

Mrs Sally M Smith

Friday 20th October 2021

Licensing Act 2003 Application (Supply of Alcohol).

Dear Dawn,

Many thanks for your email dated Friday 8th October.

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

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

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

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

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

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

For each of the representation I will cover the below:

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

Our relationship:

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

Since this date we have never spoke to the neighbour.

- Public Nuisance

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

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

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

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

- Crime and Disorder

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

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

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

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

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

- Protection of Children from Harm

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

Our relationship

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

- 1

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

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

- 2

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

- 3

No comment.

- 4

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

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

Our relationship

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

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

- 1. Prevention of Crime and Disorder

_____ has made a false statement and does not understand the nature of on-line sales. _____ has stated that alcohol will be transported via a courier, this is correct along with ourselves delivering. However, this statement contradicts the

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

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

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

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

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

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

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

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

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

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

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

- **3. Public safety**

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

A.

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

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

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

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

B.

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

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

C.

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

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

- **Prevention of public nuisance**

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

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

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

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

We have been polite and courteous to [redacted] since we have moved to 14 Garth Avenue and we have no idea why they feel such hatred against us. [redacted]

[redacted] have instrumentally led a campaign to stop our application by visiting every household in the avenue by knocking on each door for upto 5 minutes until the neighbour opens the door to be greeted by a 14 page copy of the application and be being preached too. We have spoken to a number of our neighbours and they have been disgusted [redacted]

Our relationship

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

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

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

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

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

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

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

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

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

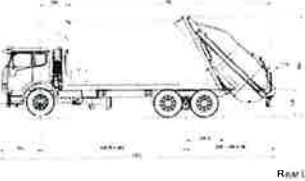
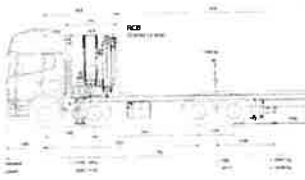
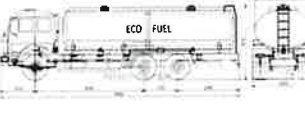
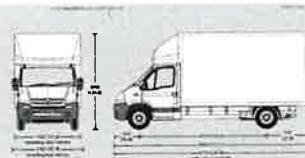
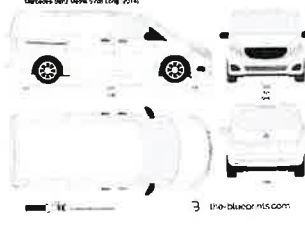
Location of all parties.



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

_____ has stated within his statement that his property _____ _____ 14 Garth Avenue, this is incorrect.

Delivery Vehicles

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

Dawn Drury

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

Dear Dawn,

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

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

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

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Kind regards,

Sally

