

Licensing Hearing

To: Councillors Nimmo, Moore and B Watson

Date: Monday, 11 December 2006

Time: 10.00 am

Venue: The Guildhall

AGENDA

1. Chair

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

2. Introductions

3. Declarations of Interest

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

4. Exclusion of Press and Public

To consider excluding the public and press from the meeting prior to consideration of the personal data contained in annexes 5 & 7 to Agenda Item 5 as provided by the Data Protection Act 1998.

5. The Determination of an Application by Carol Ann Temple for Section 35(3)(a) Determination of Application to Vary Premises Licence in respect of The Woodman, 16 Main Street, Bishopthorpe, York, YO23 2RB (CYC-008938)

If you require any further information, please contact Tracy Wallis on Tel 01904 551027 or Fax 01904 551035 or email tracy.wallis@york.gov.uk

Distribution:

Members of Licensing Act 2003 Sub-Committee
Licensing Officer
Legal Services
Applicant
Representors
Press, Libraries, Council Receptions

About City of York Council Meetings

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If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than** 10.00 am on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an interpreter providing sufficient advance notice is given. Telephone York (01904) 613161 for this service.

যদি যথেষ্ট আগে থেকে জানানো হয় তাহলে অন্য কোন ভাষাতে তথ্য জানানোর জন্য সব ধরনের চেষ্টা করা হবে, এর জন্য দরকার হলে তথ্য অনুবাদ করে দেয়া হবে অথবা একজন দোভাষী সরবরাহ করা হবে। টেলিফোন নম্বর (01904) 613161.

Yeteri kadar önceden haber verilmesi koşuluyla, bilgilerin tercümesini hazırlamak ya da bir tercüman bulmak için mümkün olan herşey yapılacaktır. Tel. (01904) 613161.

我們竭力使提供的資訊備有不同語言版本，在有充足時間提前通知的情況下會安排筆譯或口譯服務。電話(01904) 613161。

کسی بھی دوسری زبان میں معلومات کی دستیابی ترجمہ شدہ معلومات، ترجمان کی شکل میں یقینی بنانے کے لئے ہر ممکن کوشش کی جائے گی، بشرطیکہ اس کے لئے پہلے سے سنا سب اطلاع کی جائے۔ ٹیلی فون (01904) 613161

Holding the Executive to Account

The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to; and
- Public libraries, Council Receptions and the Press get copies of **all** public agenda/reports.
- Applicant
- Representors & the relevant Responsible Authorities



LICENSING ACT 2003 SUB – COMMITTEES PROCEDURE FOR HEARINGS

Introduction

The procedure outlined below will be followed at all Licensing Hearings.

As Licensing Hearings are quasi-judicial the Sub-Committee will, in effect, act like a Court and the rules of natural justice will apply. The Sub-Committee will be guided by legal principles in determining whether evidence is both relevant and fairly admitted. Committee Members have a duty to view all evidence presented before them impartially. Members of the Licensing Sub-Committee have all received relevant training and are used to making decisions of this type. No matter how strong local opinion may be, Committee Members can only make decisions based on relevant licensing issues as set out before the Sub-Committee in determining applications.

The hearing will be in public session. However, the Sub-Committee may exclude the public from a hearing if it considers it in the public interest to do so. However, the decision will be made in private.

The purpose of the hearing is

- To enable those with a right to appear to advance their point of view and to test the case of their opponents
- To assist the Sub-Committee to gather evidence and understand the relevant issues

In view of the requirement to hold hearings within specified times, the Licensing Authority will generally be unable to enter into discussions to identify dates convenient to all parties concerned. In exceptional circumstances, the Licensing Authority will consider applications to adjourn hearings to a later date.

Representations at Licensing Hearings

The Applicant, Ward Councillors, and Representors who have made written submissions will be allowed to speak at the Sub-Committee. At any hearing of an application, the Applicant and any Representors shall attend in person wherever possible. Any party to a hearing may be assisted or represented by any person, legally or otherwise.

All parties will be given a fair hearing and each party will have the same amount of time in which to address the Sub-Committee. A time limit has been set because of the pressures on the Sub-Committees to hear so many applications in a short period of time. **Each party will have 15 minutes to address the Sub-Committee, give any further information, and call any witnesses.** If any party considers this time to

be insufficient then a request in writing may be made to the Democracy Officer for an extension of time at least 2 working days before the hearing. However, this will not be automatically granted and will be at the discretion of the Sub-Committee.

The Sub-Committee may take into account any documentary evidence or other information in support of the application, representations or notice, either before the hearing or, with the consent of all other parties, at the hearing.

If any Representors fail to attend the hearing, the Sub-Committee will normally proceed but will consider their written objection and hear and consider any evidence and argument in relation to it put forward by the Applicant. In considering written evidence in the absence of a Representor, appropriate weight will be attached, given that the person cannot be questioned by the Applicant and Members.

The Sub-Committee is required to disregard any information given or evidence produced by a party or witness which is not relevant to the application, representations, or notice, and the promotion of the licensing objectives.

Duplication should be avoided. Comments must be confined to those points already made, although the parties may extend or expand on their written submissions. The Sub-Committee will have read and familiarised themselves with all the written submissions and the issues prior to the hearing, and therefore do not require the points to be repeated or made at length. The Applicant and Representors cannot raise substantial new information at a hearing which has not been seen previously by the other parties.

A Representor **may not** introduce any new ground or objection not referred to in the written submission unless the Sub-Committee considers there are exceptional circumstances for doing so and the Representor is able to justify why the ground or objection should be raised. The Applicant may make representations to the Sub-Committee as to why any such request to introduce a new ground should or should not be granted. In considering whether to grant a request by a Representor to introduce a new ground, the Sub-Committee will consider why the new evidence has not been produced earlier and whether the admission of such a ground would necessitate the grant of an adjournment and will consider any unfairness to the Applicant or other Representors by reason of the extra cost or delay thereby caused.

Any person behaving in a disruptive manner will be asked to leave the hearing. If this does occur, that person may, before the end of the hearing, submit in writing any information which they would have been entitled to give orally.

Procedure prior to the Hearing

The Members sitting on the Sub-Committee will meet prior to the hearing to note the matters that are to be presented. They will only be accompanied by the Democracy Officer and Legal Advisor (*if present*). Attention will only be drawn to the nature of the application and the premises or person to which it relates. The actual application will not be discussed.

At any hearing of an application, the Licensing Officer, the Applicant and any Representors or representatives will report to reception and be asked to wait in reception until the democracy officer calls them through to the committee room.

Procedure at the Hearing

1. Members of the Sub-Committee will appoint a chair.
2. The Chair introduces the Committee Members and officers [*Democracy Officer, Legal Advisor to the committee (if present) and the Licensing Officer*], welcomes the Applicant and Representors (or their representatives), and establishes the identity of all who will be taking part.
3. The Chair will explain to the parties the procedure that will be followed at the hearing.
4. The Chair will proceed with the order of business on the agenda.
5. When the agenda item relating to the application is reached, the Chair will invite the Licensing Officer to present the application.
6. The Licensing Officer outlines the application, confirms the application details, introduces the report and gives an update on any recent changes.
7. The Chair will invite Committee Members, the Applicant and Representors (or representatives) to ask the Licensing Officer questions to clarify any points raised in the report.
8. The Chair will ask the Applicant (or their representative) to present their case.
9. The Applicant (or their representative) will present their case and may call any witnesses to support their case [*maximum 15 minutes*].
10. The Chair will invite the Representors (or their representative) in the following order to ask questions of the Applicant (or their representative) and/or witnesses [*maximum 5 minutes each party*]
 - (i) Police
 - (ii) Other Responsible Authorities
 - (iii) Ward Councillors
 - (iv) Interested Parties
11. The Chair will invite the Committee Members to ask questions of the Applicant (or their representative) and/or witnesses.
12. The Chair will invite the Representors (or their representative) in the following order to state the nature of their interest in the matter, present their case and call any witnesses to support their case [*maximum 15 minutes each party*]
 - (i) Police
 - (ii) Other Responsible Authorities
 - (iii) Ward Councillors
 - (iv) Interested Parties

13. The Chair will invite the Applicant to ask questions of each Representor (or their representative) and/or their witnesses after each presentation [*maximum 5 minutes per Representor*].
14. The Chair will invite the Committee Members to ask questions of each Representor (or their representative) and/or their witnesses after each presentation.
15. The Chair will invite the Representors (or their representative) in the following order to summarise their case [*maximum 5 minutes each party*]
 - (i) Police
 - (ii) Other Responsible Authorities
 - (iii) Ward Councillors
 - (iv) Interested Parties
16. The Chair will invite the Applicant (or their representative) to summarise their case [*maximum 5 minutes*].
17. The Chair will provide the Sub-Committee with a final opportunity to seek clarification from any of the parties on any points raised, or seek advice from the Licensing Officer on policy, or from the Legal Advisor (*if present*) on law and jurisdiction.
18. When all the evidence has been heard, the Chair will declare the hearing closed and ask the Licensing Officer, the Applicant and Representors (or their representatives) plus any witnesses present to leave the committee room and wait in reception while the Sub-Committee considers the evidence.

Procedure after the Hearing

19. If the Sub-Committee wish to seek further clarification on the evidence given, the Democracy Officer will invite all parties back into the committee room.
20. If possible, and for all hearings under:-
 - section 35 or 39 which is in respect of an application made at the same time as an application for conversion of an existing licence under paragraph 2 of Schedule 8 (determination of application under section 34 or 37)
 - section 85 which is in respect of an application made at the same time as an application for conversion of an existing club certificate under paragraph 14 of Schedule 8 (determination of application under section 85)
 - section 105(2)(a) (counter notice following police objection to temporary event notice)
 - section 167(5)(a) (review of premises licence following closure order)
 - paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence)

- paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)
- paragraph 26(3)(a) of Schedule 8 (determination of application by holder of a justices' licence for grant of personal licence)

the Sub-Committee will make a decision on conclusion of the hearing and only the Democracy Officer and the Legal Advisor to the Sub-Committee (*if present*) will remain in the room with the Committee Members. These officers will not comment on the merits of the application, but will be present to provide advice on legal and procedural points and to record the decision.

21. If the decision has been made, all the parties will be invited back into the committee room by the Democracy Officer. The Chair will announce the decision including reasons together with, if appropriate, details of any conditions to be attached to the grant of the licence. This decision will then be communicated in writing to the Applicant and Representors within 3 working days of the hearing. There can be no further questions or statements.
22. For all other hearings not listed above, if the Sub-Committee is unable to make a decision on the day of the hearing, the decision will be made within 5 working days beginning with the day or the last day on which the hearing was held. The Democracy Officer will inform the parties that they are no longer required and the decision will be communicated in writing to the Applicant and Representors within 3 working days of the decision being made.
23. The notification will include information about the rights of appeal against the determination made.

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Licensing Act 2003 Sub Committee

11 December 2006

Report of the Director of Neighbourhood Services

Section 35(3)(a) Application for the Variation of a premise licence for The Woodman, 16 Main Street, Bishopthorpe, York, YO23 2RB**Summary**

1. This report seeks Members determination of an application for the variation of a premise licence, which has been made under the Licensing Act 2003.
2. Application reference number: CYC-008938
3. Name of applicant: Carol Ann Temple
4. Type of authorisation applied for: Variation of premises licence
5. Summary of application: The nature of the application is: a) to extend existing licensed hours for the sale of alcohol; b) to provide regulated entertainment consisting of films, indoor sporting events, live music, recorded music and provision of facilities for making music and dancing; c) to provide late night refreshment; d) to remove all embedded restrictions listed in Annex 1 of the current premises licence.

Background

6. A copy of the existing premise licence is attached at Annex 1.
7. A copy of the application to vary the licence is attached at Annex 2.
8. A table detailing existing hours and proposed hours is attached at Annex 3.

Promotion Of Licensing Objectives

9. The operating schedule submitted by the applicant shows that, in addition to existing conditions attached to the current licence, the licensing objectives would be met as follows:
10. The prevention of crime and disorder: CCTV will be fitted if required.
11. Public safety: Premises are subject of a regulatory reform (fire safety) audit. Children's play equipment in garden subject to regular inspection.

12. The prevention of public nuisance: Inner door to lobby and all windows to remain closed when entertainment being provided. Applicant is aware of noise issues which could emerge. Music to be reduced to quieter 'wind down' music for last 30 minutes. Appropriate notices to be displayed at all exits requesting customers to be quiet.
13. The protection of children from harm: Requirements of the Licensing Act 2003 will be complied with.

Special Policy Consideration

14. This premise is not located within the area.

Consultation

15. Consultation was carried out by the applicant in accordance with s13, and s17(5) of the Act and Regulation 42, Parts 2 and 4 of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, which concern the displaying of a notice on the premises and an advertisement in a local paper giving details of the application and serving a copy of the application on all responsible authorities. The applicant complied with all statutory requirements. In addition the relevant ward councillors and/or parish council were notified by way of register.

Summary of Representations made by Responsible Authorities

16. A representation has been received from the following responsible authority relating to this application. This is attached at Annex 4 and summarised below:
17. Environmental Protection Unit make representation on the grounds of public nuisance and ask that the following conditions be attached to the licence if the variation to the licence is granted; 1) Noise from the operation of amplified music or regulated entertainment originating from on the premise shall be inaudible within noise sensitive premises. 2) All windows shall be kept shut during the operation of amplification equipment and regulated entertainment. 3) During the operation of amplification equipment and regulated entertainment all external doors shall be kept shut when not in use, with the exception to the front door that may remain open during opening hours providing that the inside porch is kept shut when not in use.

Summary of Representations made by Interested Parties

18. Representations have been received from the interested parties listed at Annex 5 (confidential). Their representations are attached at Annex 6.

The addresses of the interested parties are indicated on the map attached as Annex 7 (confidential). A further map indicating the general area from which representations were received is attached at Annex 8. Nineteen representations were received from the Main Street area, 4 from Church Lane, 2 from Ebor Court, and one each from Acaster Lane, Chantry Lane, Croft

Court. An “interested party” is defined at s13(3) of the Act as being a person living in the vicinity of the premises, a body representing persons who live in that vicinity, a person involved in a business in that vicinity, or a body representing persons involved in such businesses.

20. Five representations received from interested parties were not deemed to be relevant as they were not considered to be in the vicinity of the premises. This decision was made by the Head of Licensing and Regulation in consultation with the Assistant Director of Neighbourhood Services under the terms of the Licensing Act 2003 and the City of York Council delegation scheme.
21. Members are reminded that representations are only “relevant” if they relate to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.

Options

22. By virtue of s18(4) of the Act, the Committee have the following options available to them in making their decision:-
23. Option 1: Grant the variation of the licence in the terms applied for.
24. Option 2: Grant the variation of the licence with modified/additional conditions imposed by the licensing committee.
25. Option 3: Grant the variation of the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly.
26. Option 4: Reject the application.

Analysis

27. The following could be the result of any decision made this Sub Committee:-
28. Option 1: This decision could be appealed at Magistrates Court by any of the representors.
29. Option 2: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
30. Option 3: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
31. Option 4: This decision could be appealed at Magistrates Court by the applicant.

Corporate Objectives

32. The Licensing Act 2003 has 4 objectives the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.
33. These directly contribute to the Council's Safer City priority and corporate aim 4.
34. In addition the licensing objectives of public safety and prevention of public nuisance contribute towards corporate objective 1.4 – protection of residents from pollution, public health and safety hazards.

Implications

35.
 - **Financial** - N/A
 - **Human Resources (HR)** – N/A
 - **Equalities** – N/A
 - **Legal** – This decision could be appealed at Magistrates Court by the applicant or any of the representors.
 - **Crime and Disorder** - The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the city.
 - **Information Technology (IT)** – N/A
 - **Property** – N/A
 - **Other** – none

Risk Management

36. In compliance with the Councils risk management strategy any decision made which is unreasonable or unlawful could be open to legal challenge resulting in loss of image reputation and potential financial penalty.
37. Measured in terms of impact and likelihood, the risk score has been assessed at less than 16. This means that at this point the risks need only to be monitored as they do not provide a real threat to the objectives of this report.

Recommendations

38. Members determine the application.

Contact Details

Author:

John Lacy
Acting Licence Manager

Licensing & Regulation

Chief Officer Responsible for the report:

Andy Hudson
Assistant Director
Neighbourhood Services

Report Approved ✓ **Date** 24 November 2006

Specialist Implications Officer(s)

Suzan Hemingway
Head of Legal & Democratic Services
Civic Democratic & Legal Services

Wards Affected: Bishopthorpe

For further information please contact the author of the report

Background Papers:

- Annex 1** - Copy of converted premises licence
- Annex 2** - Application form
- Annex 3** - Table detailing current hours and proposed hours
- Annex 4** - Representations from Responsible Authorities
- Annex 5 (Confidential)** - List of Interested Parties
- Annex 6** - Representations from Interested Parties
- Annex 7 (Confidential)** - Map of area indicating addresses of Interested Parties
- Annex 8** - Map showing general area from which representations received

Annexes:

- Annex 9** - Mandatory Conditions
- Annex 10** - Legislation and Policy Considerations

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LICENSING ACT 2003

PREMISES LICENCE

Schedule 12

Part A

Premises licence number CYC - 008938

Part 1 Premises details

Postal address of premises:

The Woodman Inn
16 Main Street
Bishopthorpe

Post town: **York**

Post code: **YO23 2RB**

Telephone number: 01904 706507

Expiry date: This licence has no expiry date.

Licensable activities authorised by the licence:

Recorded Music
 Late Night Refreshment
 Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:

See Annex 1 – Embedded Restrictions

The Opening Hours of the Premises

No Restrictions

Where the licence authorises supplies of alcohol whether these are on and/or off supplies:

On and off the premises

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Name: Mrs C A Temple

Address: 55 Beech Avenue
Bishopthorpe
York
YO23 2RL

Telephone number: 01904 703301

Email address: None

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

Name: Mrs C A Temple

Address: 55 Beech Avenue
Bishopthorpe
York
YO23 2RL

Telephone number: 01904 703301

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

City of York Council
CYC-012171

Annex 1 – Mandatory conditions

MANDATORY CONDITIONS WHERE LICENCE AUTHORISES SUPPLY OF ALCOHOL

(1) In accordance with section 19 of the Licensing Act 2003, where a premises licence authorises the supply of alcohol, the licence must include the following conditions.

(2) The first condition is that no supply of alcohol may be made under the premises licence -

(a) at a time where 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.

(3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Embedded Restrictions

STANDARD PRE-EXISTING CONDITIONS APPLICABLE TO ON LICENCE WITH NO CHILDREN'S CERTIFICATE

Permitted Hours

1. Alcohol shall not be sold or supplied except during permitted hours. In this condition permitted hours means:

a) On weekdays (other than Christmas Day or Good Friday) 10:00 to 23:00

b) On Sundays (other than Christmas Day) 12:00 to 22:30

c) On Good Friday, 12:00 to 22:30

d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30

e) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit:

a) during the first twenty minutes after the above hours the consumption of alcohol on the premises

b) during the first twenty minutes after the above hours, the taking away of alcohol from the premises unless the alcohol is supplied or taken in an open vessel

c) during the first thirty minutes after the above hours, the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as an ancillary to their meals.

d) the sale or supply of alcohol to, or consumption of alcohol by, any person residing at the licensed premises

e) the ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered

f) the sale or alcohol to a trader for the purpose of his trade, or to a registered club for the purposes of the club

- g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces
- h) the taking of alcohol from the premises by a person residing there
- i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied
- j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

Children

2. No person under fourteen shall be allowed in the bar of the licensed premises during the permitted hours unless one of the following applies:

- a) He is the child of the holder of the premises licence.
- b) He resides in the premises, but is not employed there.
- c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is merely ancillary.

In this condition bar includes any place exclusively or mainly used for the sale and consumption of intoxicating liquor, but does not include a bar at any time when it is usual in the premises in question for it to be, and it is -

- i) set apart for the service of table meals, and
- ii) not used for the sale or supply of intoxicating liquor otherwise than to persons having table meals there and for consumption by such persons as an ancillary to his meal.

Credit Sales

3. Intoxicating liquor shall not be sold or supplied for consumption on the premises unless it is paid for before or at the time when it is sold or supplied. This condition, however, shall not apply:

- a) If the liquor is sold or supplied for consumption at a meal supplied at the same time, is consumed with the meal and is paid for together with the meal, or
- b) If the liquor is sold or supplied for consumption by a person residing in the premises or his guests and is paid for together with his accommodation, or
- c) If the sale or supply of intoxicating liquor is to any canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or to an authorised mess of members of Her Majesty's naval, military or air forces.

Late Night Refreshment

The licence holder may also provide and permit the consumption of late night refreshment for a period of 30 minutes after the permitted hours set out above.

Recorded Music

Recorded music may be played throughout the premises without limitation in line with previous provisions as set out in Section 182 of the Licensing Act 1964.

Private Entertainment

As the provisions of the Private Places of Entertainment (Licensing) Act 1967 was previously adopted and applied throughout the City of York Council area, private entertainment for gain may be provided throughout the premises without limitation by virtue of the previous Justices Licence.

Annex 2 – Conditions consistent with the operating schedule

None

Annex 3 – Conditions attached after a hearing by the licensing authority

None

For and on behalf of
The Director of Neighbourhood Services
Variation)

Date: 22/09/2005
19/10/2006 (Transfer & DPS

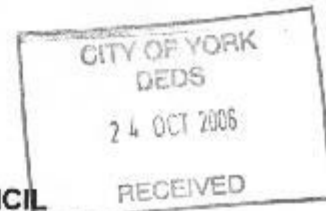
Licensing & Regulatory Services
9 St Leonard's Place
York
Y01 7ET

Phone: 01904 551521
Fax: 01904 551590
Email: licensing.unit@york.gov.uk
Website: www.york.gov.uk/licensing

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CITY OF YORK COUNCIL
Licensing & Regulatory Services, 9 St Leonards Place, York, YO1 7ET



Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We CAROL ANN TEMPLE (insert name(s) of applicant) being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises licence number

CYC 008938

Part 1 – Premises Details

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

THE WOODMAN INN
16 MAIN STREET
BISHOPTHORPE

Post town

YORK

Post code

YO23 2RB

Telephone number of premises (if any)

01904 706507

Non domestic rateable value of premises

£ 7,800

Part 2 – Applicant Details

Daytime contact telephone number

0774 7651073

Email address (optional)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

TEMPLE

CAROL ANN

CITY OF YORK
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Current postal address
 if different from
 premises address

Post Town

Postcode

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible?

Please tick yes no

If not do when do you want the variation to take effect from?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Please describe briefly the nature of the proposed variation (please read guidance note 1)

EXTEND HOURS FOR:-

- 1) SALE OF ALCOHOL*
- 2) PROVISION OF REGULATED ENTERTAINMENT*
- 3) PROVISION OF LATE NIGHT REFRESHMENT*

SUNDAYS - THURSDAY INCLUSIVE 10.00hrs TO 01.00hrs
FRIDAY & SATURDAY 10.00hrs TO 02.00hrs.
NEW YEARS EVE AND CHRISTMAS EVE
ALL ACTIVITIES TO FINISH AT 02.00hrs.

REMOVE EMBEDDED RESTRICTIONS DETAILED IN ANNEX 1 OF THE CURRENT PREMISES LICENCE'

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Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if the application to vary is successful.

Please tick ✓ yes

Provision of regulated entertainment

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

Provision of entertainment facilities for:

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

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

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

In all cases complete boxes N, O and P

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A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for performing play (please read guidance note 4)		
Thur						
Fri						
Sat				Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a films take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	1.00	01.00	Please give further details here (please read guidance note 3) VIDE O R FILMS ON TV SCREENS AND AMUSEMENT MACHINES.	Both	✓
Tue	1.00	01.00			
Wed	1.00	01.00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	1.00	01.00			
Fri	1.00	02.00			
Sat	1.00	02.00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) CHRISTMAS EVE & NEW YEARS EVE TO FINISH AT 02.00		
Sun	1.00	01.00			



C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	1000	0100	To PERMIT PUB GAMES THAT ATTRACT AN AUDIENCE WHETHER BY ADVERTISEMENT OR SPONTANEOUSLY
Tue	1000	0100	
Wed	1000	0100	
Thur	1000	0100	
Fri	1000	0200	
Sat	1000	0200	State any seasonal variations for indoor sporting events (please read guidance note 4)
Sun	1000	0100	
			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list. (please read guidance note 5)
			CHRISTMAS EVE & NEW YEAR EVE TO FINISH AT 0200

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	
Day	Start	Finish	Indoors	Outdoors
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			Please give further details here (please read guidance note 3)	
			State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4)	
			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list. (please read guidance note 5)	

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E

Live music Standard days and timings (please read guidance note 2)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	1000	0100	Please give further details here (please read guidance note 3) <i>LIVE SINGERS AND MUSICIANS.</i>	Both	
Tue	1000	0100			
Wed	1000	0100		State any seasonal variations for the performance of live music (please read guidance note 4)	
Thur	1000	0100			
Fri	1000	0200		Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (Please read guidance note 5)	
Sat	1000	0200		<i>CHRISTMAS EVE & NEW YEARS EVE</i>	
Sun	1000	0100		<i>TO FINISH AT 0200</i>	

F

Recorded music Standard days and timings (please read guidance note 2)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	1000	0100	Please give further details here (please read guidance note 3) <i>Recorded music with or without D.J.</i>	Both	
Tue	1000	0100			
Wed	1000	0100	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	1000	0100			
Fri	1000	0200	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat	1000	0200	<i>CHRISTMAS EVE & NEW YEARS EVE</i>		
Sun	1000	0100	<i>TO FINISH AT 0200.</i>		



G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing	Will the entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	Outdoors	Both		
Day	Start	Finish			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Mon	1000	0100	COMEDYANS, COMPERE KARAOKE CANTONERS ENTERTAINERS ETC.	Will the entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Tue	1000	0100			Please give further details here (please read guidance note 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Wed	1000	0100							
Thur	1000	0100				State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fri	1000	0200							
Sat	1000	0200				Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list. (please read guidance note 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sun	1000	0100					CHRISTMAS EVE AND NEW YEARS EVE TO END AT 0200		

CITY OF YORK

DEDS

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Provision of facilities for making music			Please give a description of the facilities for making music you will be providing	Will the facilities for making music be indoors or outdoors or both – please tick (✓) (please read guidance note 2)	
Day	Start	Finish		Indoors	Outdoors
Standard day and timings (please read guidance note 6)			SPACE PROVIDED FOR MUSICIANS TO PERFORM. GARDEN MARQUEE WHEN REQUIRED.	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Mon	1500	0100	Please give further details here (please read guidance note 3)		
Tue	1000	0100			
Wed	1000	0100	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Thur	1000	0100			
			FACILITY TO ERECT MARQUEE OR OTHER TEMPORARY SHELTER FOR EVENTS		
Fri	1000	0200	Non standard timings. Where you intend to use the premises for the provision of facilities for making music at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat	1000	0200			
			CHRISTMAS EVE AND NEW YEARS EVE TO END AT 0200		
Sun	1000	0100			

Provision of facilities for dancing			Will the facilities for dancing be indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
Day	Start	Finish		Indoors	Outdoors
Standard timings (please read guidance note 6)			FLOOR SPACE PROVIDED FOR PATRONS TO DANCE.	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Mon	1000	0100	Please give further details here (please read guidance note 3)		
Tue	1000	0100			
Wed	1000	0100	State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Thur	1000	0100			
			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Fri	1000	0200	CHRISTMAS EVE AND NEW YEARS EVE TO END AT 0200.		
Sat	1000	0200			
Sun	1000	0100			

CITY OF YORK
DEDS

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K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Indoors	Outdoors
Mon			<input type="checkbox"/>	<input type="checkbox"/>
Tue			<input type="checkbox"/>	<input type="checkbox"/>
Wed			<input type="checkbox"/>	<input type="checkbox"/>
Thur			<input type="checkbox"/>	<input type="checkbox"/>
Fri			<input type="checkbox"/>	<input type="checkbox"/>
Sat			<input type="checkbox"/>	<input type="checkbox"/>
Sun			<input type="checkbox"/>	<input type="checkbox"/>

Will the entertainment facility be place indoors or outdoors or both – please tick (✓) (please read guidance note 2)

Please give further details here (please read guidance note 3)

State any seasonal variations for the provisions of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)

Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list. (please read guidance note 5)

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	
Day	Start	Finish	Indoors	Outdoors
Mon	2300	0100	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tue	2300	0100	<input type="checkbox"/>	<input type="checkbox"/>
Wed	2300	0100	<input type="checkbox"/>	<input type="checkbox"/>
Thur	2300	0100	<input type="checkbox"/>	<input type="checkbox"/>
Fri	2300	0200	<input type="checkbox"/>	<input type="checkbox"/>
Sat	2300	0200	<input type="checkbox"/>	<input type="checkbox"/>
Sun	2300	0100	<input type="checkbox"/>	<input type="checkbox"/>

Please give further details here (please read guidance note 3)

State any seasonal variations for the provision of late night refreshment (please read guidance note 4)

Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 5)

CHRISTMAS EVE & NEW YEARS EVE
TO END AT 0200.



M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon	1000	0100	State any seasonal variations for providing dancing facilities (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue	1000	0100			
Wed	1000	0100			
Thur	1000	0100	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	1000	0200			
Sat	1000	0200			
Sun	1000	0100			

CHRISTMAS EVE & NEW YEAR EVE
TO FINISH AT 0200.

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

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24 OCT 2006
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0

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	1000	0130	Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 5) CHRISTMAS EVE & NEW YEARS EVE TO CLOSE AT 0230hrs.
Tue	1000	0130	
Wed	1000	0130	
Thur	1000	0130	
Fri	1000	0230	
Sat	1000	0230	
Sun	1000	0130	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Remove all embedded restrictions as detailed in Annex 1 of the current premises licence.

I have enclosed the premises licence
I have enclosed the relevant part of the premises licence

Please tick / yes

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of the premises licence

P

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

LICENSABLE ACTIVITIES ALREADY ALLOWED FOR UNDER CURRENT LICENCE AND UNDER PREVIOUS LICENSING ACT.

b) The prevention of crime and disorder

NO HISTORY OF DISORDER. PREMISES ARE LOCATED IN VILLAGE AND IS FREQUENTED BY LOCAL PEOPLE. CCTV WILL BE FITTED IF REQUIRED.

c) Public safety

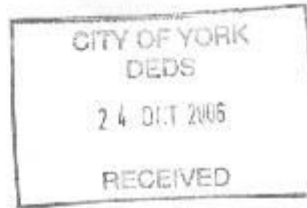
PREMISES ARE SUBJECT OF A REGULATORY REFORM (PUBLIC SAFETY) AUDIT AT THIS TIME. STANDARDS REQUIRED FOR PREMISES LICENCE PREVIOUSLY MET. CHILDREN'S PLAY EQUIPMENT IN GARDEN SUBJECT TO REGULAR INSPECTION.

d) The prevention of public nuisance

INNER DOOR TO LOBBY & ALL WINDOWS TO REMAIN CLOSED WHEN ENTERTAINMENT BEING PROVIDED. APPLICANT AWARE OF NOISE ISSUES WHICH COULD EMERGE. MUSIC TO BE REDUCED TO QUIETER 'WIND DOWN' MUSIC FOR LAST 30 MIN. APPROPRIATE NOTICES TO BE DISPLAYED AT EXITS REQUESTING CUSTOMERS TO BE QUIET.

e) The protection of children from harm

REQUIREMENTS OF LICENSING ACT 2003 CAN BE COMPLIED WITH. ALL STAFF AWARE.
NO ISSUES TO CAUSE CONCERN FOR CHILDREN.



- I have made or enclosed payment of the fee Please tick ✓ Yes
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 5 – Signatures (please read guidance note 10)

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

Signature [Handwritten Signature]
 Date 23rd October 2006
 Capacity PREMISES LICENCE HOLDER

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature
 Date
 Capacity

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

O'BRIEN LICENSING & TRAINING SERVICES
CAYLEY COURT
HOPPER HILL ROAD

Post town <u>SHARBOROUGH</u>	Post code <u>YO11 3XS</u>
Telephone number (if any) <u>01723 588022</u>	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

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Current trading period – Woodman

LICENSABLE ACTIVITY	DAYS	TIMES
Supply of alcohol:	Weekdays (other than Christmas Day or Good Friday) Sundays (other than Christmas Day) Seasonal variations and non-standard timings: Good Friday Christmas Day From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.	10:00-23:00 12:00-22:30 12:00-22:30 12:00-15:00 & 19:00-22:30 Plus 20 minutes drinking up time
Regulated Entertainment:		Private entertainment may be provided without limitation
a) Plays		
b) Films		
c) Indoor Sporting Events		
d) Boxing or Wrestling		
e) Live music		
f) Recorded music		Without limitation
g) Performance of dance		
h) Anything of similar description to (e), (f) or (g)		
Provision of entertainment facilities:		
i) Making music		
j) Dancing		
k) Entertainment of similar description to (i) or (j)		
Provision of late night refreshment:		Up to 30 minutes after the permitted hours set out above
Hours premises open to public:		

Proposed trading period – Woodman

LICENSABLE ACTIVITY	DAYS	TIMES
Supply of alcohol:	Sunday to Thursday Friday & Saturday	10:00-01:00 10:00-02:00
	Seasonal variations and non-standard timings: Christmas Eve & New Year's Eve	10:00-02:00
Regulated Entertainment:		
a) Plays		
b) Films	As alcohol hours	
c) Indoor Sporting Events	As alcohol hours	
d) Boxing or Wrestling		
e) Live music	As alcohol hours	
f) Recorded music	As alcohol hours	
g) Performance of dance		
h) Anything of similar description to (e), (f) or (g)	As alcohol hours	
Provision of entertainment facilities:		
i) Making music	As alcohol hours	
j) Dancing	As alcohol hours	
k) Entertainment of similar description to (i) or (j)		
Provision of late night refreshment:	Sunday to Thursday Friday & Saturday Christmas Eve & New Year's Eve	23:00-01:00 23:00-02:00 23:00-02:00
Hours premises open to public:		Premises to close 30 minutes after the last permitted sale of alcohol

Delorenzo, Craig

From: Delorenzo, Craig
Sent: 21 November 2006 14:19
To: Cooke, Lesley
Cc: Cockerill, Janice
Subject: Woodsman Inn

The Environmental Protection Unit would like to make representations regarding this application as we have received complaints regarding noise from this premises.

I have written to Ms Carol Temple to discuss my concerns regarding noise and have highlighted my suggestions to reduce the impact that later hours will have on nearby residents. The following actions have been recommended and could be attached to the variation of the license:

1. Noise from the operation of amplified music or regulated entertainment originating from on the premises shall be inaudible within noise sensitive premises.
2. All windows shall be kept shut during the operation of amplification equipment and regulated entertainment.
3. During the operation of amplification equipment and regulated entertainment All external doors shall be kept shut when not in use. With exception to the front door that may remain open during opening hours providing that the inside porch door is kept shut when not in use.

Craig Delorenzo
Environmental Protection Officer
Environmental Protection Unit
X1544



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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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117590

[Redacted]
Main Street
Bishopthorpe
York
YO23 2RB

CITY OF YORK
DEDS
31 OCT 2006
RECEIVED

29th October 2006

Dear Sirs,

Re: Objection to new licensing proposals for Woodman pub, Main Street, Bishopthorpe

I am writing to object to plans by the Woodman pub in Bishopthorpe to extend its licensing hours, including more live music entertainment.

My objection relates to the prevention of crime and disorder and the prevention of public nuisance.

We already have a problem with criminal activity taking place in the long garden areas at the back of the pub. I have reported damage to our fence and hedges in our garden to the police on several occasions. We believe this is being caused by customers of the Woodman trespassing and causing damage late at night. This activity will only increase with increased opening hours. Late night revellers have also been responsible for smashing the butchers' window, which is opposite the Woodman, and there is regularly rowdy behaviour on Main Street after the pubs close.

Bishopthorpe is a quiet residential village which has been granted conservation status. It is also very family-friendly, with many young children living in the centre of the village on Main Street. So an increase in rowdy, loud behaviour even later at night would constitute a public nuisance.

It would be entirely inappropriate to change the nature of the village and allow it to become a place where people can drink and listen to live or recorded music until the early hours of the morning.

It would inevitably lead to further disruption, anti-social behaviour and increased criminal activity.

I would therefore like to express my objection to the application.

Yours faithfully,

[Redacted signature]

CITY OF YORK COUNCIL APPLICATION ACKNOWLEDGED	
DATE: 31/10	[Signature]

Main Street
Bishopthorpe
York YO23 2RA
30/10/06

117597

CITY OF YORK
DEDS
31 OCT 2006
RECEIVED

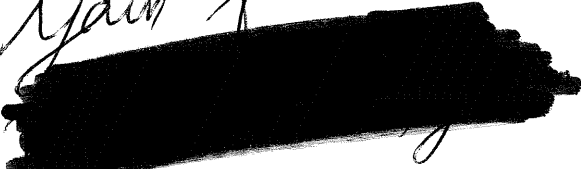
Dear Sir,


Re: Woodman Pub, 16 Main Street
Bishopthorpe

I refer to the Woodman Pub's application to extend both opening hours & hours for supply of alcohol.

I feel that this will be conducive to extra anti-social behaviour, possibly lead to more crime & considerable extra noise at unacceptable times, & will be a magnet to drinkers who have had to leave other pubs etc with less hours to supply alcohol, in what is largely a residential area.

Therefore, I ~~with~~ wish to object to the application.

Yours faithfully


CITY OF YORK COUNCIL
APPLICATION ACKNOWLEDGED
DATE: 31/10 

3

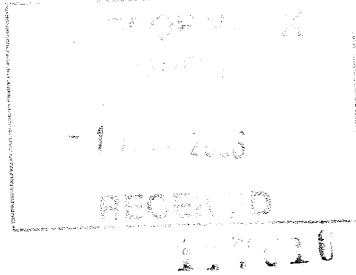
Page 45
The Courtyard

Main Street

Bishopthorpe

York YO23 2ED

York City Council
Licensing Office
9 St Leonards Place
York YO1 7ET



Dear Sir,

Application to extend the licensing
of the Woodman Pub Bishopthorpe.

I do object to the application for the
much increased licensing hours at
the Woodman Inn.

There are four establishments similar to
this within 200 yds of the Main Street
and undoubtedly will increase the
disorder and public nuisance of what
is the main street of a village.

Yours Sincerely,



CITY OF YORK COUNCIL	
APPLICATION ACKNOWLEDGED	
DATE	01/11

CITY OF YORK
 DEDS
 - 2 NOV 2006
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Main Street
 Bishopthorpe
 York
 YO23 2RA

Licensing Office
 York City Council
 9 St Leonards Place
 York YO1 7ET

LICENCE APPLICATION – THE WOODMAN PUBLIC HOUSE,
 BISHOPTHORPE

In regard to the above application we would like to strongly object to its content .

Bishopthorpe is a small village already served by two other public houses and a social club. Living on the Main Street we have our fair share of noise, unruly behaviour and general public nuisance not only at closing time. We feel that the extended hours applied for by the Woodman to 1230hrs in the week and 0130hrs at weekends are unreasonable these could attract customers from farther afield than the village and will result in them wandering the Main Street after hours in search of a way home or just hanging round waiting for taxis. After so many hours of drinking I feel that it will fuel crime, public disorder and public nuisance. You would think that if an establishment opens at 830am in the morning by 11oclock at night every one would have had their fill.

In respect to the Woodman applying to provide entertainment and late night refreshment this is more applicable to one of the big town pubs than to one in a village. Again this will generate public nuisance and noise into the Main Street after one of these nights.

[Redacted signature area]

31.10.06.

CITY OF YORK COUNCIL
 APPLICATION ACKNOWLEDGED
 DATE 02/11 [Signature]

Licensing Office
York City Council
9 St Leonards Place
York YO1 7ET

CITY OF YORK
DEDS
13 NOV 2006
RECEIVED

Main Street
Bishophthorpe
York
YO23 2RA
10 Nov 2006

LICENCE APPLICATION – THE WOODMAN PUBLIC HOUSE,
BISHOPTHORPE

117700

Further to our previous letter I would like to add some more information in respect of our objection to the above licence application.

We have now been informed that the hours applied for are even later than originally asked for ie: 10.00am -01.00am Monday to Thursday and 10.00am – 0200am Friday and Saturdays. These hours are really unnecessary for a village of our size. You can imagine the noise when everyone leaves.

I would like to bring your attention to what happened last Saturday night (4th Nov) in Bishophthorpe. There was a crowd of 30 or so youngsters who had all been drinking some had been at the Marcia Bonfire, well at 11.30 it turned into a massive fight in the middle of the Main Street which carried on for about an hour the police were called there were arrests and injuries which required an ambulance being called. This is an example of what can happen when alcohol is served to under age youngsters and when licensing hours are too long.

Bishophthorpe does not need the further temptation of extended licensing hours and the disturbance it can cause to residents. Plus someone in authority needs to do something about establishments serving underage teenagers alcohol.

[Redacted]

[Redacted]

[Redacted]

CITY OF YORK COUNCIL
APPLICATION ACKNOWLEDGED
DATE: 13/11
[Signature]

5

CITY OF YORK
DEDS
- 3 NOV 2006
RECEIVED

117027

[Redacted] Main Street
Bishopthorpe
YORK
YO23 2RA

[Redacted]
[Redacted]
[Redacted]

30 October 2006

York City Council Licensing Authority
9 St Leonards Place
YORK
YO1 7ET

Licensing Act 2003
Woodman Public House
Bishopthorpe, York, YO23 2RA

Objection to Extended Opening Hours

We object to the granting of extended opening hours to the 'Woodman' public house. This is a village pub and we cannot understand the requirement for these extended opening hours.

This is normally a quiet village except for noise from customers outside the front and in the gardens of the pub and at the present closing times, when we already endure excessive noise from customers leaving the pub and is therefor a public nuisance.

The precedent for extended opening hours in this village was set by the granting of extended hours to the Marcia public house, even though this was against the wishes of many of the people you represent. If you do grant extended hours to the 'Woodman' the hours should be no more than those granted to the 'Marcia'.


Yours faithfully

[Redacted signature]

[Redacted signature]

CITY OF YORK COUNCIL
APPLICATION ACKNOWLEDGED
DATE: 06/11 [Signature]

6


Main St
Bishopthorpe
YORK
YO23 2RB

05 Nov 2006

Licensing Office
9, St Leonards Place
YORK
YO1 7ET

117008

Dear Sirs

Ref:- Licensing application made by **The Woodman Public House, Bishopthorpe**

I object to the above application as I feel that it will lead to further crime and disorder. There are already problems in Main Street as customers leave the 2 pubs and the club further down the street and move towards Acaster lane. We have had damage to parked cars and bottles and rubbish thrown into our garden and this would become more of a problem with increased opening hours at the Woodman.

I especially object to the Woodman staying open through the night of New Year's Eve until closing time on New Year's Day. This will mean that customers will be leaving there at all hours of the morning, creating a public nuisance for residents of Main Street. I would suggest that 1 am on New Year's Day is late enough to see the New Year in.

I also object to extra entertainment in this pub, as the other public houses will also have to be granted permission for the same, if this is granted. The extra noise from this will be a public nuisance and make life unpleasant for those living in the Main Street.

I feel that the hours for serving are long enough as they are. Please do not grant any part of this application.

Yours faithfully



CITY OF YORK COUNCIL APPLICATION ACKNOWLEDGED	
DATE: 01/11/06	LC

CITY OF YORK
COUNCIL
06 NOV 2006
RECEIVED

John Lacy

7

BISHOPTHORPE PARISH COUNCIL

Licensing Office
9 St Leonard's Place
York
YO1 7ET

CITY OF YORK COUNCIL APPLICATION ACKNOWLEDGED	
DATE: 9/11/06	Lc

2 November 2006

Dear Sirs

License Application by the Woodman Pub, 16 Main Street, Bishopthorpe.

I have been approached by a neighbour to the above premises for Bishopthorpe Parish Council support in making representations against this application for extended hours.

We have explained that as the Committee has already made a determination with respect to applications by the Social Club and the Marcia, it would not be unreasonable for a grant to be given if the proposed hours fall within the hours already granted previously and which are deemed by the committee to full fill the 4 licensing objectives. We would expect the same restrictions to be made.

This has been accepted but there is an important difference here in so much as that where the Social Club and the Marcia are detached buildings, the Woodman is attached to its neighbouring cottage. Therefore the playing of music and other entertainment will disturb the neighbours. Therefore a restriction for this "nuisance" to finish earlier would be reasonable. In the case of the Marcia this is set at 11/11:30 pm and the committee may consider an earlier termination would be more desirable due to the proximity of the neighbours.

There is also a restriction at the Marcia for all outside use to be finished by 11:20 pm. A decking area has been placed in the front of the Woodman. It is set with tables. Although it is fairly recent and has not been in use for long, noise is generated by movement over the decking. Also due to the proximity to the neighbours living area talking is disturbing and smoking take place is noticeable. There is a possible planning issue about this decking area.

We see no reason why the premises need to be open at 8.00 am. No reason has been given but if traffic were generated then this would not be so desirable as to its effect on children walking to the schools. The Woodman is on one of the main "walking" routes and the neighbouring car parks are used for the "park and stride" initiative. Opening at 10:00 am as with the Marcia would be more acceptable.

In summary a change to extend hours as per those approved for the Marcia would be acceptable. Any longer hours would not be. The same restrictions (or more stricter ones as above) should be imposed.

Brian Mellors

Yours sincerely

Brian Mellors
Vice Chairman.

BUSINESS AND POLICY
DEVELOPMENT
06 NOV 2006
RECEIVED

CITY OF YORK
DEDS
- 6 NOV 2006
RECEIVED



Licensing Dept
9, St Leonards Place
YORK
YO1 7ET

117639

6/11/06

Re Licensing application made by The Woodman, 16 Main Street, Bishopthorpe

To extend hours and to provide entertainment consisting of films, indoor sporting events etc.

As a villager living in the Main street I would like to object to the application as I feel that it will lead to further crime and disorder. There are already some problems at our end of Main Street as customers leave the Woodman and Marcia with occasional damage to parked cars and to gardens - I feel that this would certainly increase.

I am very concerned to read of an extension to opening times to 8am. In my view we do not want people going into and coming out of pubs having consumed alcohol at a time when children are going to school. We are trying to convince parents to let their children walk to school and we ask them at least to drop them off at the Club just two doors away. As a school governor I think these opening hours would be catastrophic. This would send many parents back to driving their children to school to prevent them meeting people coming out of licensed premises.

I am also concerned at the idea of the Woodman staying open through the night of New Year's Eve until closing time on New Year's day. I feel that it could mean that merry makers would be leaving there right through the early hours of the morning, giving no peace at all for residents of Main Street. *and so I object strongly to this.*

Yours faithfully



████████████████████
Main Street
Bishopthorpe
YORK
YO23 2RB

CITY OF YORK
COUNCIL
06 NOV 2006
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CITY OF YORK COUNCIL
APPLICATION ACKNOWLEDGED
DATE: 9/11/06 LC

9

117647

[Redacted]
Acaster Lane,
Bishopthorpe, YORK.
YO23 2ST.
[Redacted]

CITY OF YORK
DEDS
- 7 NOV 2006
RECEIVED

The Licensing Office,
9, St. Leonards Place,
York.
YO1 7ET.

Dear Sirs,

Re, The Woodman Public House, 16, Main Street, Bishopthorpe, York

I am writing to object to the Application by the above Hostelry for longer Opening Hours and the provision of late night live and recorded music and late night refreshment. The Granting of such a Licence would only lead to yet more late night rowdyism and disturbances.

Bishopthorpe used to be a select, quiet residential village but it has changed dramatically over the last few years. We suffer from noise, litter and late night disturbance almost every weekend and this Application will increase this to mid week as well. This is a Village with many elderly residents (myself included) who dislike having their "peace" disturbed this way.

It must also be pointed out that the Woodman has private residences on either side, indeed one of these (Dene Cottage) has an actual adjoining wall where noise is easily transmitted. At the moment the noise from Air Extraction Equipment is already excessive.

I ask that this Application be rejected on grounds of Public Nuisance in the early hours of the morning and potentially even more disorder and litter in our Village as set out in the Objectives of the 2003 Licensing Act.

I look forward to the co-operation of York City Council in this matter.

Thank you.

Yours faithfully,

[Redacted Signature]

5th. November 2006

CITY OF YORK COUNCIL APPLICATION ACKNOWLEDGED	
DATE: 9/11/06	LC

CITY OF YORK
DEPS
7 NOV 2008
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10

Atok 9/11/06
LC.

Chantry Lane, Bishopthorpe
York YO23 2QF Tel [REDACTED]

117650

Dear Sirs,

I am writing to signal my objection to the application made by the Woodman Pub, 16 Main St, Bishopthorpe, to extend hours for supply of alcohol.

I am objecting to this application on the following grounds:

(1) Due to the lack of public transport to the village, customers would need to drive to the pub, increasing the risk of drink-driving and therefore a risk to public safety.

(2) The provision of alcohol at such late hours creates a risk of public nuisance and disorder and would require additional policing.

Yours faithfully,

[Redacted signature]

Main Street,
Bishopthorpe,
York.

137898

CITY OF YORK
DEDS
- 7 NOV 2006
RECEIVED

7023 2RA.
5/11/06

Dear Sir,

I write in connection with the application for a license to extend the opening hours at the Woodman Pub, 16 Main Street, Bishopthorpe.

I am deeply concerned the effect that this action will have on the village with regards to dis-order and public nuisance, and also an invitation for increased criminal activity.

As a resident of Main Street for 37 years, we have had to endure some of the most appalling behaviour from late night revellers, sometimes up until 0.3.00am and thankfully that was dealt with and, with the odd exception it is reasonably peaceful but the fear is that we may return to that style of behaviour if the application goes ahead.

I therefore oppose the application.

Yours sincerely,

[Redacted signature]

CITY OF YORK COUNCIL	
APPLICATION ACKNOWLEDGED	
DATE 21/11/06	LC

12

Page 56
CITY OF YORK
DEDS
- 8 NOV 2006
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Main St
Bishopthorpe
YORK YO23 2RA.

7/11/06.

Licensing Officers
City of York Council.

CITY OF YORK COUNCIL APPLICATION ACKNOWLEDGED	
DATE 9/11/06	LC

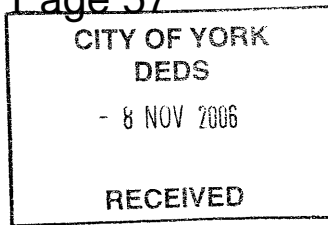
Dear officers

re: Woodman Pub, 16 Main St., Bishopthorpe.
Extended licensing/opening time proposal.

We object to extending licensing hours to another of our village pubs on the grounds of -

- 1) Prevention of crime and disorder, 2003 Licensing Act:-
Since The Marcia was afforded extended opening hours (to which we objected) our car was vandalised in an attempt to steal it in the early hours of 7/4/06. while parked near the front of our house, same side of road as The Marcia. We believe late night drinkers from outside Bishopthorpe were to blame, attracted by extended hours. Binge drinking since relaxing of opening hours has led to increased crime in areas where hours have been extended.
- 2) Prevention of nuisance, 2003 Licensing Act:-
Main Street is a road leading to Acaster Lane/Ferry Lane to the riverside Caravan Park and also, nearby is another Camping Park, Middlethorpe Farm, 1/4 mile from The Palace on Bishopthorpe Road. Early morning holiday revellers pass on foot through our village and not being locals, they have no regard for peace and quiet in a temporary environment. Apart from "seeing in the New Year" we think for a village, the opening hours for The Woodman are adequate as now.

[REDACTED]



B

The Licensing Office
9 St Leonards Place
York
YO1 7ET

Main Street
Bishopthorpe
York
YO23 2RB

117087

6th November 2006

Re License Application – The Woodman, 16 Main Street, Bishopthorpe

We the undersigned are writing to object against the application by the Woodman to extend the hours for the supply of alcohol to 1.00am Sunday to Thursday and 2.00am Friday and Saturday as detailed on the blue notice outside the pub. We object because we live a few doors away from the pub, and it is already very noisy around that area at closing time as it is now without it being pushed into the early hours of the morning. The proposed hours are suitable for pubs and clubs in town but certainly not in a residential street in a village. There are 4 licensed premises in the Main Street and already there is a very high amount of crime and disorder in that area, as just experienced on Saturday 4th November night when there was a big fight etc which resulted in several people being injured including one young girl who was hospitalised. There were 4 police vehicles and an ambulance in attendance after the trouble had flared up.

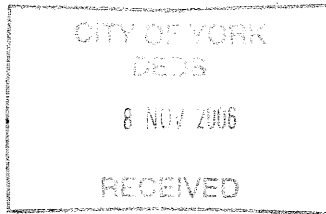
We visit all the licensed premises in the village, however we feel that to extend the hours any further than at present would not be good for the village.

[Redacted signature area]

CITY OF YORK COUNCIL APPLICATION ACKNOWLEDGED	
DATE 9/11/06	LC

14

Main Street
Bishopthorpe
YORK
YO23 2RB



Licensing Dept
9, St Leonards Place
YORK
YO1 7ET

117567

Re Licensing application made by The Woodman, 16 Main Street, Bishopthorpe

To extend hours for supply of alcohol and to provide entertainment consisting of films, indoor sporting events, live and recorded music etc.

As a villager living in the Main St I would like to object to the application as I feel that it will lead to further crime and disorder.

There are already problems at this end of Main Street as customers leave the Woodman and Marcia with occasional damage to parked cars and to gardens and this would increase.

I object to the Woodman staying open through the night of New Year's Eve until closing time on New Year's Day. This will mean that noisy customers will be leaving there through the early hours of the morning, giving no peace at all for residents of Main Street.

Yours faithfully

[Redacted signature]

CITY OF YORK COUNCIL APPLICATION ACKNOWLEDGED	
DATE 9/11/06	LC

15

RECEIVED
/ 9 NOV 2006

The Chief Executive - The Licensing Office
9 St.Leonard's Place York YO1 7ET

4th November 2006

Dear Sir / Madam

THE WOODMAN PUBLIC HOUSE, MAIN STREET, BISHOPTHORPE.

I understand that yet another application for longer opening hours has been made, - by the above. Having personally wasted much time preparing for, - and speaking at, the Public Enquiry re The Marcia, Main street, Bishopthorpe, I am appalled to see that this can still be an on-going problem.

I wish to object to this application on the grounds of Prevention of Crime and Disorder, and Public Nuisance.

1) THERE ARE ALREADY Public Nuisance and Petty Crime problems on Main Street - and elsewhere in The Village, caused by revellers going home after closing time. There is widespread feeling that nobody takes any responsibility for the proper PREVENTION of problems under both the above headings.

Any extension of opening hours is bound to transfer this problem even further into the small hours, which will have even further adverse effect on local Residents (Ratepayers). This situation can only get worse, as any extra trade will likely have to be generated from OUTSIDE Bishopthorpe - from people who will have even less consideration for Bishopthorpe Residents. There is also a PUBLIC SAFETY issue here, with more Drink / Drive potential - predominantly for young people.

2) ANY EXTENSION of the recently agreed opening hours is bound to evoke a response for similarly extended hours from both The Marcia, and the W.M. Social Club, - both of which are almost next door to The Woodman, - also on Main Street, - on the grounds of their losing potential business. This is a very valid commercial consideration, especially as the largest two Pub Companies in the U.K. are involved.

3) THE WOODMAN has now constructed an external drinking area by the establishment of decking etc. on it's front elevation to Main Street, - and this abuts directly onto the windows of the adjacent Cottage. Whilst not my problem, this does seem to be a rather insensitive act by The Woodman.

The Licensing Office must SURELY have a serious responsibility to ensure that such 'in your face' situations are avoided. This in itself is already something of an act of Public Nuisance directly from The Woodman. It is also surely an indication of the Pub's likely attitude towards preventing any escalation of Disorder and Nuisance Problems.

For comments on the effects of the recently steam-rolled liberalisation of Opening Hours, I suggest you consult Cllr. David Livesley, (Liberal Democrat Representative), and Mr. Brian Mellors, (Parish Councillor)

I cannot believe that they would endorse The Woodman's application as a positive step towards alleviating ANY of the Crime & Disorder and Public Nuisance problems this Village already has. It would also, surely, send out - yet again - the message that anything the Pub Companies want, they can have, and local Ratepayers' views count for absolutely NOTHING.

Yours sincerely,


CITY OF YORK COUNCIL APPLICATION ACKNOWLEDGED	
DATE: 11/11/06 9/11/06	LC

16

CITY OF YORK
DEDS
- 9 NOV 2006
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[REDACTED]
[REDACTED]

MAIN STREET
BISHOPTHORPE
YORK
YO23 2RA
7th NOVEMBER 2006

11704

DEAR SIR,

WITH REFERENCE TO THE
APPLICATION BY THE WOODMAN PUBLIC
HOUSE, MAIN STREET, BISHOPTHORPE,
YO23 TO EXTEND OPENING HOURS.
WE WOULD LIKE TO FORMALLY REGISTER
OUR OBJECTIONS.



WE BELIEVE THAT THESE EXTENDED
HOURS WOULD LEAD TO AN INCREASE
IN PUBLIC NUISANCE AS WELL AS
CRIME AND DISORDER.

YOURS FAITHFULLY

[REDACTED] [REDACTED]

17

117690


Croft Court
Bishopthorpe
York
YO23 2RU


PAGE 69 OF YORK
DEDS

10 NOV 2006

RECEIVED

8th Nov 06

Dear Sir,

May we register our objection to the late opening hours at the Woodman Public House in Bishopthorpe.

The problems of excess noise + bad behaviour in main street can only be made worse.

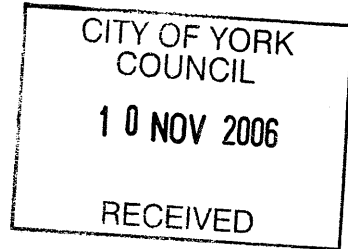
As my garden front is on main street I have an excess of beer bottles and cans with other dreadful rubbish already, plus damage to hedges + fences.

I hope you can see your way to restricting these late opening hours.

Yours Faithfully


75 Main Street
Bishopthorpe
York YO23 2PA

117690



Dear Mr Lacey,

I feel moved to write to you on hearing that the Woodman Public House Main Street Bishopthorpe had applied for a substantial extension to its opening hours.

I would like to raise to you my grave concerns over this particularly as Bishopthorpe is a residential area, longer opening hours would attract the wrong people, noise which at times is already at a high level particularly after midnight would greatly increase as would little already a problem from licensed premises in the area.

In addition last Saturday night witnessed large gangs of under aged youths fighting in Main St, where they had got their alcohol from does not appear to be very clear

and by the time the Police had been called and arrived the gangs had disappeared.

Bishopthorpe does not want to get a reputation for all day and night drinking accompanied by unacceptable behaviour so please make a stand on this one when it comes before the licensing section

Yours sincerely



CITY OF YORK COUNCIL APPLICATION ACKNOWLEDGED	
DATE: 13/11	<input checked="" type="checkbox"/>

19

CITY OF YORK
DEDS
10 NOV 2006
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Main Street
Bishopthorpe
York
YO30 7BZ

09/11/06

117087

Dear Sir/Madam

Re licensing application for Woodman Pub 16 Main St Bishopthorpe

We wish to object to the proposed extended licensing hours for the Woodman. Public House. Main Street Bishopthorpe.

Opening hours of 10.00am -00.00 Sunday to Thursday and 10.00am - 01.00 am on Fridays and Saturdays are excessive for what is essentially a quiet residential street. There have been occasions when live bands or late night openings have made it impossible to sleep and caused nuisance and disorder. This can only increase the problem and cause distress to residents.

I am presuming you know of the new external areas of decking to **front** of the Woodman with railings and heaters (presumably smoking areas?). This suggests that the extended hours will have a greater impact on neighbouring residential properties and this is not acceptable. The pub has a huge garden to rear and in the summer it is noisy but at least the walls and position cushion the noise to a certain extent and we know that they will be closed at a reasonable hour.

Whilst we understand that there might be a case for some extended hours for New Years Eve for example we also have the right surely to enjoy our weekdays, weekends, bank holidays Christmas' etc without the increased potential for public nuisance, noise and disorder affecting us.

Yours sincerely

[Redacted signature]

CITY OF YORK COUNCIL
APPLICATION ACKNOWLEDGED
DATE: 10/11 [Signature]

21

CITY OF YORK
DEDS
13 NOV 2006
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TERRYS MEWS
BISHOPTHORPE ROAD
YORK
YO23 1PG.

~~XXXXXXXXXX~~

6-11-06
117009

Dear Sir,

I am the owner of a property on Main Street, Bishopthorpe (No 1) and I am writing to object to the application seeking to extend the hours made by the Woodwar Pub, 16 Main St. Bishopthorpe.

My objections are made under the 2003 licensing Act which are: prevention of crime and disorder, public safety and prevention of public nuisance.

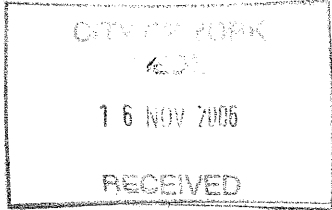
Police were called into Bishopthorpe last week on bonfire night due to crime

* disorder and I certainly do not
want extended hours to supply
alcohol to encourage public nuisance
in the village.

Many Thanks



CITY OF YORK COUNCIL APPLICATION ACKNOWLEDGED	
DATE: 13 / 11	BC



Main Street
Bishopthorpe
York YO23 2RB

Tel: [REDACTED]

Email: [REDACTED]

13 November 2006

The Licencing Office,
9 St. Leonards Place,
York,
YO1 7ET

117742

Dear Sir or Madam;

Re: Application to change licensing hours at The Woodman, Bishopthorpe.

We wish to object in the strongest possible way to the proposed opening hours of this pub for the following reasons:

Over the years we have tolerated a certain amount of loud and loutish behaviour, though we are concerned that with time this is getting worse (or our tolerance less). It is bad enough listening to drunks shouting as they parade down Main Street between 11pm and midnight. To have to tolerate this even later in a residential area is not acceptable.

In addition to noise we have over the years suffered petty vandalism, the worst being a coin that was thrown and broke a front window resulting in a £50 bill to replace it. Recently there was an incident fuelled by alcohol, I understand criminal charges may result.

If one public house in Main Street opens late then the other two will also be forced by competition (already fierce between the three) to similarly apply, and precedent having been set this may well result in our having to suffer three times the aggravation the present licensing application is likely to lead to.

It is not acceptable that an experiment in late opening is instigated in a residential area, particularly as present users have shown themselves incapable of behaving in a responsible and social manner.

We hope you will take due regard of our concerns as we are very concerned these proposals represent more than the thin end of a wedge in terms of disrupting village life.

Yours sincerely

[REDACTED SIGNATURE]

CITY OF YORK COUNCIL	
APPLICATION ACKNOWLEDGED	
DATE	16/11/06

94

[Redacted] Church lane, Bishopthorpe, York. YO23 2OG.

Tel: [Redacted]

E Mail: [Redacted]

CITY OF YORK DEDS 1 5 NOV 2006 RECEIVED
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The Licensing Office
9 St Leonards Place
York
YO1 7ET

13th November 2006

117727

Dear Sir

Licence application for extended hours at the Woodman pub, Bishopthorpe.

I would like to oppose the proposed application at the above establishment. while I do not wish to take away peoples enjoyment or perpetuate a nanny state mentality, there really is nothing to commend this application.

The village is exactly that, a village not a town. There is a level of activity in a village which is acceptable to the majority of residents and that does not include pubs being open till 1 or 2 in the morning. While on paper this may seem feasible, there is no doubt that the majority of people who drink to this time are usually well beyond their limit and control, and despite what landlords say, I don't believe the person leaves the establishment sober only to find a minute later they are drunk, with the usual behavioural problems!

In the present climate of binge drinking do you think it's a reasonable idea to give more opportunity to people who find a singular lack of self discipline, to get into a worse state? I think not. There are so few shift patterns of work or farming hours that used to create a demand for changeable hours around now to even contemplate it. If I had wanted to live in a place where all night entertainment was the thrust of life, I would live in a town centre, but I don't. and I don't wish to see it, particularly for the people living in the immediate vicinity. there will always be an element who will misbehave and I don't think that should be encouraged. lets preserve their livers and dignity and get them out at a reasonable time!

Yours faithfully

[Redacted Signature]
[Redacted Name]

CITY OF YORK COUNCIL APPLICATION ACKNOWLEDGED	
DATE 15/11	FR

25

CITY OF YORK
DEDS
15 NOV 2006
RECEIVED

Church Lane,
Bishopthorpe,
York, YO23 2QG.

13th November, 2006.

117720

Dear Sir/Madam,

Change to Woodman application - Bishopthorpe

Regarding the Woodman Pub, 16 Main Street, Bishopthorpe, York, We wish to object to the new application regarding the times when alcohol can be sold extended to the following:

From Sundays to Thursday 10.00am - 01.00am, on Fridays and Saturdays, 10.00a.m. - 2.00am and on Christmas Eve and New Year's Eve 10.00am - 2.00am.

Cllr. David Livesley, Bishopthorpe Liberal Democrat, will be representing our-selves.

[Redacted signature line]

Yours faithfully,

[Redacted signature block]

To:- Licensing Office,
9 St. Leonards Place,
York, YO1 7ET.

CITY OF YORK COUNCIL APPLICATION ACKNOWLEDGED	
DATE: 15/11	[Signature]

26

CITY OF YORK
DEDS
15 NOV 2006
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Ebor Court
Sim Balk Lane,
Bishopthorpe,
York,
YO23 1QQ.
13-11-06.

City of York Council,
Licensing and Regulatory Services,
9 St Leonards Place,
York,
YO1 7ET.

117726

The Woodman Inn, Bishopthorpe. Proposed Variation in Opening Hours.

Dear Sir,

I write to object to the proposal to extend the opening hours of the Woodman Inn in Bishopthorpe, shown in the Public Notices of the Evening Press dated 31-10-06.

My objection is based on the grounds of increased noise late at night.

With the Public Houses in Bishopthorpe being in walking distance for most village residents, people walking home in a happy and sometimes aggressive frame of mind after drinking alcohol, act in a louder manner than they would normally. At present these people are generally heard walking past my home between 2300 and 2400.

Under the proposal the Woodman would become the 'Last port of call in the village' and the noise created by people leaving, who are likely to be more inebriated than at present, would be extended to between 0100 and 0300 in the morning when the majority of residents are in their beds asleep. This is unacceptable.

Will you please take the above into account when reviewing this application?

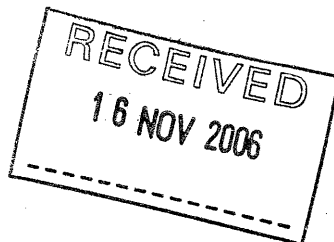
Yours sincerely,

[Redacted signature]

CITY OF YORK COUNCIL
APPLICATION ACKNOWLEDGED
DATE 17/11 [Signature]

28

Ms Leslie Cooke
 York City Council
 9 St Leonard's Place
 York
 YO1 7ET



[REDACTED]
 Main Street
 Bishopthorpe
 YORK
 YO23 2RB

14th November 2006

Dear Ms Cooke

Re: application for extended licensing hours, Woodman Inn Bishopthorpe, York

We are writing to strongly object to any variation of the licence for the Woodman Inn.

Main Street, Bishopthorpe is in the conservation area and is primarily a residential area. It already has three other licensed premises and should this extension be granted they also could apply for the same leading to very late night drinking and excessive noise in the village increasing traffic noise and public nuisance which has accelerated over the summer months. We believe there are enough hours already to accommodate the needs of local drinkers as found by the previous Landlords. On a more personal note.

THIS PROPERTY ADJOINS OURS

A. We already have done major work within our home to insulate from noise and feel in this respect we can do no more. **The Woodman is not a detached public house and therefore a comparison should not be made with the other licenced properties in the village.**

B. In the past music of any sort can be heard through the wall and should this be a regular occurrence at the requested hours it would be totally impossible to live with - particularly for us and other neighbours. We already have music from other establishments and indeed can hear it now in spite of the double-glazing and tv. - from the Social Club. As music is played at the Club every weekend and during the week surely the need for yet more in premises attached to a residential home is completely unnecessary.

C. Decking has been placed within 4 feet of our sitting room/bedroom windows with lighting and heaters for outdoor drinking/eating/smoking.. Most people know that decking exacerbates every noise which will be intolerable at any time. We already suffer noise from people walking in and out of the pub on the new decking. Decking is also proposed for the back which will again mean more noise. Also this will mean the smoke from the no-smoking ban will drift in our house and garden.

D. We have always had noise 30 feet away from the house in the garden due to the beer cooling system which although a nuisance we have never complained about. However the kitchen is actually attached to our house with no outside ventilation relying completely on extractor fans and cooling systems. Although the cooling system falls above the noise regulation and therefore should not be used, the extractor is just below and therefore can be on for 10 hours per day giving a constant hum and vibration, even when on low, so should late night eating be granted with its inevitable clearing up afterwards this would be totally unacceptable as we would be unable to sleep.

Finally we are aware of the problems living close to a public house brings having resided here for nearly forty years without too many problems but are totally opposed to any changes in the current licence, particularly if later hours were allowed as our/anyones future living here would appear to be under threat.

Yours sincerely

[REDACTED SIGNATURE]

Page 72
CITY OF YORK
DEDS
17 NOV 2006
RECEIVED

[Redacted]
[Redacted] Sim Balk Lane,
Bishophorpe,
York,
YO23 1QQ.
13-11-06.

City of York Council,
Licensing and Regulatory Services,
9 St Leonards Place,
York,
YO1 7ET.

117758

The Woodman Inn, Bishophorpe. Proposed Variation in Opening Hours.

Dear Sir,

I write to object to the proposal to extend the opening hours of the Woodman Inn in Bishophorpe, shown in the Public Notices of the Evening Press dated 31-10-06.

My objection is based on the grounds of increased noise late at night.

With the Public Houses in Bishophorpe being in walking distance for most village residents, people walking home in a happy and sometimes aggressive frame of mind after drinking alcohol, act in a louder manner than they would normally. At present these people are generally heard walking past my home between 2300 and 2400.

Under the proposal the Woodman would become the 'Last port of call in the village' and the noise created by people leaving, who are likely to be more inebriated than at present, would be extended to between 0100 and 0300 in the morning when the majority of residents are in their beds asleep. This is unacceptable.

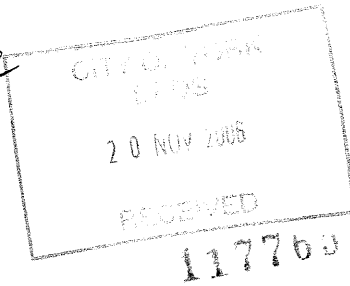
Will you please take the above into account when reviewing this application?

Yours sincerely,

[Redacted Signature]

CITY OF YORK COUNCIL APPLICATION ACKNOWLEDGED	
DATE: 17/11/06	LC

The Licensing Officer
9 St. Leonards Place
York YO1 7ET



Church Lane
Bishopthorpe
York YO23 2QG.

18th November 2006

RE: APPLICATION FOR EXTENSION OF OPENING HOURS
FROM THE 'WOODMAN' BISHOPTHORPE

Dear Sirs

Bishopthorpe is a small, quiet village with one main street.

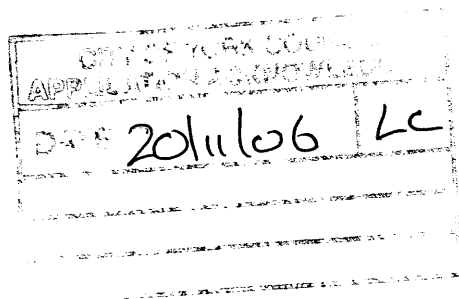
There are three public houses and one licenced club, all of which are situated in the one main thoroughfare.

If permission is granted to the 'Woodman' to stay open until the early hours, the other three will certainly apply for a similar extension.

Four pubs turning out at 2:30 AM on Saturday and Sunday morning is not an attractive thought.

I ask you, please, turn down this application.

Yours sincerely



Main Street
Bishopthorpe
York
YO23 2RA

PLANNING
20 NOV 2006
DESIGN

Dear Sir / Madam

We wish to object to the application made by the Woodman Pub, 16 Main Street, Bishopthorpe, to extend their opening hours for the following reasons :-

- Residential area with predominantly older residents.
- Private dwellings on both sides of the pub
- Longer drinking hours could lead to anti-social behavior in small hours causing noise and vandalism
- Most residential properties are close to road, without garages, and if anti-social behavior increases, so will car crime.
- Likely to bring in non-local people and increased traffic, particularly in early hours of morning, cause noise disturbance
- Not social hours drinking so likely to attract unsociable people
- Already disturbed when people leave the pub, this will only become later and with the potential for increased consumption, and will be louder and more anti-social
- Cars needed to get to pub as no public transport at that hour - increased consumption, increased risk of drink driving offences in a residential area.
- Pub used by race-goers, could create yet more opportunities for binge drinking, by people who drink all day - will policing be provided or diverted from town centre? Village not the appropriate place to draw large numbers of race goers at this time of night.
- Set precedent for other pubs in village
- Extended hours more suitable for town centre and not a village

We hope the Licencing Committee we take these objectins into consideration when debating the application.

Yours sincerely

[Redacted signature]

[Redacted name]

[Redacted address line 1]

[Redacted address line 2]

CITY OF YORK COUNCIL	
APPLICATION ACKNOWLEDGED	
DATE	20/11/06 LC

[REDACTED]

CITY OF YORK
DEEDS
21 NOV 2006
RECEIVED

TEL: [REDACTED]

Ms Leslie Cooke
York City Council
9 St Leonard's Place
York
YO1 7ET

117759

16th November 2006

Dear Ms Cooke

Re: Proposed extension of licensing hours at The Woodman Pub, Bishopthorpe

My parents, [REDACTED] to The Woodman and I am horrified to hear of the proposed changes to the use of this village pub.

Generally, I am concerned that the nature of the village will change if these changes in the licensing laws are permitted as the later opening hours will without doubt result in rowdy behaviour and petty crimes in the Main Street.

Specifically with respect to my parents the extension of the opening hours would be a real and persistent nuisance. It would make it impossible for my parents and any visitors to go to sleep before the last drinkers have left as the noise they make can be heard in the bedrooms. This will be particularly true now that those drinking and smoking will use the new decking feature which by its very nature will create extra noise and disturbance extremely close to the house. My husband and I, and particularly our young children, have already experienced this on warm evenings when we have been visiting and even with the 11pm last orders it is a real nuisance. If the noise were to continue until the early hours it would seriously affect our visits. I am also extremely worried about the affect it would have on my parent's long term sleep and health.

I would be very grateful if you could take these points into consideration when reviewing the licensing times for The Woodman Pub, and indeed the other Bishopthorpe village pubs.

Yours sincerely

[REDACTED]

CITY OF YORK COUNCIL
APPLICATION ACKNOWLEDGED
DATE 21/11/06 LC.

Main Street
Bishopthorpe
York
YO23 2RB



11777

19th November 2006

Dear Sir/Madam

CITY OF YORK
COUNCIL
21 NOV 2006
RECEIVED

Licence Application - The Woodman

Bishopthorpe

I am writing to object very strongly to the proposed variation of the licence at the Woodman.

I live in Main Street. The current licensing arrangements for the pubs and club are just about tolerable. The proposed licensing laws for the Woodman would make a significant difference to our lives on Main Street.

I object to the proposed hours on the grounds that they - along with live entertainment and recorded music - would certainly cause a public nuisance. I believe that they would increase the risk of disorder in Main Street after closing time.

The prospect too of the Woodman staying open until 2:00am on Christmas morning with the prospect of further nuisance and disorder is a horrifying prospect for people living in this residential area.

Yours sincerely



CITY OF YORK LOCAL AUTHORITY	
APPLICATION FOR LICENSING	
DATE	22/11/06 LC

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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9, St. Leonards Place, York, YO1 2ET
Telephone: 01904 613161

Site Plan : The Woodman 16 Main Street Bishopthorpe York

SCALE: 1:2500 DRAWN BY: JB
 Originating Group: Project
 Organisation

DATE 28/11/2006
 Drawing No. **JC 12A**



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MANDATORY CONDITIONS – PREMISES LICENCE LICENSING ACT 2003

MANDATORY CONDITIONS WHERE LICENCE AUTHORISES SUPPLY OF ALCOHOL

- (1) In accordance with section 19 of the Licensing Act 2003, where a premises licence authorises the supply of alcohol, the licence must include the following conditions.
- (2) The first condition is that no supply of alcohol may be made under the premises licence –
 - (a) at a time where 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.
- (3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

MANDATORY CONDITION: EXHIBITION OF FILMS

- (1) In accordance with section 20 of the Licensing Act 2003, where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
- (2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- (3) Where –
 - (a) the film classification body is not specified in the licence, or
 - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,
 admission of children must be restricted in accordance with any recommendation made by that licensing authority.
- (4) In this section –
 - “children” means persons aged under 18; and
 - “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

MANDATORY CONDITION: DOOR SUPERVISION

- (1) In accordance with section 21 of the Licensing Act 2003, 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, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
- (2) But nothing in subsection (1) requires such a condition to be imposed –
 - (a) in respect of 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) in respect of premises in relation to –
 - (i) 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
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- (3) For the purposes of this section –
 - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and

- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Legislation and Policy Considerations

1. The following provisions of the Licensing Act 2003 apply to this application: S4 general duties of licensing authorities; s17 application for premises licence; s18 determination of application for premises licence; s23 grant or rejection of application; and ss19, 20 and 21 mandatory conditions.
2. The following provisions of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005 apply to this application: Regulation 42, Part 2 (Premises licences) and Part 4 (General) relating to applications, notices and representations and advertisement of applications
3. The following provisions of the Secretary of State's guidance apply to this application: Paragraphs 5.47 Steps to promote the licensing objectives.
4. The following paragraphs of the licensing authority's statement of licensing policy apply to this application: 3.2 Crime and Disorder; 4.1 Consultation on New Premises Applications, Club Premises Certificates, Variations and Provisional Statements; 4.2 General Principles for Determination of Applications; 5.0 Guidelines for Applicants; 7.0 Licensing Hours and Appendix D Pool Conditions.
5. The Committee is reminded of their duty under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the authority's responsibility to co-operate in the reduction of crime and disorder in the city.
6. The Committee is reminded that the Human Rights Act 1998 guarantees the right to a fair hearing for all parties in the determination of their civil rights. The Act also provides for the protection of property, which may include licences in existence, and the protection of private and family life.

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