


ANNEX 3

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

 The Mount,  
York.

09.06.2006.

Dear Sirs,

89, The Mount

I am writing to object to the application for a late music and dancing licence at the above premises, which I think is inappropriate in this family residential area that also has strong Quaker connections. I believe this sort of licence is best granted in the city centre "party zone" and not where school-age children need to sleep.

Yours faithfully,



RECEIVED  
13 JUN 2006

CITY OF YORK COUNCIL  
APPLICATION ACKNOWLEDG.  
DATE 13/6/06 LC


local licensing policy. The current application is silent on local licensing policy.

Specific shortcomings are as follows:

1. The planning application for this development has been recently withdrawn. The provisional statement is being made in contravention to local planning policy 3.1 that requires an applicant to demonstrate special circumstances why an application should be heard prior lawful planning consent being granted. Although it is acknowledged that the approval being asked for is against a Provisional Statement, how can approval that carries weight be given against an unknown scheme?
2. In section 5.3 the Local Planning Policy expects license holders to consider a number of issues in relation to public nuisance. The application is silent on these. I would have expected the application to have acknowledged the residential setting of the proposed development and that this was a key issue to be addressed.
3. Under planning policy 7 Licensing Hours, there is a requirement to demonstrate a fair balance between the needs of licensed business and the risk of disturbance and nuisance to local residents. No such balance has been demonstrated and I understand that there are separate representations from local residents with respect to the proposed hours.

In view of this and other representations I expect that this provisional statement will be subject to either mediation under Local Policy 4.2 or subject to a separate hearing where my objections can be raised.

Yours faithfully



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CITY OF YORK  
DEDS  
12 JUN 2006  
RECEIVED

Scarcroft Road  
York  
YO24 1DD

11 June 2006

City of York Council  
Licensing and Regulations Services  
9 St. Leonard's Place  
YORK  
YO1 7ET

Dear Sir/Madam,

Re: Application for Provisional Statement by Hotel du Vin at 89 The Mount, York

We are writing to object to the application by the above hotel group for an entertainments and alcohol license within the hours 1000-0000 Monday to Sunday and 1000 – 0100 for private functions.

We would not object if the hours for entertainment were 1000 – 2230 Sunday to Thursday and 1000 – 2330 Friday and Saturday. We would not object if the hours for sale of alcohol were 1000-2300 Sunday to Thursday and 1000 to 0000 Friday and Saturday.

Our objection to the above is on the grounds of 'public nuisance'. This is because the hotel is close to our house and we think that music playing after 2230 (2330 on Fridays and Saturdays) would prevent everyone in the vicinity from sleeping. It is currently quiet to the rear of our house in this so-called conservation area in the evenings so we are also concerned about the noise generated by people arriving/leaving the premises in cars late at night as the car park is likely to be directly to the rear of our property.

We object to any sale of alcohol off the actual hotel premises (i.e. in the 'garden' area adjacent to our property).

The reason for this is again on the grounds of public nuisance as for example, if a marquee were to be erected in the grounds then it would create disturbance in our garden which backs directly on to the garden of 78 The Mount as already stated.

Yours sincerely,

[Redacted signature]

CITY OF YORK COUNCIL  
APPLICATION ACKNOWLEDGED  
DATE 12/6/06 LC

garden fences. This would inevitably mean disturbance from people, music and traffic throughout the week and at least until 1 am and then presumably the staff would be clearing up so noise could be a disturbance to us until the early hours of the morning any day of the week. We are also concerned about light pollution, which would impose on our privacy in the evenings and winter months.

We also see that the company have addressed steps intended to promote the four licensing objectives ( General), but no statements have been made concerning the following objectives:

The prevention of crime and disorder

Public safety

The prevention of public nuisance

The prevention of children from harm.

We hope that careful consideration is made to all the above points before a decision is reached regarding the application.

Yours truly

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From

PLANNING

06 JUN 2006

(7)

Scarcroft Road  
YORK YO24

DESIGN

Re - application for a Part 2  
Statement at 89 The Mount

I am 86 (I think) & my wife is 85, & we have lived at the above address for 37 years.

For all that time we have enjoyed the peace & tranquility of the back area & have never had any noise or disturbance from the Boning Team & their etc.

We consider that the current application for entertainment & the supply of alcohol until midnight (or later) is 12m.

For private functions) could be a long & costly exercise & public nuisance for all us making the premises.

This is a residential area, all the noise etc associated with entertainment & the supply of alcohol & any outdoor noise (music, people, cars etc) can be heard in the night & every night & would disrupt our sleep & our time, to make them intolerable.

CITY OF YORK COUNCIL APPLICATION ACKNOWLEDGEMENT
DATE 9/6/06

Yours sincerely

[Redacted Signature]

of a peaceful amenity which has long been enjoyed.

Although the provision of regulated entertainment and entertainment facilities is sited indoors the supply of alcohol is not and there is nothing in the statement that would either prevent alcohol being taken and consumed outside or the erection of a marquee in the garden.

For that to occur any night of the week up to 1 am, with the subsequent movement of cars and the noise of people leaving the premises would be a public nuisance.

It is a nightmarish scenario of sleep deprived children going to school the next morning and adults having to go to work, of all residents being deprived of sleep.

Strict conditions and limitations must be applied to this provisional statement. Even music indoors can be heard from a distance. Noise at night must be controlled. It is the duty of the Council to protect residents from disturbance and not create what would be intolerable living conditions. We use the public aid that would be a public nuisance.



cc. Ward Councillors:

Dave Bennett

Dave Evans

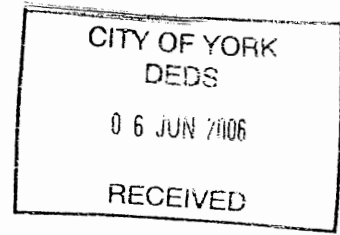
Sandy Fraser

CITY OF YORK COUNCIL	
APPLICATION ACKNOWLEDGED	
DATE: 7/6/06	Lc

[redacted], Park Street,  
York YO2 [redacted]

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3.6.6.



Licensing + Regulation Services,  
City of York Council.

CITY OF YORK COUNCIL APPLICATION ACKNOWLEDGED	
DATE: 6/6/06	Le

115531

Dear Sir,

Application for Provisional Statement,  
Hotel du Vin, 89 The Mount, York.

While hoping that the new hotel will flourish,  
I would like the peace of the residential  
area to be respected, and to be protected by  
any licence that is granted. Therefore I  
propose:

- Sale of alcohol for consumption on the premises  
only. There is no need for an off-licence, as this  
is fully supplied by the local Sainsbury's at Jackson,  
less than 200m distant.
- Extension of entertainment licence till 1am to  
be granted not more than once per week.
- Garden area behind residential properties to be  
retained solely as garden, not used for parking  
nor late-night entertainment.

Yours sincerely,  
[redacted]