 11:17

To: Licensing Team <licensing@selby.gov.uk>

Subject: Fw: Entertainment Noise - Ash Tree Inn, London Road, Barkston Ash, Tadcaster, LS24 9PP

hi Licensing team Selby council

I am writing to express my concerns regarding an extension of licensing hours for music.

I have previously expressed concerns about noise to Selby council regarding this public house.

over the summer they made use of a temporary outdoor gazebo structure to host events which have included music, karaoke.

I sent a complaint _____ about the ash tree pub which i have included

the fundamental problem with the music is that its held in the gazebo in the pub garden, there is no sound proofing with this kind of setup and the sound travels miles and effects the local residents. the Karaoke event earlier this year was a major disturbance. it went on from 1730 till 2300. I could hear every song that was sung

Barkston Ash is a very small village has a number of older residents. this application if goes ahead will effect the quality of their lives in the village

Regarding this application I do hope the concerns of locals are considered, I also found it unusual that the application wasn't advertised or communicated to locals? I believe the only notice was a sign on a post in an area very few people would see?

regards

Dawn Drury

From: _____
Sent: 29 September 2022 15:05
To: Licensing Team
Subject: The Ash Tree Inn, Barkston Ash,

Good Afternoon,

Further to the application for licence variations for the Ash Tree Inn may I make the following comments:-

- The Ash tree Inn is a village pub that is situated in The Greenbelt.
- The current business seems to be that of a village pub that concentrates on the provision of meals.
- The variations applied for would appear to be aimed at turning it into a party venue.
- Events held at the pub over the last year have involved playing very loud amplified music in a marquee or outside in the pub garden. If I had played music that loud in my garden I would expect my neighbours to call the police.
- Because of its village and greenbelt location The Ash Tree is not suitable as a party venue. It should not be turned into the Glastonbury of the North. At least Glastonbury residents know that they will have loud music for 5 nights of the year whereas Barkston Ash could have it for 365 nights if this application is approved.
- If any permission is granted for 'regulated entertainment' it should be conditioned so that any music played is within the existing building not outside or in a marquee.

Thank you.

Sent from [Mail](#) for Windows

Dawn Drury

From: _____
Sent: 17 October 2022 13:18
To: Dawn Drury
Subject: FW: Ash Tree Inn, Barkston Ash

FYI –

From: Licensing Team <licensing@selby.gov.uk>
Sent: 17 October 2022 13:03
To: '_____
Subject: FW: Ash Tree Inn, Barkston Ash

From: _____
Sent: 17 October 2022 13:01
To: Licensing Team <licensing@selby.gov.uk>
Subject: Re: Ash Tree Inn, Barkston Ash

Good Afternoon: _____

Thank you for your email and telephone call.

It would appear that the conditions that Environmental Health has agreed make no reference to where the music is played.

In my opinion any music played should be within the existing building and NOT outside or in a marquee and so unless this condition is added my objection to the license remains.

Kind regards

On Mon, 17 Oct 2022 at 12:36, Licensing Team <licensing@selby.gov.uk> wrote:

Good Afternoon: _____

After consultation with Environmental Health, the applicants have now agreed to have the following conditions added to their licence in order to address the noise complaints.

Please have a read through these, and if you agree that they will cover your concerns in respect of noise nuisance, could you confirm whether you still wish to be considered for representation, or if you are happy to now withdraw?

Conditions to be applied to the licence;

1. Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment at the premises shall not be audible inside habitable rooms of noise sensitive properties between the hours of 23.00 and 07.00

2. The licence hereby approved shall be carried out in accordance with Nova Acoustics Noise Impact Assessment ref: ~~_____~~ dated 28/09/2022

3. The disposal of waste bottles into external receptacles shall not take place between the hours of 23:00 and 07:00

Please let us know by return or by 15.00hrs today 17.10.2022 at the latest.

Kind Regards,

Licensing Team

e: licensing@selby.gov.uk

w: www.selby.gov.uk

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PUBLIC NOTICES & CLASSIFIEDS

THE EAST RIDING OF YORKSHIRE COUNCIL (SALT MARSH LEVEL CROSSING, TRANDY LANE, LAXTON) (TEMPORARY PROHIBITION OF THROUGH TRAFFIC) ORDER 2022

East Riding of Yorkshire Council has made an Order the effect of which is to prohibit any person from proceeding over Saltmarsh Level Crossing, Trandy Lane, Laxton or for a distance of approximately 20 metres either side of the level crossing between the hours of 23.45 hours and 06.30 hours.

The reason for the closure is to enable the proposed level crossing re-laying 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 hours.

The alternative route for traffic affected by the Order is via the remainder of Trandy Lane, Station Road, Howden Road, road to warehouses to East of Ferry Road, Howdenside Road, Howdenside Roundabout, Pulgan, Boothferry Road, Hill Road Roundabout, Hill Road, Thorne Road, Main Road, Grassmoor Lane, Metham Lane, Chapel Lane, Frome Street, Station Road and vice versa.

The Order will commence **17 September 2022**, 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 Townsman Services, Highways Customer Care, tel (01482) 393939. Ref:AS. Dated 8 September 2022.

Paul Bellus
Executive Director of Communities & Environment
East Riding of Yorkshire, HU17 9BA

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

1) Erection of a retail unit with four first floor apartments and associated access and parking following demolition of the Here and Howards public house at Here and Howards 57 High Street, Howden Upper Spalding Floor (OAS 42N) (Ref: 22/02689/F2)

Proposed (a) is a departure from the approved Development Plan of the area.

If you wish to view the application electronically or to check progress login to <https://www.planningexpress.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 appeal are also available on the above website or on request. If you have any comments or wish to lodge objections in respect of the proposal they must be received by **29 September 2022**.

You can visit any of the council's libraries where notices are available for you to view planning applications. If you decide to visit the library the details of application number, address and postcode set out above will be required to enable you to view the application. A member of the library staff will be able to assist you if required.

If as a result of your visit, there are any questions that have not been resolved please contact:

Planning Office, tel (01482) 393647.

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

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.

Change of use of property to hot food takeaway (A3) (retrospective) at Troxy Millhouses, 18 Finch Street, Selby by Mr Turk, Akin, 2022/0836/COU

Change of use of first floor flat from commercial use to residential on first floor at Black Swan Selby, 18 Wren Lane, Selby by Mr Anthony Carry, 2022/0837/COU

Listed building consent for erection of a garden room at Park House, 6 The Crescent, The Great Bellflower, 47A Gouthorpe, Selby by J Westrop/PC, 2022/0841/COU

Installation of two small value windows 9/78mm x 472mm (retrospective) at Old Chapel Garden, Chapel Street, Wilsom by Mr Paul Darcy, 2022/0844/NPA

Planning Development Manager:
Civic Centre, Doncaster Road,
Selby, YO8 9F1 Date: 6 September 2022

THE EAST RIDING OF YORKSHIRE COUNCIL ROAD TRAFFIC REGULATION ACT 1984 SECTION 14 (1) TEMPORARY PROHIBITION OF THROUGH TRAFFIC LOODE LANE LEVEL CROSSING, GOWDALL

Notice is hereby given that East Riding of Yorkshire Council intends not less than seven days from the date of this notice to make an Order, the effect of which will be to prohibit any vehicle from proceeding over Loode Lane Level Crossing, Gowdall during the following period: **18.00 hours Saturday 1 October 2022 until 06.00 hours Monday 3 October 2022**.

The road closure is necessary to enable the level crossing re-laying works to be carried out in a manner consistent with ensuring the safety of the public. The Order is valid for 18 months, but it is anticipated that the works will be completed within three days. The alternative route for traffic affected by the road closure will be via Main Street, Low Road, Gowdall Lane, Selby Road, Shearburn Terrace, Rowntree Road, Field Lane, Newby Lane and Lodge Lane. The diversion route will be signed at the time of closure. The road will be closed to all traffic.

Further information can be obtained by contacting the council and asking for Highways Customer Care, tel (01482) 393939.

Dated 8 September 2022

Paul Bellus
Executive Director of Communities & Environment
Cunty Hall, Beverly,
East Riding of Yorkshire, HU17 9BA

THE EAST RIDING OF YORKSHIRE COUNCIL ROAD TRAFFIC REGULATION ACT 1984 SECTION 14 (1) TEMPORARY PROHIBITION OF THROUGH TRAFFIC BOOTHFERRY ROAD LEVEL CROSSING, GOOLE

Notice is hereby given that East Riding of Yorkshire Council intends not less than seven days from the date of this notice to make an Order, the effect of which will be to prohibit any vehicle from proceeding over Boothferry Road Level Crossing, Goole during the following period: **Saturday 1 October 2022 until Sunday 2 October 2022 between 23.00 hours and 18.00 hours**.

The road closure is necessary to enable the longitudinal timber removal works to be carried out in a manner consistent with ensuring the safety of the public. The Order is valid for 18 months, but it is anticipated that the works will be completed within 11 hours. The alternative route for traffic affected by the road closure will be via Boothferry Road, Riverside Road, Anderson Road, Normandy Way, Tom Pulling Way, Lower Bridge Street, Compton Street and Platters Street.

The diversion route will be signed at the time of closure. The road will be closed to all traffic.

Further information can be obtained by contacting the council and asking for Highways Customer Care, tel (01482) 393939.

Dated 8 September 2022

Paul Bellus
Executive Director of Communities & Environment
Cunty Hall, Beverly, East Riding of Yorkshire, HU17 9BA

THE EAST RIDING OF YORKSHIRE COUNCIL ROAD TRAFFIC REGULATION ACT 1984 SECTION 14 (1) TEMPORARY PROHIBITION OF THROUGH TRAFFIC FIELD LANE LEVEL CROSSING, GOWDALL

Notice is hereby given that East Riding of Yorkshire Council intends not less than seven days from the date of this notice to make an Order, the effect of which will be to prohibit any vehicle from proceeding over Field Lane Level Crossing, Gowdall during the following period: **18.30 hours Saturday 1 October 2022 until 06.00 hours Monday 3 October 2022**.

The road closure is necessary to enable the level crossing re-laying works to be carried out in a manner consistent with ensuring the safety of the public. The Order is valid for 18 months, but it is anticipated that the works will be completed within three days. The alternative route for traffic affected by the road closure will be via Field Lane, Main Street, Low Road, Gowdall Lane, Selby Road, Shearburn Terrace, Court Road and Poston Road. The diversion route will be signed at the time of closure. The road will be closed to all traffic.

Further information can be obtained by contacting the council and asking for Highways Customer Care, tel (01482) 393939.

Dated 8 September 2022

Paul Bellus
Executive Director of Communities & Environment
Cunty Hall, Beverly,
East Riding of Yorkshire, HU17 9BA

Public Notice - Licensing Application for a Premises Licence

LICENSING ACT 2003

An application has been made by Christine Martin to SELBY DISTRICT COUNCIL on 2nd September 2022 to Grant the Premises Licence for: The Ash Tree Inn, London Road, Barkston Ayns, Leeds LS24 19P.

The proposed days and hours of opening is as follows:

Sunday to Thursday 08.00 hrs to 23.30 hrs
Friday and Saturday 08.00 hrs to 02.30 hrs

Activities to include: Retail Sale of Alcohol, Provision of Live Music, Recorded Music, Performance of Dance, Similar Regulated Entertainment and Late Night Refreshment. The full application can be viewed at the offices of the Licensing Authority at Selby District Council, Civic Centre, Doncaster Road, Selby between 10am and 4pm. An 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:
20th September 2022

Applicant: Christine Martin
Date of notice: 2nd September 2022

Articles For Sale

CREAM tv unit bed: size HSD W120D metal frame, D40cm french style wooden slats, vgc. £40 metal black.
Bedroom chair £30.00. Tel: 07960 731931
silver & grey nice shaped black must be seen vgc. £40 KIDS baby bag £20.00. Tel: 01402 720857
FREEZER small black £15.00
Game console white (Whitpool)

For Sale

FOR SALE

Leather 2 Seater Double Recliner Settee

with central storage panel and 2 cup holders.
Cost £950 - £200 O.N.O

07842355171

Wanted

WANTED

Twin coachbuilt pram

Must be in good, clean condition.

Tel: **07930 876585**

Articles For Sale

THREE piece suite Grey Beck 1 year old £800.00. Tel: 01757 703537
FOOD mixer new never been used £12.00. Tel: 01757 703537
LEATHER knee length brown boots. Size 5. New. £20.00. Tel: 01757 703537
ALISON Utley Grey Rabbit etc. 1950's good condition £5.00 each. Tel: 07707 257071
SMALL Trolley jack. £20.00. Tel: 01757 704764
BENCH grinder £10.00. Tel: 01757 704764
GENTS bike VGC plus basket and helmet £40.00. Ladies/teenagers bike VGC 340 (300ml) 07547 250770
COMPLETE set of "Francis" magazine from first issue £20.00

Recruitment

Goole Times

Selby Times Epworth Times

Advertising Executive

Due to retirement, a vacancy has arisen in the advertising department of the Goole Times, Selby Times and Epworth Times.

We are looking for an experienced sales person to join our small advertising sales team. The position is part-time, two or three days per week, but full time hours would be reconsidered for the right candidate.

We are an independent publisher of three local weekly newspapers and are looking for someone with sales experience, preferably for newspapers / magazines, however any sales experience would be acceptable.

You must be confident and able to contact existing and potential advertisers by phone, email and face to face meetings.

Articles For Sale

PINE single bed 07752 023002
double bed 07752 023002

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Noise Impact Assessment for External Amplified Music of a Live Events Space

Client:



Site Address:

The Ash Tree Inn, London Road, Tadcaster, LS24 9PP

Date:

28/09/2022



Authorisation and Version Control

Report Prepared By	Mr. _____ PGDip, AMIOA
Report Checked By	Mr. _____ MSc, MIOA
Report Approved By	Mr. _____, MSc, MIOA, MCIEH, MIET, MInstSCE
Date	28/09/2022
Project Number	_____
Version Reference	001

Disclaimer

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Executive Summary

This report has been prepared to assess the level of noise impact from the proposed external live events space with associated amplified music ('the Proposed Development') at The Ash Tree Inn, London Road, Tadcaster, LS24 9PP. A summary of the assessment results can be seen below.

External Amplified Music Assessment

Provided one of the two mitigation options specified within this report is implemented, the noise levels at the closest NSRs (Noise Sensitive Receptors) are predicted to be at least 10.0 dB below the measured background sound levels in all octave frequency bands. This indicates 'No Observed Effect Level' (NOEL) when assessed in accordance with the NPSE and NPPF.

It should be noted that without erecting a permanent structure, constructed from a heavy weight material such as masonry or composite steel, it is unlikely that live amplified music can take place in the external area without causing significant adverse impact at the closest NSRs. However, building a new structure is not thought to be possible, and as such, noise limit levels and upgrades to the existing marquee have been recommended in order to allow for noise levels to be as loud as possible without causing adverse impact. If mitigation option 2 is implemented, the proposed limit levels are expected to be loud enough to allow for amplified acoustic performances and music for background purposes.

The following table presents an overview of the recommended mitigation measures that should be implemented.

Recommendations and Mitigation Overview

- It is advised that one of the two mitigation options specified within the body of the report is implemented prior to operation and are retained thereafter.
- The noise management plan outlined in Section 5.0 should be adhered to.

The findings of this report will require written approval from the Local Authority prior to work commencing.

1. Introduction

Overview

NOVA Acoustics Ltd has been commissioned to prepare a noise impact assessment for an external live events space with associated amplified music ('the Proposed Development') at The Ash Tree Inn, London Road, Tadcaster, LS24 9PP ('the Site').

The applicant is preparing a licencing application ('The Application') to Selby District Council, who have requested further documentation in order to approve the application.

The following technical noise assessment has been prepared to support the licencing application to Selby District Council. This report details an assessment of:

- Amplified music noise emanating from the live events space within the canvas marquee.

Based on the level of noise impact expected, a series of sound insulation and noise control measures are outlined within the report to reduce the likelihood of impact and to protect the amenity of the closest Noise Sensitive Receptors (where required).

This noise assessment is necessarily technical in nature; therefore, a glossary of terms is included in Appendix A to assist the reader.

Scope & Objectives

The scope of the noise assessment can be summarised as follows:

- Baseline sound monitoring survey to evaluate the prevailing ambient and background sound levels at the closest noise sensitive receptor to the proposed development.
- A detailed assessment of the suitability of the Site, in accordance with relevant standards in respect of sound from the surrounding noise sources; and
- Recommendation of mitigation measures, where necessary, to comply with the requirements of the National Planning Policy Framework (2021), Noise Policy Statement for England (2010), Entertainment Noise Legislation and British Standard BS8233:2014 'Guidance on Sound Insulation and Noise Reduction for Buildings'. Further information on the legislation can be found in Appendix B.

Background and Proposed Operational Hours

The proposal is for more regular use of the marquee that sits within the pub grounds and includes regular live amplified music for events such as weddings. The proposed operational hours for regular entertainment noise are: 10:00 to 23:00 hours, Sunday to Thursday and 10:00 to 00:00 hours, Saturday and Sunday.

Proposed Criteria – Entertainment Noise

'The Good Practice guide on the Control of Noise from Pubs and Clubs' comments that where entertainment noise takes place on a regular basis, music and associated sources should be inaudible within noise-sensitive properties at any time. For the purpose of this assessment inaudibility is considered 10.0 dB below, and 'faintly perceptible' is considered to be 5.0 dB below the measured background sound level (L_{90}) in each octave band.

2. Environmental Noise Survey

Measurement Methodology

In order to characterise the sound profile of the area at the proposed development, an environmental sound survey was carried out from 15/09/2022 to 19/09/2022. For the long-term sound survey, a sound level meter was attached to a lamppost along Black Lane (MP1). The microphone was situated approximately 3.5m from the ground and at least 3.5m from any other large reflective surface. The monitoring position was chosen in order to collect representative sound levels at the closest NSR during the proposed operational periods. The monitoring location is shown below in Figure 1.0.

Furthermore, a 4-hour attended survey was conducted during an event on 15/09/2022. During the event, short-term measurements were taken within the vicinity of NSR1, within the marquee, and the areas surrounding the marquee. Further information is detailed in the body of the report.

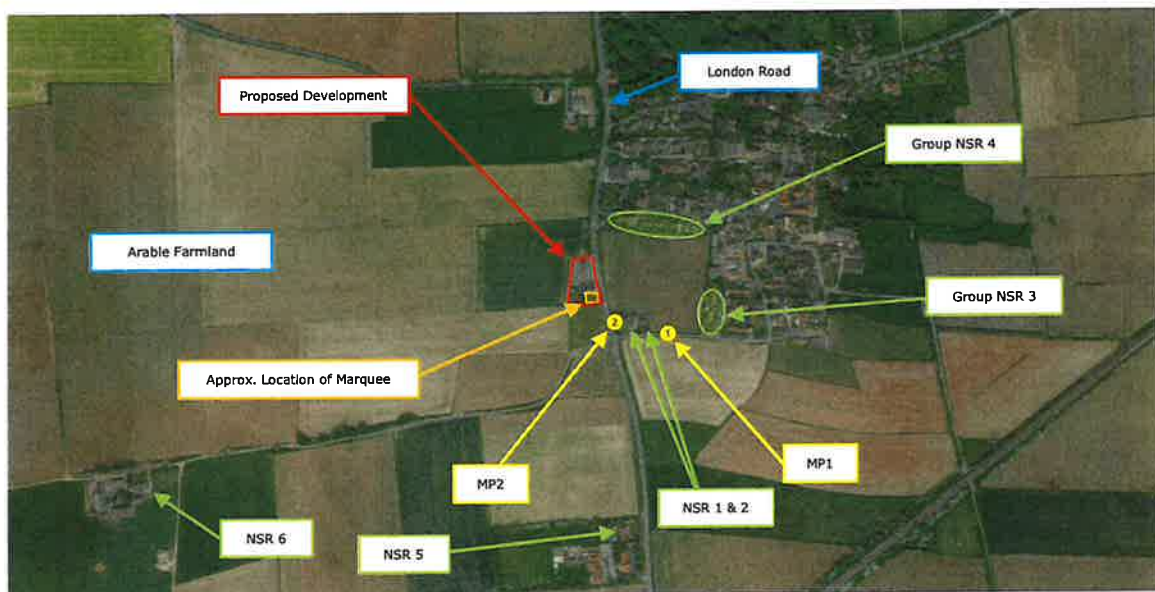


Figure 1.0 – Indicative Site Layout

Context & Subjective Impression

The area surrounding the site is mixed in nature with arable farmland to the west and residential dwellings to the north-east/east. Situated approximately 44m to the south-east of the Proposed Development is a residential dwelling (along Black Lane), and due to this dwellings proximity to the Proposed Development, it is considered to be the closest Noise Sensitive Receptor (NSR1). NSR2 neighbours NSR1 to the east. A pair of residential dwellings (NSR3) are located approximately 173m to the east of the Proposed Development, and a group of dwellings labelled NSR4 are located a minimum of 118m to the north-east (6 Main St. being the closest). NSR5 & NSR6 are situated approximately 350m to the south and 714m to the south-west of the Proposed Development, respectively.

The acoustic environment is deemed to be low in level and the noise profile during the evenings and night time periods is dominated by intermittent road traffic noise emissions from London Road. During lulls in the road traffic flow, no other noise sources were audible and acoustic environment was particularly calm. However, during the attended monitoring of a live event on 15/09/2022 the

noise profile at NSR1 during lulls in road traffic flow was dominated by the live amplified music from within the marquee. The vocals were clearly audible at NSR1 and then low frequencies of percussion and bass lines were clearly audible at NSR3 and NSR4.

The site currently operates under an annual 28-day licence and hold approximately 6 events a year, however, noise complaints regarding amplified music noise have been made by the local residents. The surrounding area is not conducive to live amplified music, therefore, it is deemed appropriate to achieve 'inaudibility' at the closest NSRs.

Environmental Noise Survey Results

Background Results Summary:

The following tables outline the background sound levels measured during the most sensitive operational hours of the proposed development that will be used in the subsequent assessments. A full summary of all results can be found in Appendix C.

Measurement Position MP1							
Measurement Period ('t')	Octave Band L _{90,t} (Hz, dB)						
	63	125	250	500	1k	2k	4k
Day 4: 19:00 – 23:00	40.0	33.0	28.0	30.0	33.0	25.0	13.0
Night 2: 23:00 – 00:00	38.0	31.0	30.0	30.0	32.0	23.0	12.0

Table 1.0 – Octave Band Background Sound Levels

Measurement Position MP1				
Measurement Period ('t')	L _{A90,t}	Statistically Most Repeated L _{A90,t}	Min. L _{A90,t}	Max. L _{A90,t}
Day 4: 19:00 – 23:00	35.0	35.0	27.0	39.0
Night 2: 23:00 – 00:00	35.0	34.0	34.0	36.0

Table 2.0 – Global Background Sound Level Summary Results

As can be seen in the table above, the range of measured background sound levels is relatively low during the night time period. The statistically most repeated (SMR) value is located near the top of the range, however, given that the average value is also located near the top of the range, the L_{A90,15min} SMR value of 34.0 dB is deemed to be 'typical' and will be used in the subsequent assessments.

Short-Term Ambient Results Summary:

The figure below indicates the short-term measurement locations used for the attended surveying of a live event. Unless otherwise stated, all measurement positions were approximately 1.5m above the ground and the sound level meter was set to a 1-second integration logging period.

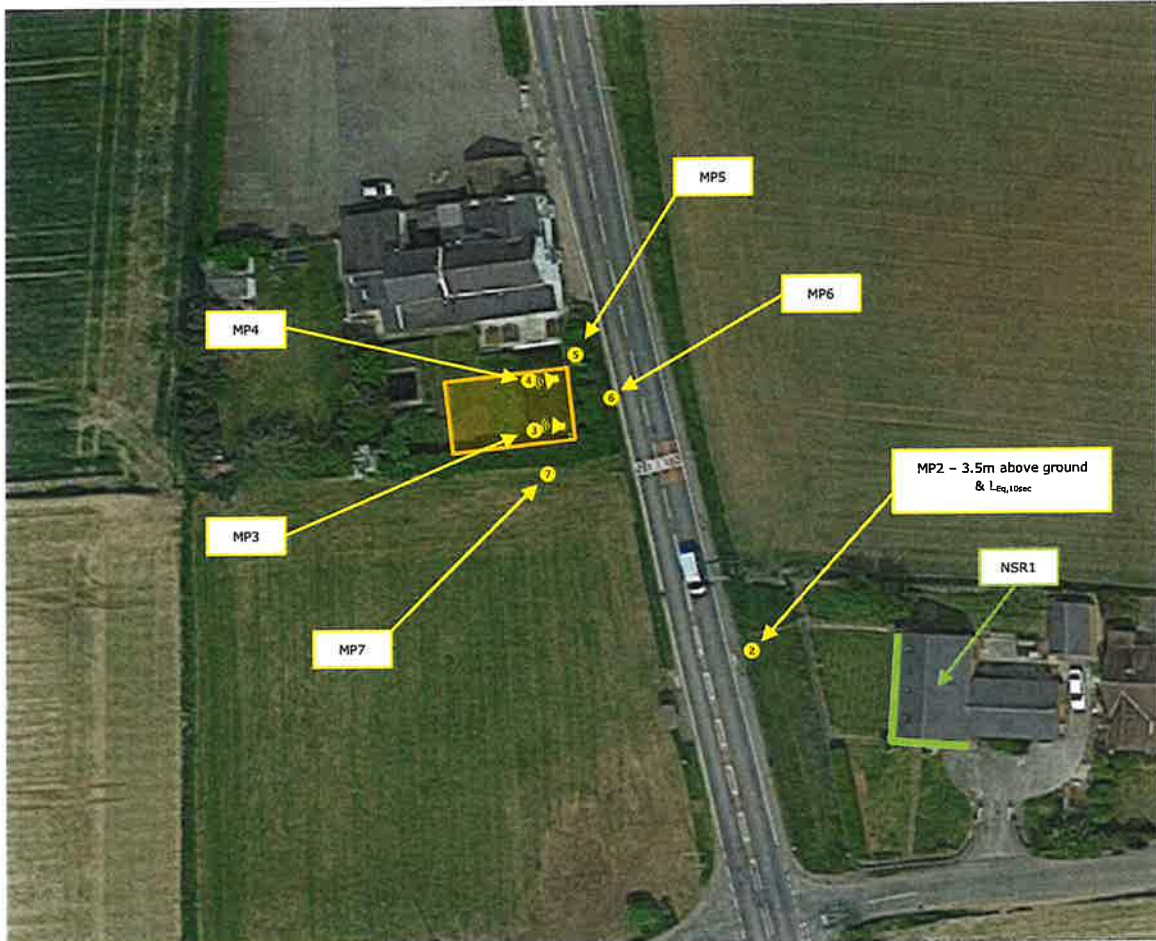


Figure 2.0 – Short-Term Survey Measurement Positions

Currently, the Proposed Development does not own its own P.A. speaker system and relies on guests bringing their own. On the day of the attended surveying, 2 P.A. speaker systems were arranged: 2 No. QSC K12.2 FOH speakers for the amplified reinforcement of live music and 2 No. EV 5x300 for the playback of pre-recorded music.

The following table presents the ambient sound levels measured at various locations and calculated specific sound levels within and around the Proposed Development during a live event that will be used to augment the noise model. The event was a wedding reception and included amplified background music until 19:00 hours and then live amplified music from 19:00 to 23:00 hours. All vehicle pass-bys have been removed from the measured data at MP2. All other measurements were paused as to not capture vehicle pass-bys.

Short-Term Measurement Results Summary								
Description	Octave Band $L_{eq,t}$ (Hz, dB)							$L_{Aeq,t}$ (dA)
	63	125	250	500	1k	2k	4k	
MP2 – 2:40 hour Measurement with Amplified Music Playing	65.0	63.0	55.0	55.0	55.0	51.0	38.0	58.0
MP3 – 50-min Measurement at 2.5m from Speakers	91.0	91.0	87.0	88.0	92.0	82.0	79.0	93.0
MP4 – 2-min Measurement at 2.5m from Speakers	87.0	86.0	84.0	93.0	89.0	82.0	75.0	93.0
MP5 – Specific Sound Level of Amplified Music	86.0	80.0	73.0	70.0	68.0	59.0	48.0	72.0
MP6 – Specific Sound Level of Amplified Music	81.0	75.0	63.0	57.0	58.0	49.0	35.0	64.0
MP7 – A Specific Sound Level of Amplified Music	82.0	81.0	65.0	61.0	60.0	51.0	37.0	66.0

Table 3.0 – Short-Term Ambient Sound Level Results & Specific Sound Levels

3. External Amplified Music Noise Assessment

In the following section, the external amplified music from the Proposed Development is assessed. The external amplified music noise assessment has been conducted assuming the following:

- The amplified music within the marquee does not exceed the operational hours stated in Section 1.0.

Amplified Music Noise Levels

The following table presents unweighted sound pressure levels within the marquee at 2.5m from the P.A. speakers.

Measured Internal Noise Levels of Marquee								
Description	Octave Band $L_{eq,t}$ (Hz, dB)							Overall (dBA)
	63	125	250	500	1k	2k	4k	
Amplified Music Level at 2.5m	91.0	91.0	87.0	88.0	92.0	82.0	79.0	93.0

Table 4.0 – Measured Internal Noise Levels

Noise Breakout Analysis

The level of music noise breaking out of the marquee has been calculated assuming the following criteria:

- The fabric of the marquee provides negligible sound reduction. This is based on previous measurements and calculations undertaken by NOVA Acoustics.
- Due to the material properties of the fabric marquee, there is a negligible build-up of reverberant sound and subsequently, there is no difference between internal and external conditions.
- The client has erected a 50mm timber stud wall with a timber cladded external leaf, 50mm mineral wool insulation and a chipboard internal leaf. At lower frequencies this detail does not provide any meaningful sound reduction, however, the screening has been modelled according to on-site inspections.

Specific Sound Levels

The specific sound level at the NSRs has been calculated using SoundPlan 8.2, which undertakes its calculations in accordance with the guidance provided in ISO 9613-1:1996.

The following assumptions have been made within the calculation software:

- To accurately model the land surrounding the development the topographical data has been taken from Google Maps, it is assumed this has an accuracy within the last 3 years.
- For the purpose of this assessment, the ground between the source and receiver is considered to be primarily acoustically 'soft' surfaces.
- The sound map is set to a grid height of 1.5m.
- The structure has been modelled according to an on-site inspection and drawings provided by the client.
- The noise model has been calibrated to the specific sound levels presented in Table 4.0.
- Point source emitters have been used to represent the 2 No. QSC K12.2 speakers. The point source directivity data was ascertained from .CF2 files and imported into the software. The directivity data has been taken from the QSC website for the K12.2 speaker, thus replicating the system in-situ.

The sound map showing the specific sound level emissions from the proposed development can be seen in the figure below.

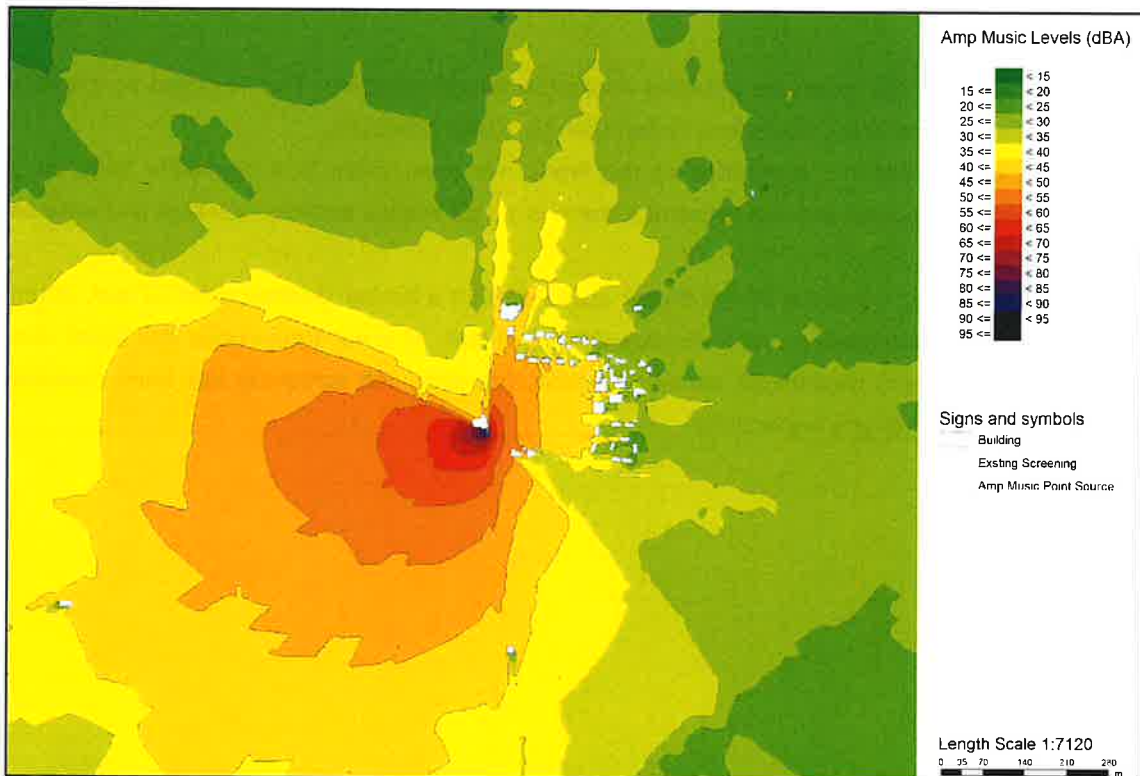


Figure 3.0 – Specific Sound Level Map of Amp Music Emissions – 1.5m Grid Map Height

Noise Breakout Assessment

The following table compares the predicted specific noise emissions at the most affected NSR with the measured background sound levels presented in Tables 1.0 and 2.0.

Amplified Music Noise Assessment – Sensitive Day Time								
Description	Octave Band L_{eq} (Hz, dB)							Overall (dBA)
	63	125	250	500	1k	2k	4k	
Predicted Noise Level at NSR1	61.0	60.0	54.0	52.0	46.0	28.0	20.0	53.0
Background Sound Level (L_{90})	40.0	33.0	28.0	30.0	33.0	25.0	13.0	35.0
Exceedance of Background Sound Level	+21.0	+27.0	+26.0	+22.0	+13.0	+3.0	+7.0	+18.0

Amplified Music Noise Assessment – Night Time								
Description	Octave Band L_{eq} (Hz, dB)							Overall (dBA)
	63	125	250	500	1k	2k	4k	
Predicted Noise Level at NSR1	61.0	60.0	54.0	52.0	46.0	28.0	20.0	53.0
Background Sound Level (L_{90})	38.0	31.0	30.0	30.0	32.0	23.0	12.0	34.0
Exceedance of Background Sound Level	+23.0	+29.0	+24.0	+22.0	+14.0	+5.0	+8.0	+19.0

Table 5.0 – Amplified Music Noise Assessment

*Sum of L_{eq} noise levels considering the A-weighting scale correction.

Discussion

As can be seen in the assessment above, the specific sound levels of amplified music noise emanating from the Proposed Development are predicted to exceed the prevailing background sound level at the closest NSR (NSR1) in all octave frequency bands. These exceedances would be likely to be clearly audible and would be classed as 'Significant Observed Adverse Effect Level' ('SOAEL') when assessed in accordance with the NPSE and NPPF. Consequently, mitigation measures are required to reduce noise levels.

4. Recommendations and Mitigation Measures

The following section outlines the recommended mitigation measures and sound insulation upgrades required to ensure the Proposed Development does not adversely impact the residential amenity of the neighbouring NSRs.

Whilst every effort has been made to consider multiple mitigation measures, only two solutions were found to be effective:

- Adhere to restrictive amplified music limit levels, or,
- Improve the sound insulation of marquee (and apply less restrictive amplified music limit levels).

Option 1 – Amplified Music Limit Levels in Existing Marquee

Automated volume controls capable of limiting noise at specific frequencies to prevent significant low frequency music should be implemented within the marquee. The music limit levels should be set as shown in the following table.

Description	Octave Band L_{eq} (Hz, dB)							Overall (dBA)
	63	125	250	500	1k	2k	4k	
Amplified Music Limit Level at 2.5m from FOH Speaker	58.0	54.0	53.0	57.0	69.0	67.0	61.0	72.0

Table 6.0 – Maximum Amplified Music Limit Levels (Option 1)

The example noise limiting system shown below would be appropriate for this task, however, other manufacturers may also provide appropriate equipment. This should be researched prior to purchase.

- Cesva LRF04-F – Frequency Filter Sound Level Limiter-recorder

External acts or DJs should be prohibited from using their own equipment unless plugged into the main FOH system through the volume control measures. It should be noted that any automated volume control measures should be installed and activated by an appropriately experienced noise control consultant/engineer to ensure that the equipment operates effectively.

The music limit level above should be adhered to and during the calibration of the equipment, the noise level should be set as to be inaudible at the closest Noise Sensitive Receptor.

It should be noted that these music limit levels are not high enough to retain the feeling of loudness even with a distributed speaker system, and live amplified music is unlikely to be possible.

The sound map showing the specific sound level emissions from the proposed development considering the amplified music limit levels stated in Table 6.0 can be seen in the figure below.

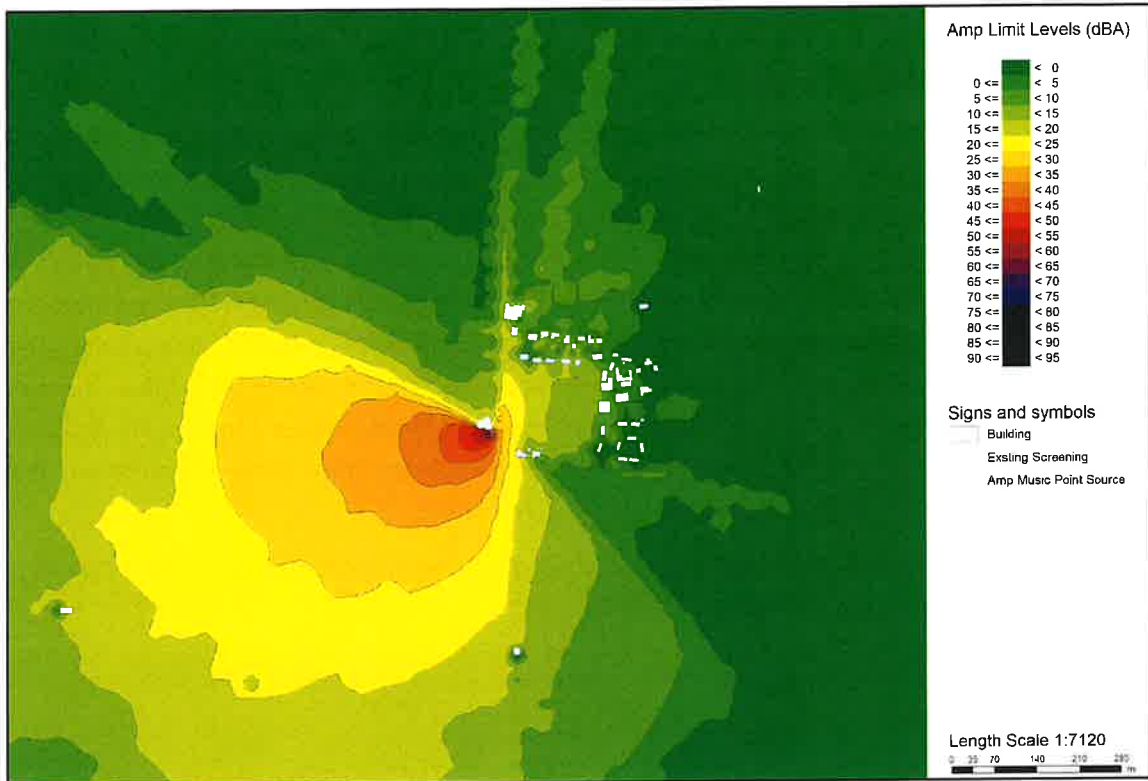


Figure 4.0 – Specific Sound Level Map Option 1 Mitigation – 1.5m Grid Map Height

The following table compares the predicted specific noise emissions at the most affected NSR considering the music limit levels in Table 6.0, with the lowest measured background sound levels from either the day or night time period as presented in Tables 1.0 and 2.0.

Description	Octave Band L_{eq} (Hz, dB)							Overall (dBA)
	63	125	250	500	1k	2k	4k	
Predicted Noise Level at NSR1	28.0	21.0	18.0	20.0	22.0	13.0	0.0	24.0
Background Sound Level (L_{90})	38.0	31.0	28.0	30.0	32.0	23.0	12.0	34.0
Exceedance of Background Sound Level	-10.0	-10.0	-10.0	-10.0	-10.0	-10.0	-12.0	-10.0

Table 7.0 – Noise Assessment Considering Music Limit Levels

As can be seen in the assessment above, should the maximum music limit levels be adhered to, the specific sound levels of amplified music emanating from the Proposed Development are predicted to be at least 10.0 dB below prevailing background sound level at the closest NSR (NSR1) in all octave frequency bands. This constitutes inaudibility and would be classed as 'No Observed Effect Level' ('NOEL') when assessed in accordance with the NPSE and NPPF.

Option 2 – Upgraded Marquee & Amplified Music Limit Levels

Options 2 involves upgrading the sound insulation of the marquee which would allow for less restrictive amplified music limit levels.

Sound Insulation Upgrades to Marquee

The most effective solution to insulate against sound is to house the events space in a fully sealed structure with more mass, e.g., masonry or composite steel constructions. However, this was deemed impracticable due to the planning implications of such a structure, therefore, it is advised instead to install a heavyweight acoustic lining within the marquee. Acoustic lining baffles can be slotted into the internal kadeer channel of a 4-track marquee aluminium profile. One such product that meets these requirements can be sort from 'Direct Acoustics' however, any product that achieves the minimum sound insulation requirements outlined in this section will suffice. It should be noted that the acoustic linings can be heavy and may require an isolated concrete foundation to support the weight and reduce vibrations generated through structure borne transmission. It is advised to seek an installation specialist for further information.

The following table presents the UKAS certified Sound Reduction Index (SRI) in 1/1 octave frequency bands. The certification can be found in Appendix E.

Description	Octave Band SRI (Hz, dB)							R _w (dB)
	63	125	250	500	1k	2k	4k	
SRI of MAL22 Acoustic Lining	11.0	12.0	17.0	17.0	20.0	27.0	34.0	22.0

Table 8.0 – SRI of Marquee Acoustic Linings (Option 2)

Maximum Amplified Music Limit Levels

The following maximum amplified music limit levels should be set as shown in the following table. Please note these are a baseline and would need calibrating on-site.

Description	Octave Band L _{eq} (Hz, dB)							Overall (dBA)
	63	125	250	500	1k	2k	4k	
Amplified Music Limit Level at 2.5m from FOH Speaker	69.0	66.0	70.0	74.0	74.0	72.0	70.0	79.0

Table 9.0 – Maximum Amplified Music Limit Levels (Option 2)

The amplified music limit levels presented in the table above are deemed similar to those of a busy restaurant and would be suitable for a wide variety of events, including amplified acoustic performances, however, they are thought to be too low for the purpose of live amplified music used for dancing. Consequently, it would be necessary to implement a 'zone array distributed speaker system'.

Zone Array Distributed Speaker System

To minimise the internal sound level required to achieve a uniform and distributed noise level within the marquee, a distributed and zonal P.A. system should be installed. A distributed sound system involves installing a higher quantity of speakers all emitting a lower level. This takes advantage of the proximity of the listener to the speaker, thus reducing the overall noise emissions of the marquee whilst maintaining a feeling of 'loudness'. Constructive and deconstructive speaker interference should be used to localise low frequencies; it is advised to contact a specialist for further information.

The speakers should be focused on the main operational area of and not located near to entrances and exits. All speakers should be installed on appropriate anti-vibrational mounts.

A distributed and zonal P.A. system would result in slightly higher amplified music limit levels, however, this cannot be accurately modelled and as such the limit levels would require on-site calibration ensuring the amplified music is inaudible at the closest/most affected NSR.

Noise Assessment Considering Option 2 Mitigation

The following table compares the predicted specific noise emissions at the most affected NSR considering the mitigation measures outlined in option 2, with the lowest measured background sound levels from either the day or night time period as presented in Tables 1.0 and 2.0.

Description	Octave Band L_{eq} (Hz, dB)							Overall (dBA)
	63	125	250	500	1k	2k	4k	
Predicted Noise Level at NSR1 – No Marquee Linings	39.0	33.0	35.0	37.0	27.0	18.0	11.0	36.0
Sound Reduction of Marquee Linings	-11.0	-12.0	-17.0	-17.0	-20.0	-27.0	-34.0	
Expected Noise Level at NSR1 – with Marquee Linings	28.0	21.0	18.0	20.0	7.0	0.0	0.0	18.0*
Background Sound Level (L_{90})	38.0	31.0	28.0	30.0	32.0	23.0	11.0	34.0
Exceedance of Background Sound Level	-10.0	-10.0	-10.0	-10.0	-25.0	-32.0	-34.0	-16.0

Table 10.0 – Noise Assessment Considering Music Limit Levels

**Sum of L_{eq} noise levels considering the A-weighting scale correction.*

As can be seen in the assessment above, should the mitigation measures outlined in option 2 be adhered to, the specific sound levels of amplified music emanating from the Proposed Development are predicted to be at least 10.0 dB below prevailing background sound level at the closest NSR (NSR1) in all octave frequency bands. This constitutes inaudibility and would be classed as 'No Observed Effect Level' ('NOEL') when assessed in accordance with the NPSE and NPPF.

5. Noise Management Plan

The following section outlines the required noise control measures that are necessary to protect the amenity of the closest Noise Sensitive Receptors.

Noise Control Measures

The management measures are outlined in the following section.

Noise Control Measures:

- One of the two mitigation options specified in Section 4.0 should be adhered to.
- All doors and windows in the marquee should be kept closed during operational hours, except when access is required, therefore, mechanical door closers should be installed and an alternative means of ventilation during hot days may be required.
- Operational hours should not exceed 23:00 hours Sunday to Thursday and 00:30 hours Friday and Saturday.

Premises Management Responsibility:

The designated premises supervisor 'DPS' will have the responsibility for ensuring that nuisances and hazards arising from the premises due to noise are minimised.

Management Control Measures:

The following range of management control methods should be implemented at the premises, including but not limited to:

- Site staff should be made aware that they are working in the vicinity of noise-sensitive receptors and avoid all unnecessary noise due to elevated music levels, opening of doors/windows or excessive noise from patrons. The DPS will be required to implement strict staff rules to ensure that the staff immediately respond to unnecessary elevated noise levels.
- Staff training should involve reviewing the Noise Management Plan and Operational Noise Management Guide.
- All operational staff will be responsible for reporting any noise problems immediately to the DPS.
- No annual quantitative noise monitoring is proposed; however, qualitative monitoring of noise levels will be included as a factor to be considered by the DPS as part of daily operations of the premises.

Appendix A – Acoustic Terminology

Sound Pressure	Sound, or sound pressure, is a fluctuation in air pressure over the static ambient pressure.
Sound Pressure Level (Sound Level)	The sound level is the sound pressure relative to a standard reference pressure of 20µPa (20x10 ⁻⁶ Pascals) on a decibel scale. A scale for comparing the ratios of two quantities, including sound pressure and sound power. The difference in level between two sounds s1 and s2 is given by
Decibel (dB)	20 log ₁₀ (s1 / s2). The decibel can also be used to measure absolute quantities by specifying a reference value that fixes one point on the scale. For sound pressure, the reference value is 20µPa.
A-weighting, dB(A)	The unit of sound level, weighted according to the A-scale, which takes into account the increased sensitivity of the human ear at some frequencies. Noise levels usually fluctuate over time, so it is often necessary to consider an average or statistical noise level. This can be done in several ways, so a number of different noise indices have been defined, according to how the averaging or statistics are carried out.
Noise Level Indices	
L _{eq,T}	A noise level index called the equivalent continuous noise level over the time period T. This is the level of a notional steady sound that would contain the same amount of sound energy as the actual, possibly fluctuating, sound that was recorded.
L _{max,T}	A noise level index defined as the maximum noise level during the period T. L _{max} is sometimes used for the assessment of occasional loud noises, which may have little effect on the overall L _{eq} noise level but will still affect the noise environment. Unless described otherwise, it is measured using the 'fast' sound level meter response.
L _{90,T}	A noise level index. The noise level exceeded for 90% of the time over the period T. L ₉₀ can be considered to be the "average minimum" noise level and is often used to describe the background noise.
L _{10,T}	A noise level index. The noise level exceeded for 10% of the time over the period T. L ₁₀ can be considered to be the "average maximum" noise level. Generally used to describe road traffic noise.
Free-Field	Far from the presence of sound reflecting objects (except the ground), usually taken to mean at least 3.5m
Facade	At a distance of 1m in front of a large sound reflecting object such as a building façade.
Fast Time Weighting	An averaging time used in sound level meters. Defined in BS 5969.

In order to assist the understanding of acoustic terminology and the relative change in noise, the following background information is provided. The human ear can detect a very wide range of pressure fluctuations, which are perceived as sound. In order to express these fluctuations in a manageable way, a logarithmic scale called the decibel, or dB scale is used. The decibel scale typically ranges from 0 dB (the threshold of hearing) to over 120 dB. An indication of the range of sound levels commonly found in the environment is given in the following table.

Sound Level	Location
0dB(A)	Threshold of hearing
20 to 30dB(A)	Quiet bedroom at night
30 to 40dB(A)	Living room during the day
40 to 50dB(A)	Typical office
50 to 60dB(A)	Inside a car
60 to 70dB(A)	Typical high street
70 to 90dB(A)	Inside factory
100 to 110dB(A)	Burglar alarm at 1m away
110 to 130dB(A)	Jet aircraft on take off
140dB(A)	Threshold of Pain

The ear is less sensitive to some frequencies than to others. The A-weighting scale is used to approximate the frequency response of the ear. Levels weighted using this scale are commonly identified by the notation dB(A).

In accordance with logarithmic addition, combining two sources with equal noise levels would result in an increase of 3 dB(A) in the noise level from a single source. A change of 3 dB(A) is generally regarded as the smallest change in broadband continuous noise which the human ear can detect (although in certain controlled circumstances a change of 1 dB(A) is just perceptible). Therefore, a 2 dB(A) increase would not be normally be perceptible. A 10 dB(A) increase in noise represents a subjective doubling of loudness.

A noise impact on a community is deemed to occur when a new noise is introduced that is out of character with the area, or when a significant increase above the pre-existing ambient noise level occurs.

For levels of noise that vary with time, it is necessary to employ a statistical index that allows for this variation. These statistical indices are expressed as the sound level that is exceeded for a percentage of the time period of interest. In the UK, traffic noise is measured as the L_{A10} , the noise level exceeded for 10% of the measurement period. The L_{A90} is the level exceeded for 90% of the

time and has been adopted to represent the background noise level in the absence of discrete events. An alternative way of assessing the time varying noise levels is to use the equivalent continuous sound level, L_{Aeq} .

This is a notional steady level that would, over a given period of time, deliver the same sound energy as the actual fluctuating sound. To put these quantities into context, where a receiver is predominantly affected by continuous flows of road traffic, a doubling or halving of the flows would result in a just perceptible change of 3 dB, while an increase of more than 25%, or a decrease of more than 20%, in traffic flows represent changes of 1 dB in traffic noise levels (assuming no alteration in the mix of traffic or flow speeds).

Note that the time constant and the period of the noise measurement should be specified. For example, BS4142:2014 specifies background noise measurement periods of 1 hour during the day and 15 minutes during the night. The noise levels are commonly symbolised as $L_{A90,1hour}$ dB and $L_{A90,15mins}$ dB. The noise measurement should be recorded using a 'FAST' time response equivalent to 0.125ms.

Appendix B – Legislation, Policy and Guidance

This report is to be primarily based on the following legislation, policy and guidance.

B.1 – National Planning Policy Framework (2021)

Government policy on noise is set out in the National Planning Policy Framework (NPPF), published in 2021. This replaced all earlier guidance on noise and places an emphasis on sustainability. In section 15, Conserving and enhancing the natural and local environment, paragraph 174e, it states:

Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;

Paragraph 185 states:

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) Mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*
- b) Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- c) Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

B.2 – Noise Policy Statement for England (2010)

Paragraph 185 of the NPPF also refers to advice on adverse effects of noise given in the Noise Policy Statement for England (NPSE). This document sets out a policy vision to:

Promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development.

To achieve this vision the Statement identifies the following three aims:

Through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development:

- Avoid significant adverse impacts on health and quality of life;*
- Mitigate and minimise adverse impacts on health and quality of life;*
- Where possible, contribute to the improvement of health and quality of life.*

In achieving these aims the document introduces significance criteria as follows:

SOAEL – Significant Observed Adverse Effect Level

This is the level above which significant adverse effects on health and quality of life occur. It is stated that "significant adverse effects on health and quality of life should be avoided while also considering the guiding principles of sustainable development".

LOAEL – Lowest Observed Adverse Effect Level

This is the level above which adverse effects on health and quality of life can be detected. It is stated that the second aim above lies somewhere between LOAEL and SOAEL and requires that: "all reasonable steps should be taken to mitigate and minimise adverse effects on health and quality of life while also considering the guiding principles of sustainable development. This does not mean that such adverse effects cannot occur."

NOEL – No Observed Effect Level

This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise. This can be related to the third aim above, which seeks: "where possible, positively to improve health and quality of life through the pro-active management of noise while also considering the guiding principles of sustainable development, recognising that there will be opportunities for such measures to be taken and that they will deliver potential benefits to society. The protection of quiet places and quiet times as well as the enhancement of the acoustic environment will assist with delivering this aim."

The NPSE recognises that it is not possible to have a single objective noise-based measure that is mandatory and applicable to all sources of noise in all situations and provides no guidance as to how these criteria should be interpreted. It is clear, however, that there is no requirement to achieve noise levels where there are no observable adverse impacts but that reasonable and practicable steps to reduce adverse noise impacts should be taken in the context of sustainable development and ensure a balance between noise sensitive and the need for noise generating developments.

Any scheme of noise mitigation outlined in this report will, therefore, aim to abide by the above principles of the NPPF and NPSE whilst recognizing the constraints of the site.

B.3 – BS8233:2014 'Guidance on sound insulation and noise reduction for buildings'

The British Standard BS 8233: 2014, Guidance on Sound insulation and noise reduction for buildings provides additional guidance on noise levels from sources without specific character in the built environment, based on the recommendations of the World Health Organization; specifically, WHO Guidelines on Community Noise, 1999. The criteria desirable levels of steady state, "anonymous" noise in unoccupied spaces within dwellings, from sources such as road traffic, mechanical services and other continuously running plant, are tabulated below:

Activity	Location	07:00 – 23:00	23:00 – 07:00
Resting	Living Room	35 dB $L_{Aeq,16hour}$	--
Dining	Dining Room/Area	40 dB $L_{Aeq,16hour}$	--
Sleeping (daytime resting)	Bedroom	35 dB $L_{Aeq,16hour}$	30 dB $L_{Aeq,8hour}$

Table 11.0 – BS8233:2014 Internal Noise Level Criteria

It is noted, however that where development is considered necessary or desirable, despite external noise level above WHO guidelines, the above target levels may be relaxed by up to 5 dB.

The standard also recommends that for traditional external amenity areas, such as gardens, it is desirable that external noise levels do not exceed 50 dB $L_{Aeq,T}$, and that 55 dB $L_{Aeq,T}$ would be acceptable in noisier environments. However, it is recognised that these values may not be achievable in all areas where development is desirable and in such locations, development should be designed to achieve the lowest practicable levels.

General recommendations for mitigation to enable these targets to be achieved are provided, including the use of bunds and barriers to reduce external noise and space planning and sound insulation for the control of internal noise levels.

For this assessment, the above criteria are considered to be the LOAEL as defined in the NPSE above.

B.4 – Entertainment & Leisure Noise Legislation

Noise from entertainment and leisure venues, e.g. noise from recorded music, live bands, gyms or karaoke, can be particularly annoying for residents and business if it is not adequately contained within the venue. When considering the potential impact of a proposal for an entertainment premises or residential near to entertainment premises a consideration for the overall noise level (L_{Aeq}) and the 63Hz and 125Hz octave band noise levels. Music noise in the 63Hz and 125Hz octave bands, which is described as 'bass noise' is particularly difficult to contain and the impulsive and non-steady character of low frequency music noise is particularly disturbing for residents exposed to it.

A lively city centre bar can operate around 95 dB L_{Aeq} and nightclubs can be even higher at 105 dB L_{Aeq} . The range of level of 63Hz and 125Hz octave bands is wider than the a-weighted levels and can be up to 115 dB L_{eq} and 110 dB L_{eq} respectively (Davies et al 2005).

There is a lack of consensus on an assessment method for noise levels within habitable rooms regarding entertainment noise. The design aim should be to design to 'inaudible*'. The building structure is therefore key, and will usually involve a high performing solution in either the music venue or residential premises. Existing noise standards/criteria are not appropriate for evaluating low frequency noise; in almost all other situations the established noise descriptors are based on the A-weighted sound level (dBA) which effectively filters out low frequency sound (Moorhouse et al 2011).

**Noise is considered to be inaudible when it is at a sufficiently low level such that it is not recognizable as emanating from the source in question and it does not alter the perception of the ambient noise environment that would prevail in the absence of the source in question. The DEFRA*

report 'Noise from Pubs and Clubs – Phase 1', which, on page 17 reproduces the Institute of Acoustics (IOA) working group guidance to achieve music noise levels which are 'virtually inaudible' inside a residential property.

When dealing with noise control, especially at the lower frequencies it is usual to look at the octave band data as a Z-weighting (linear) and not the A-weighting, due in main to the amount you have to 'take off', resulting in meaningless data (-26.2dB at 63Hz) and also with respect to the sound insulation performance of various constructions materials. Rather than just A-weighted levels being assessed e.g. internal noise levels as per BS8233:2014; a low frequency band analysis should be carried out (McCullough *et al* 2004).

In the 'Procedure for the assessment of low frequency noise complaints – Revision 1', Moorhouse *et al* (2011) use limits for low frequency noise levels in 1/3 octave bands between 10Hz and 160Hz. For the assessment of low frequency music noise, it is more practical to consider the 63Hz and 125 Hz octave bands. The Noise Council's Code of Practice on 'Environmental Noise Control at Concerts' suggests limits on both these octave bands. The DEFRA report 'Noise from Pubs and Clubs – Phase 1' suggests limits on 1/3 octave bands. However, the problem with this suggestion, and one of the reasons it is not widely used, is due to the difficulty in obtaining 1/3 octave band sound insulation performance data for various construction materials. With regards to assessing music noise at the 63 Hz and 125 Hz octave band levels a good correlation is shown between the NR 15 curve and Moorhouse curve at low frequencies. See Figure 5.0.

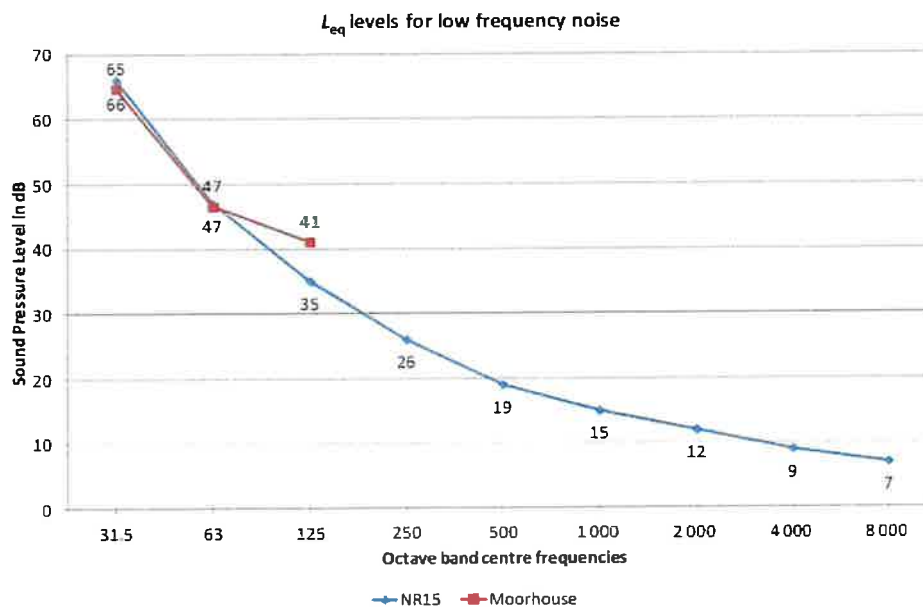


Figure 5.0 – Moorhouse Low Frequency Noise Rating Curve

However, The NR curve may be too stringent at mid and higher frequencies and may be lower than background noise levels in habitable spaces. Further, the NR curve is most commonly used to set limits for mechanical services noise in buildings i.e. steady, continuous noise sources. Music noise has distinctive characteristics and as such can be described as unsteady and non-continuous in comparison. Even though the Moorhouse curve does not specifically relate to entertainment noise

(as per the caveat in the revised edition) these levels provide a good practical basis to assess low frequency music noise. They also provide a workable prediction for planning applications and a measurement method and assessment for in-situ low frequency issues in existing habitable spaces. Therefore, a criterion that would achieve a condition of 'inaudible' / 'virtually inaudible' which is applicable for new residential developments that are structurally connected to entertainment venues (or vice versa) would be: '*Music noise levels in the 63Hz and 125Hz octave centre frequency bands (L_{eq}) should be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (L_{eq}), respectively*'. This criterion may also be applicable for new residential developments that are structurally separate from an existing entertainment venue.

References:

- i) *Institute of Acoustics (2002) - Good practice guide on the control of noise from pubs and clubs - Draft Annex 2.*
- ii) *McCullough et al (2004) A practical evaluation of objective noise criteria used for the assessment of disturbance due to entertainment music*
- iii) *Moorhouse et al (2005) Proposed criteria for the assessment of low frequency noise disturbance, Defra (updated in 2008 and 2011)*

Appendix C – Environmental Survey

C.1 – Tabulated Summary Noise Data

Background Sound Level Summary – Site Not in Operation (Full Period)							
Measurement Period ('t')	Octave Band L _{90,t} (Hz, dB)						
	63	125	250	500	1k	2k	4k
Day 1 – 15/09/22: 21:45 – 23:00	53.0	46.0	42.0	44.0	48.0	42.0	28.0
Night 1 - 15/09/22: 23:00 – 07:00	42.0	35.0	32.0	34.0	37.0	31.0	20.0
Day 2 – 16/09/22: 07:00 – 23:00	55.0	47.0	45.0	47.0	48.0	43.0	31.0
Night 2 - 16/09/22: 23:00 – 07:00	43.0	37.0	33.0	34.0	37.0	29.0	18.0
Day 3 – 17/09/22: 07:00 – 23:00	53.0	47.0	44.0	45.0	48.0	42.0	31.0
Night 3 - 17/09/22: 23:00 – 07:00	41.0	36.0	35.0	35.0	39.0	33.0	21.0
Day 4 – 18/09/22: 07:00 – 23:00	52.0	44.0	41.0	43.0	45.0	40.0	28.0
Night 4 – 18/09/22: 23:00 – 07:00	38.0	31.0	29.0	31.0	35.0	28.0	18.0

Measurement Time Period ('t')	L _{A90,15min}	SMR L _{A90,15min}	Min L _{A90,15min}	Max L _{A90,15min}
Day 1 – 15/09/22: 21:45 – 23:00	40.0	0.0	36.0	44.0
Night 1 - 15/09/22: 23:00 – 07:00	40.0	23.0	20.0	49.0
Day 2 – 16/09/22: 07:00 – 23:00	51.0	50.0	32.0	52.0
Night 2 - 16/09/22: 23:00 – 07:00	39.0	27.0	22.0	42.0
Day 3 – 17/09/22: 07:00 – 23:00	46.0	47.0	32.0	49.0
Night 3 - 17/09/22: 23:00 – 07:00	32.0	27.0	24.0	38.0
Day 4 – 18/09/22: 07:00 – 23:00	47.0	47.0	27.0	49.0
Night 4 – 18/09/22: 23:00 – 07:00	27.0	18.0	17.0	36.0

Table 12.0 – Sound Survey Summary Results

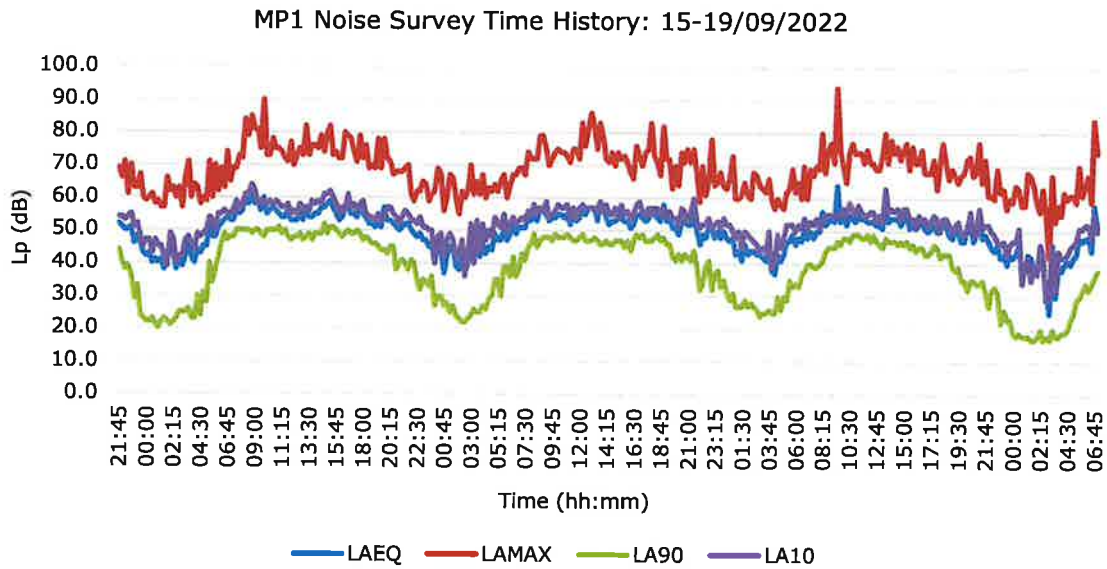


Figure 6.0 – MP1 Noise Survey Time History

C.2 – Surveying Equipment

Piece of Equipment	Serial No.	Calibration Deviation
CESVA SC420 Class 1 Sound Level Meter	T246471	≤0.5
CESVA CB006 Class 1 Calibrator	901955	
CESVA SC250 Class 1 Sound Level Meter	T252860	≤0.5
CESVA CB011 Class 1 Calibrator	T253524	

Table 13.0 – Measurement Equipment

All equipment used during the survey was field calibrated at the start and end of the measurement period with a negligible deviation of ≤0.5 dB. All sound level meters are calibrated every 24 months and all calibrators are calibrated every 12 months, by a third-party calibration laboratory. All microphones were fitted with a protective windshield for the entire measurements period. Calibration certificates can be provided upon request.

C.3 – Meteorological Conditions

As the environmental noise survey was carried out over a long un-manned period no localised records of weather conditions were taken. However, all measurements have been compared with met office weather data of the area, specifically the closest weather station, and the data from the weather station is outlined in the table below. When reviewing the time history of the noise measurements, any scenarios that were considered potentially to be affected by the local weather conditions have been omitted. The analysis of the noise data includes statistical and percentile analysis and review of minimum and maximum values, which aids in the preclusion of any periods of undesirable weather conditions. The weather conditions were deemed suitable for the measurement of environmental noise in accordance with BS7445 Description and Measurement of Environmental Noise. The table below presents the average temperature, wind speed and rainfall range for each 24-hour period during the entire measurement.

Weather Conditions – Garforth (Approx. 8.2km SW of Site)				
Time Period	Air Temp (°C)	Rainfall (mm/h)	Prevailing Wind Direction	Wind Speed (m/s)
15/09/2022: 00:00 – 23:59	9.6 – 18.7	0.0	ESE	0.0 – 1.7
16/09/2022: 00:00 – 23:59	8.3 – 17.4	0.0	E	0.0 – 1.4
17/09/2022: 00:00 – 23:59	7.5 – 19.3	0.0	SSW	0.0 – 2.0
18/09/2022: 00:00 – 23:59	9.6 – 20.1	0.0 – 0.3	SE	0.0 – 2.0
19/09/2022: 00:00 – 23:59	10.2 – 21.6	0.0 – 2.3	E	0.0 – 21.5*

Table 14.0 – Weather Summary

**This wind speed is thought to be anomalous, however, it occurred outside the time period used for the assessments.*

Appendix E – Manufacturers Data Sheets

MAL22

SRL



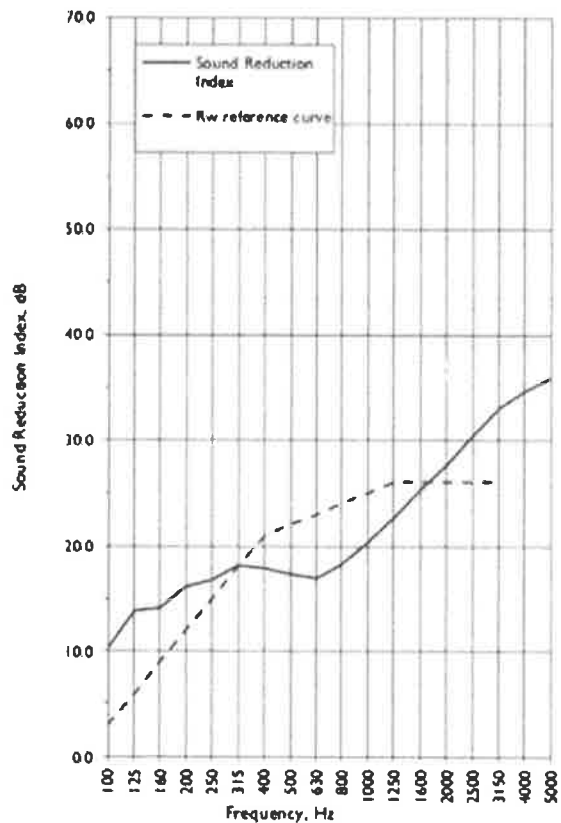
Test Report _____
Page 13 of 27
Date: 13/11/2018
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Data Sheet 5

Test Number:	6	Test Room:	Source	Receiving
Client:	Direct Acoustics	Air Temperature:	11.8 °C	12.6 °C
Test Date:	02/11/2018	Air Humidity:	61 %	57 %
Sample Height:	2.2 m	Volume:	115 m ³	300 m ³
Sample Width:	2 m			
Sample Weight:	6.9 kg/m ³	Air Pressure:	1015 mbar	

Product Identification:

Freq. f Hz	Sound Reduction Index, dB	
	1/3 Oct	Octave
50+	14.3	
63+	13.5	11.3
80+	8.6	
100	10.2	
125	13.9	12.4
160	14.1	
200	16.1	
250	16.8	16.9
315	18.1	
400	17.9	
500	17.3	17.3
630	16.9	
800	18.3	
1000	20.3	20.1
1250	22.7	
1600	25.3	
2000	27.7	27.3
2500	30.4	
3150	33.1	
4000	34.6	34.4
5000	35.9	
6300+	36.8	
8000+	36.9	37.2
10000+	38.0	
Average 100-3150	19.9	Version v3.1



Rating according to BS EN ISO 717-1:2013

$R_w(C;C_{tr})= 22 (-1; -3) \text{ dB}$

⊕ shows measurement corrected for background

⊕ shows measurement limited by background

⊕ shows frequency beyond standard and not UKAS accredited

PREMISES LICENCE NUMBER _____

PREMISES DETAILS

Postal address of premises, or if none, ordnance survey map reference or description
The Ash Tree Inn
London Road
Barkston Ash
Tadcaster
North Yorkshire
LS24 9PP

Telephone number, _____

Where the licence is time limited the dates
Not Time Limited

Licensable activities authorised by the licence
Performance of Dance
Live Music
Late Night Refreshments
Recorded Music
Any Similar Regulated Entertainment
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Licensable Activities – Supply of Alcohol

Supply of Alcohol for Consumption:		Both On/Off the premises	
Days of Week	Open	Close	
Monday to Thursday	08:00	23:00	
Friday to Saturday	08:00	00:00	
Sunday	08:00	23:00	
Seasonal Variations:		Non-Standard Timings:	
N/A		N/A	

Licensable Activities – Live Music

Activity Location:	Live Music (Indoors and Outdoors)	
Days of Week	Open	Close
Monday to Thursday	10:00	23:00
Friday to Saturday	10:00	00:00
Sunday	10:00	23:00
Further Details:	Seasonal Variations:	Non-Standard Timings:
N/A	N/A	N/A

Licensable Activities – Recorded Music

Activity Location:	Recorded Music (Indoors and Outdoors)	
Days of Week	Open	Close
Monday to Thursday	10:00	23:00
Friday to Saturday	10:00	00:00
Sunday	10:00	23:00
Further Details: N/A	Seasonal Variations: N/A	Non-Standard Timings: N/A

Licensable Activities – Performance of Dance

Activity Location:	Performance of Dance (Indoors and Outdoors)	
Days of Week	Open	Close
Monday to Thursday	10:00	23:00
Friday to Saturday	10:00	00:00
Sunday	10:00	23:00
Further Details: N/A	Seasonal Variations: N/A	Non-Standard Timings: N/A

Licensable Activities – Late Night Refreshments

Activity Location:	Late Night Refreshments (Indoors and Outdoors)	
Days of Week	Open	Close
Friday to Saturday	23:00	00:00
Further Details: N/A	Seasonal Variations: N/A	Non-Standard Timings: N/A

Licensable Activities – Similar Regular Entertainment

Activity Location:	Any Similar Regulated Entertainment	
Days of Week	Open	Close
Monday to Thursday	10:00	23:00
Friday to Saturday	10:00	00:00
Sunday	10:00	23:00
Further Details: N/A	Seasonal Variations: N/A	Non-Standard Timings: N/A

Opening Times

Days of Week	Open	Close
Monday	08:00	23:30
Tuesday	08:00	23:30
Wednesday	08:00	23:30
Thursday	08:00	23:30
Friday	08:00	00:30
Saturday	08:00	00:30
Sunday	08:00	23:30
Seasonal Variations:	Non-Standard Timings	
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Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Christine Anne Martin

Phone: _____

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

James Edward Bryan

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: _____

Date Granted:
Variation Issued:
Initial License: _____

Annex 1 – Mandatory Conditions

For Premises licensed for Alcohol sales on only or on and off sales

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 21- Door Supervisors

Where a premises licence includes a condition that, at specified times, one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.

Nothing in this condition requires that it will be imposed in respect of a. premises within paragraph 8(3)(a) of schedule 2 to the Private Security Industry Act 2001 (c.12), premises with premises licences authorising plays or films, or (b) premises in relation to any occasion mentioned in paragraph 8(3)(b) or (c) of that schedule premises being used exclusively by club with club premises certificate under a temporary event notice authorising plays or films, or under a gaming licence or any occasion within paragraph 8(3)(d) of that schedule occasions prescribed by regulations under that Act.

For the purposes of this condition, “security activity” means an activity to which paragraph 2(1)(a) of that schedule applies and paragraph 8(5) of that schedule, interpretation of references to an Occasion applies as it applies in relation to paragraph 8 of that schedule.

Section 19A (1)

1.(1) The responsible person must ensure that all staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or

discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective:

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective.

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

(e) dispensing alcohol directly into the mouth of another (other than where that other customer is unable to drink without assistance by reason of disability)

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

3.(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –

(a) holographic mark

(b) an ultraviolet feature

4. The responsible person must ensure that–

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available in the following measures–

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises: and

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

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—

$P = D + (D \times V)$

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. A documented staff training programme shall be provided to all members of staff at the premises in respect of the:-

- . operation of the CCTV system (including the playback of evidence);
- . retail sale of alcohol;
- . age verification policy;
- . conditions attached to the Premises Licence;
- . permitted licensable activities;
- . the licensing objectives; and
- . opening times for the venue.

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)

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

- . all crimes reported to the venue
- . any complaints received regarding crime and disorder
- . any incidents of disorder
- . any faults in the CCTV system
- . any refusal of sale of alcohol
- . 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)

3. The premises will predominantly be food led and will not operate as a vertical drinking establishment.

4. All alcohol for consumption off the premises shall be in sealed containers.

5. A Refusal register and incident report register shall be maintained for each bar within the premises. Such registers will record instances of staff refusals to under age or drunk people as well as incidents of any anti-social behaviour and ejections from the premises. Such registers shall be kept for a minimum of one year. (for avoidance of doubt, the one year period relates to each respective entry in a Register and runs from the date of that particular entry in the Register),

b) The Prevention of Crime & Disorder

6. A colour digital CCTV system shall be installed within the premises and be operational and recording at all times when licensable activities take place and at any other times where members of the public are present on the premises.

7. The CCTV equipment shall have constant time/date generation which must be checked on a daily basis for accuracy.

8. CCTV cameras shall be installed to provide adequate cover of all public areas in the premises (excluding toilets).

9. The CCTV system must be capable of providing quality images of good evidential value. The CCTV system will have sufficient storage retention capacity for a minimum of 28 days consecutive footage.

10. North Yorkshire Police or a Responsible Authority (as defined in the Licensing Act 2003) may at any time request a recording. This should be complied with within 24 hours of the request being made.

11. It is the responsibility of the management to ensure that there are sufficient members of staff available during the hours of operation to be able to download evidence from the CCTV system at the request of the police or responsible authority.

12. The need for SIA door supervisors will be risk assessed on an ongoing basis by the licence holder and/or designated premises supervisor. Where, engaged, SIA door supervisors shall be licensed by the Security Industry Authority and will wear high visibility armbands.

13. When employed, a register of those door supervisors employed shall be maintained at the premises and shall include:

- a. the number of door staff on duty
- b. the SIA badge number and name of each member of door staff
- c. the times the door staff are on duty.
- d. Any incidents involving door supervisors

14. The premises shall operate the Challenge 25 policy for the sale of alcohol.

15. The only acceptable proof of age identification shall be a current passport, Photo card Driving Licence or identification carrying the PASS logo (until other Effective identification technology e.g., thumb print or pupil recognition, is adopted by the Premises Licence Holder).

16. Between the hours of 08:00 hrs and 10:00 hrs daily, the sale of alcohol will be ancillary to food.

c) Public Safety

17. The Premises has a current Health & Safety risk assessment and a current Fire Safety risk assessment completed by Supply and these will be kept up to date.

d)The Prevention of Public Nuisance

18. Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

19. Outside areas as defined by the premises plan, shall not be used after 23:00 hours, with the exception of Friday and Saturdays for pre-booked functions, where the outside areas shall not be used after 00:00.

20. Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment at the premises shall not be audible inside habitable rooms of noise sensitive properties between the hours of 23.00 and 07.00

21. The licence hereby approved shall be carried out in accordance with Nova Acoustics Noise Impact Assessment _____ dated 28/09/2022

22. The disposal of waste bottles into external receptacles shall not take place between the hours of 23:00 and 07:00

e) The Protection of Children from Harm

23. There shall be no adult entertainment on the premises.

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

Licensing Sub Committee was held on 25 October 2022

The outcome of the committee was that the license should be

Annex 4 - Plans

As attached Reference: Ash Tree Inn – October 2022

