

## AGENDA SUPPLEMENT 2

### Licensing/Gambling Hearing

**To:** Councillors Galvin, Hook and Norman

**Date:** Thursday, 17 June 2021

**Time:** 10.00 am

**Venue:** Remote Meeting

The Agenda for the above meeting was published on **9 June 2021**. The attached additional documents are now available for the following agenda item:

#### **4. Exclusion of Press and Public**

To consider excluding the Press and Public:

- a) During any discussion in relation to Document 1\* of the additional papers submitted by a Representor, on the grounds that it contains information relating to an individual, which is classed as exempt under paragraph 1 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006); and
- b) During the sub-committee's deliberations and decision-making at the end of the hearing, on the grounds that the public interest in excluding the public outweighs the public interest in that part of the meeting taking place in public, under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005.

*\*Note: this supplement was re-published on 18 June 2021 to remove the restriction on Document 1, in accordance with Members' decision at the hearing in respect of this item.*

6. **The Determination of an Application by Hardy Ltd. for a Section 18(3) (a) Premises Licence in respect of 7 Castlegate, York, YO1 9RN (CYC-068419)** (Pages 1 - 8)

This agenda supplement was published on **15 June 2021**.

**Licensing Hearing 17 June 2021**

**Additional documents submitted by Representor**

1. Register extract in respect of 7 Castlegate
2. Land Registry plans showing neighbouring land

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Title Number : NYK25894

This title is dealt with by HM Land Registry, Durham Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy.

This extract shows information current on 15 JUN 2021 at 12:50:12 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: NYK25894
Address of Property	: 7 Castlegate, York (YO1 9RN)
Price Stated	: £403,500
Registered Owner(s)	: EBOR TRUSTEES LIMITED (Co. Regn. No. 03514268) of Apollo House, Eboracum Way, York YO31 7RE SIMON ROYCE MALARKEY of 56 Grange Garth, York YO10 4BS BURGESS ASSOCIATES LIMITED (Co. Regn. No. 07129621) of 22 Coppergate, Riccall, York YO19 6PE PEANUT INVESTMENTS LIMITED (Co. Regn. No. 10370105) of 218 Mount Vale, York YO24 1DL.
Lender(s)	: None

Title number NYK25894

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 15 JUN 2021 at 12:50:12. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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## A: Property Register

This register describes the land and estate comprised in the title.

YORK

- 1 (07.09.1983) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 7 Castlegate, York (Y01 9RN).
- 2 (16.07.1993) A new title plan based on the latest revision of the Ordnance Survey Map has been substituted for the original plan.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (10.12.2019) PROPRIETOR: EBOR TRUSTEES LIMITED (Co. Regn. No. 03514268) of Apollo House, Eboracum Way, York YO31 7RE and SIMON ROYCE MALARKEY of 56 Grange Garth, York YO10 4BS and BURGESS ASSOCIATES LIMITED (Co. Regn. No. 07129621) of 22 Coppergate, Riccall, York YO19 6PE and PEANUT INVESTMENTS LIMITED (Co. Regn. No. 10370105) of 218 Mount Vale, York YO24 1DL.
- 2 (10.12.2019) The price stated to have been paid on 22 November 2019 was £403,500.
- 3 (10.12.2019) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.
- 4 (10.12.2019) RESTRICTION: No disposition by the proprietors of the registered estate is to be registered unless one or more of them makes a statutory declaration or statement of truth, or their conveyancer gives a certificate, that the disposition is in accordance with Deed dated 22 November 2019 made between (1) Ebor Trustees Limited (Co Reg No 03514268), Simon Royce Malarkey, Burgess Associates Limited (Co Reg No 07129621) and Peanut Investments Limited (Co Reg No 10370105) and (2) Dale Richard Morgan and DCD Trustees Limited (Co Reg No 08401883) or some variation thereof referred to in the declaration, statement or certificate.
- 5 (10.12.2019) The Transfer to the proprietor contains a covenant to observe and perform the covenants by the landlord contained in the leases referred to in the Schedule of Notices of Leases and of indemnity in respect thereof.

## C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 The land is subject to the following rights contained in a Conveyance

Title number NYK25894

**C: Charges Register continued**

of the land in this title dated 3 May 1887 made between (1) William Stickney Rowntree and George Brown (2) George Robert Clayton and (3) William Dove and Joseph William Craven:-

"subject to a right of road for all purposes at all times in the day time and at reasonable hours in the night time having reference to the purpose for which such user is required to and for the owners and occupiers for the time being of certain hereditaments lately belonging to the said William Stickney Rowntree and George Brown as such Trustees as aforesaid and by them recently sold for the said William Dove and Joseph William Craven and William Whittaker respectively over and along the yard and passage forming part of the said hereditaments hereby conveyed into Castlegate aforesaid to and from the said hereditaments purchased by the said William Dove and Joseph William Craven and the said William Whittaker respectively"

- 2 A Conveyance of the land in this title dated 12 July 1983 made between (1) William Hill Organization Limited (Purchaser) and (2) Symbolplan Properties Limited (Purchaser) contains the following covenants:-

"FOR the benefit of the Vendor's property at 3 High Ousegate York or any part or parts thereof and so as to bind so far as may be the property hereby conveyed into whosoever hands the same may come the Purchaser hereby covenants with the Vendor that the Purchaser and all persons deriving title under it will not use or permit the property hereby conveyed to be used either as a licensed betting offices or as administrative offices of any person or form or company carrying on the business of a licensed betting office operator or bookmaker"

- 3 The land is subject to the rights granted by a Deed dated 21 January 1986 made between (1) Richard Martin Stanley and Irene Mary Stanley and (2) Grantham O'Donnell Estates Limited.

*NOTE: Original filed.*

- 4 (04.06.2008) The land is subject to a right of way on foot with or without cycles and motor cycles over the side access path on the south eastern boundary of the land in this title leading from Castlegate to the rear of the property, which right has been acquired through long user.

*NOTE: Copy statutory declaration dated 18 February 2008 made by Noel Hetherton filed under NYK330435.*

- 5 (10.06.2010) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.  
The leases grant and reserve easements as therein mentioned.

- 6 (16.10.2018) The land is subject to the easements granted by a lease of First and Second Floor Offices, 7B Castlegate dated 5 September 2018 made between (1) Richard James Stanley and Elizabeth Jane Pirrie, Executors of Richard Martin Stanley deceased (Lessors) and (2) CUIL Ltd (Lessee) for a term of years commencing on 5 September 2018 to and including 4 September 2022.

*NOTE:-Copy filed.*

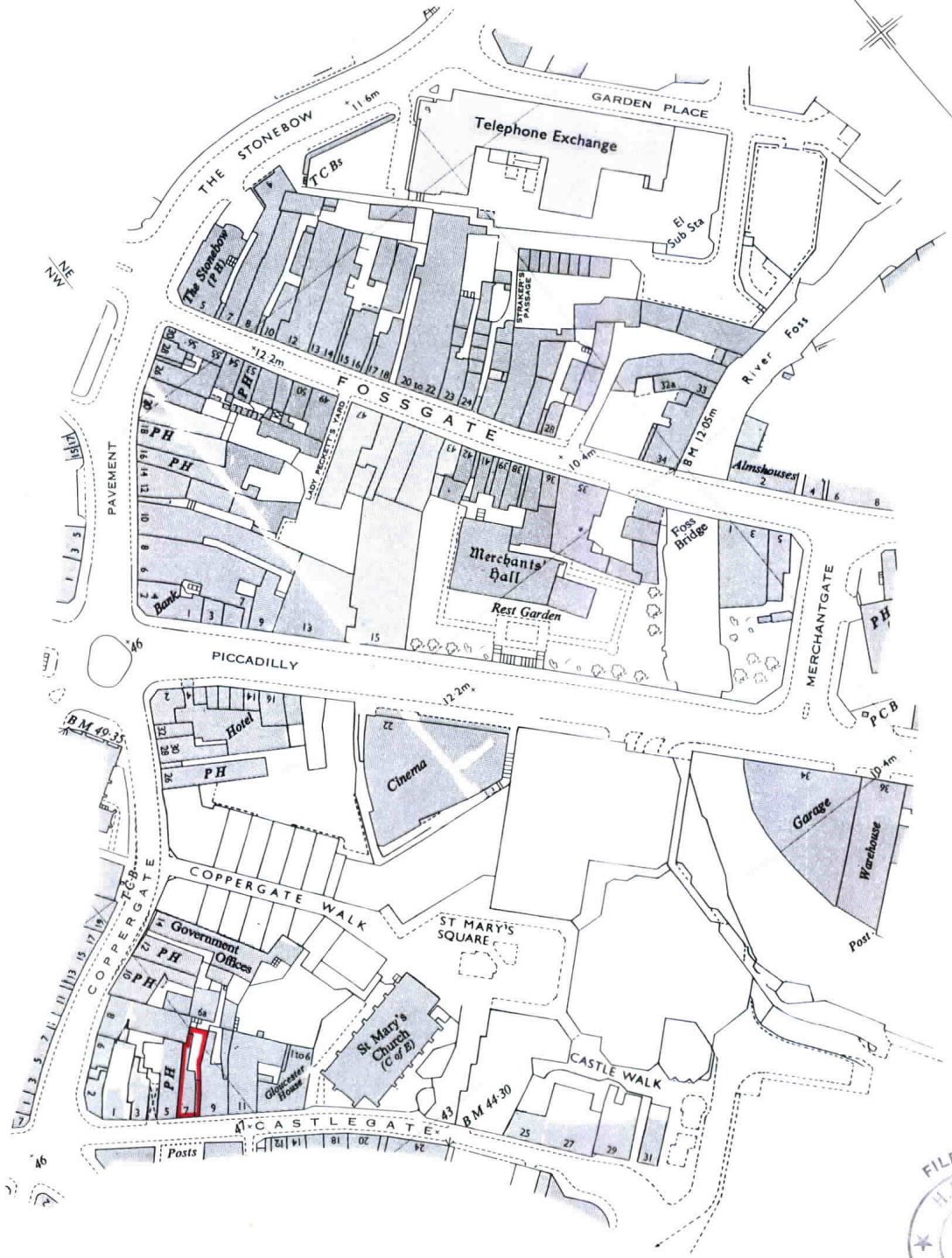
**Schedule of notices of leases**

	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
1	24.12.2013	7 Castlegate (Ground Floor Shop)	15.11.2013 3 years from 15.11.2013 ending on and including 14.11.2016	

End of register

H.M. LAND REGISTRY		TITLE NUMBER <b>NYK 25 894</b>	
ORDNANCE SURVEY PLAN REFERENCE	SE 6051	SECTION N	Scale 1/1250
COUNTY NORTH YORKSHIRE DISTRICT YORK			© Crown copyright 1986

ADMINISTRATIVE AREA YORK



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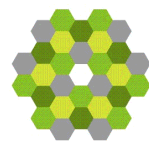
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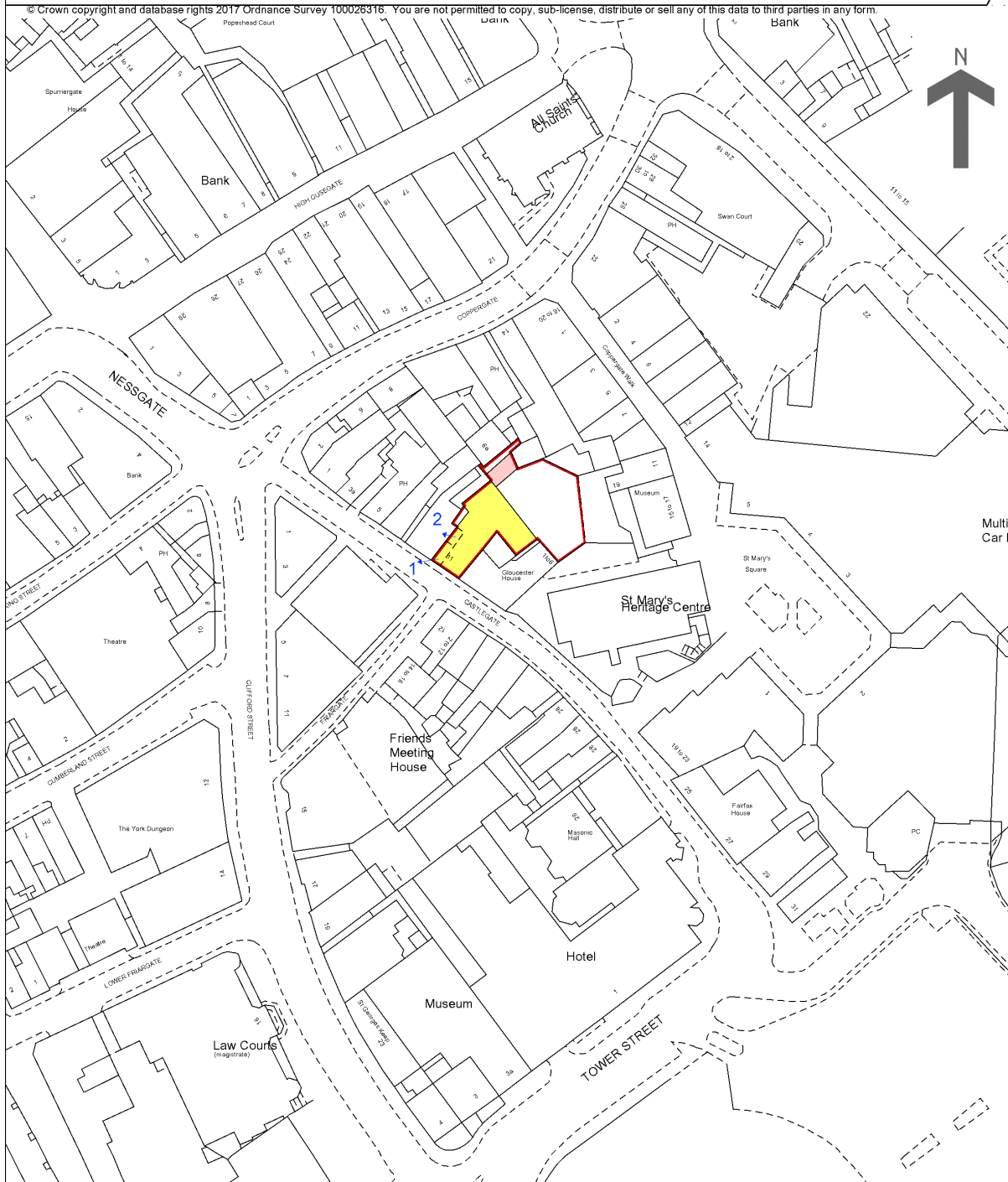
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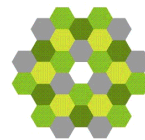


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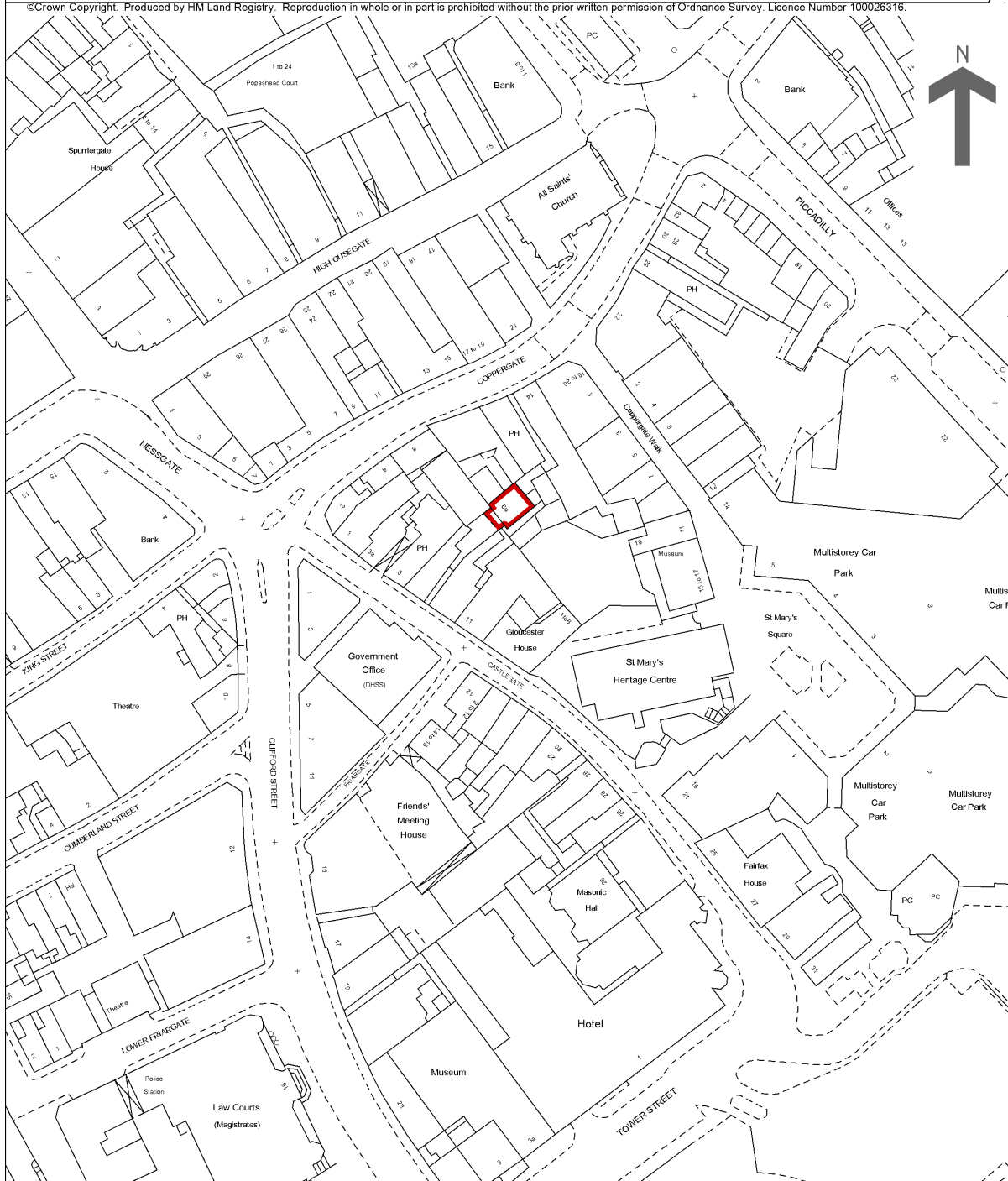
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