

Licensing/Gambling Hearing

To: Councillors Galvin, Mason and Melly

Date: Thursday, 6 August 2020

Time: 10.00 am

Venue: Remote Meeting

AGENDA

1. Chair

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

2. Introductions

3. Declarations of Interest

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

4. **The Determination of a Section 18(3) (a) Application by Event Coordin8 Ltd for a Premises Licence in respect of The Salix Yurts, Willow House Caravan Park, Wigginton Road, Wigginton, York, YO32 2RH**

Note: With reference to Annex 8 to the report, please use the web links below to assist in clarifying the location of the application site.

<https://www.google.com/maps/@54.0026834,-1.0918454,211m/data=!3m1!1e3>

<https://www.google.com/maps/@54.0027034,-1.0918412,3a,75y,10.97h,76.89t/data=!3m6!1e1!3m4!1sVa7BG0VI3RLbfhkqz1qKJQ!2e0!7i16384!8i8192>

Democratic Services:

Contact Details:

- Telephone – (01904) 552030
- Email - fiona.young@york.gov.uk

For more information about any of the following, please contact Democratic Services:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats.

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

Distribution:

Members of Licensing Act 2003 Sub-Committee

Licensing Officer

Legal Services

Applicant

Representors

Press, Library

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LICENSING ACT 2003 SUB – COMMITTEES PROCEDURE FOR REMOTE LICENSING HEARINGS

Introduction

1. During the coronavirus pandemic emergency period it will be necessary for licensing hearings to be dealt with remotely. This procedure sets out how City of York Council will deal with such hearings. This procedure must be considered in conjunction with the Council's Delivery of Remote Meetings document which sets out how all meetings, including licensing hearings will be held in York.
2. The procedure adopted at a licensing hearing is at the discretion of the Sub-Committee but will normally follow the pattern outlined below.
3. The Council's hearings procedure is based on regulations made by the Secretary of State under the Licensing Act 2003. The procedure is intended as a general framework to ensure natural justice and a fair hearing. The Sub-Committee has a duty to view all evidence presented before them impartially. The Sub-Committee is not bound by the formal rules of evidence. Nevertheless, Members must carry out their duty placing what weight they feel is appropriate given the nature of the evidence and the manner in which it was obtained, and communicated.
4. The Council will provide a record of the hearing in a permanent and intelligible form and keep it for 6 years from the date of determination or disposal of any Appeal. The Hearing will be recorded and the recording placed on the Council's website.

Preparation for the Remote Licensing Hearing

5. The Sub-Committee will use the video-conferencing platform when the hearing is in public session. Clear instructions will be provided to participants on how to join the remote hearing. The Sub-Committee may exclude the public from all or part of a hearing if it considers it is in the public interest to do so. Should any part of the hearing need to be held in private session, a separate private online meeting will be convened by the Sub-Committee. This video-conferencing platform will also be used for decision making in private. All paperwork relevant to the hearing will be published online on the Council's

website, 5 working days before the remote hearing. The documents will be produced in PDF format and will be paginated to permit ease of reference during the remote hearing. Name and address details of those making representations will be made public. Telephone numbers, email addresses and signatures will be omitted.

6. 5 working days before the remote hearing is due to take place, the Council will contact the parties with a list of issues they would like any party to specifically address them on or clarify at the hearing.
7. If in light of the Council's list of issues any party wishes to produce any further documentary evidence they should submit this to the Council by email three working days before the hearing.
8. Any documentary evidence that is not submitted to the Council by email three working days before the hearing will not be admitted without the agreement of all parties. If it is essential to a party's case that the material be admitted, then the Sub-Committee will consider adjourning the remote hearing to allow all parties a fair opportunity to consider it.
9. Should any party wish to rely on any points of law, specific references in the s.182 Guidance, specific references in the Council's Policy or any other external resources, these should be set down in an electronic document and submitted to the Council by email three working days before the hearing.

The Remote Licensing Hearing

10. The Applicant is permitted to speak at the remote hearing (see below). Ward Councillors, responsible Authorities and Representors are only permitted to speak if they have made written submissions during the consultation period. Any party to a hearing may be assisted or represented by any person, legally or otherwise.
11. 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 and question each other. Each party will have 15 minutes to address the Sub-Committee and call any witnesses and 5 minutes for questions.

12. However, where there are groups of individuals with a common interest, for example local residents making similar representations either for or against an application, consideration should be given to nominating a spokesperson. Otherwise the Sub-Committee may impose a time limit for such representations where there is pressure on the Sub-Committee to hear numerous applications in a short period of time or for any other valid reason.
13. If any Representors fail to attend the hearing, the Sub-Committee will normally proceed but will consider their written representation. In considering written evidence in the absence of a Representor, appropriate weight will be attached, given that the person cannot be questioned by Members.
14. **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 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 made at length.
15. A Representor **may not** introduce any new ground or objection not referred to in their written submission. Additional representations which do not amount to an amplification of the original representation will not be considered by the Sub-Committee.
16. Any person behaving in a disruptive manner will be asked to leave the hearing. However, if this occurs, that person will be entitled to submit in writing any information they would have been entitled to give orally.

ORDER OF PROCEEDINGS AT THE REMOTE HEARING

Chair's introduction and opening comments

17. The Chair will introduce the Sub-Committee Members and Officers and welcome the Applicant and Representors (or their

representatives), and establish the identity of all who will be taking part.

18. The Chair will outline the procedure to be followed.

19. The Chair will proceed with the order of business on the agenda.

Licensing Manager

20. When the agenda item relating to the application is reached, the Chair will invite the Licensing Officer to present the application. The Chair will invite all present, one by one, to ask the Licensing Officer questions if they wish, to clarify any points raised in the report.

The Application

21. The Applicant (and/or their representative) will address the Sub-Committee and present information in support of the application and may call any witnesses to support the application, one witness at a time [*maximum 15 minutes*].

22. The Chair will invite the Representors to ask questions of the Applicant in the following order [maximum 5 minutes each party]:

- Police;
- Other Responsible Authorities;
- Ward Councillors;
- Members of the Sub-Committee;
- The Sub-Committee's legal adviser.

The Representations

23. The Chair will invite the Representors and/or their representative in the following order to address the Members of the Sub-Committee and call any witnesses in support of their representation [*maximum 15 minutes each party*]:

- Police
- Other Responsible Authorities

- Ward Councillors
 - Public representation
24. The Chair will invite the Applicant to ask questions of each Representor and/or their witnesses after each presentation [maximum 5 minutes per Representor]. The Chair will invite the Committee Members to ask questions of each Representor (or their representative) and/or their witnesses after each presentation.
25. Where there are groups of individuals with a common interest, for example local residents, presentation through an appointed spokesperson is preferred but not mandated.

Summaries

26. The Chair will invite the Representors (or their representative) in the following order to summarise their case *[maximum 5 minutes each party]*
- Police
 - Other Responsible Authorities
 - Ward Councillors
 - Local residents
27. The Chair will invite the Applicant (or their representative) to summarise their case *[maximum 5 minutes]*.
28. 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 on law and jurisdiction.

Determination

29. The Sub-Committee will withdraw to consider their decision with the Legal Adviser and the Democratic Services Officer in a separate private on line meeting. 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.

30. If the decision is made following the conclusion of the hearing, the Sub-Committee will return to the public online meeting to announce an outline of the decision to those present. This decision will then be communicated in full in writing, including reasons for the decision, to the Applicant and all Representors (whether in attendance or not) usually within 5 working days of the hearing. There can be no further questions or statements.

31. If the Sub-Committee does not 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 Democratic Services 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 5 working days of the decision being made.

The notification will include information about the rights of appeal against the determination made.



Licensing Act 2003 Sub Committee

6 August 2020

Report from the Assistant Director – Planning & Public Protection

Section 18(3) (a) Application for a premises licence for The Salix Yurts, Willow House Caravan Park, Wigginton Road, Wigginton, York, YO32 2RH

Summary

1. This report seeks Members' determination of an application for the grant of a premises licence, which has been made under the Licensing Act 2003.
2. Application reference number: CYC-066458
3. Name of applicant: Event Coordin8 Ltd
4. Type of authorisation applied for: Grant of Premises Licence
5. Summary of application:

The proposal is to allow for the provision of the following activities at a wedding venue 3 – 4 times per month:

Proposed Activity	Timings
Live music (indoors and outdoors)	12:00 – 01:00 Monday to Sunday
Recorded music (indoors)	12:00 – 01:00 Monday to Sunday
Late night refreshment (indoors and outdoors)	23:00 – 01:00 Monday to Sunday
Sale of alcohol (on sales only)	11:00 – 00:30 Monday to Sunday
Opening times	08:00 – 01:00 Monday to Sunday

Background

6. A copy of the application is attached at Annex 1. Copies of the site plans are attached at Annex 2.
7. The premises is described in the application as 8m by 10m Yurts that are semi-permanent on a wooden deck with surrounding garden area. The premises is predominantly used for weddings and events. The applicant has applied for the provision of entertainment, late night refreshment and supply of alcohol between the hours of 11:00 and 01:00 and indicates the premises would be used 3 to 4 times per month.

Promotion of Licensing Objectives

8. The operating schedule submitted by the applicant shows that the licensing objectives would be met as follows:

9. **General**

- a. Refusal log
- b. Private events only
- c. CCTV

10. **The Prevention of Crime and Disorder**

- a. CCTV in operation
- b. Private parties & events only
- c. Refusal of service to intoxicated guests and all refusals logged
- d. Responsible person/event manager at each event

11. **Public Safety**

- a. Private land – not open to public
- b. 5mph speed limit past site
- c. Fenced area between site and road

12. The Prevention of Public Nuisance

- a. 'Respect our neighbours' signage
- b. Soundproofing of the Yurts

- c. Noise levels checked regularly and a log kept

13. The Protection of Children from Harm

- a. Challenge 25 in operation

- b. Refusal of service to guests suspected of buying for a minor

Special Policy Consideration

14. This premise is not located within the cumulative impact 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.
16. All procedural aspects of this application have been complied with.

Summary of Representations made by Responsible Authorities

17. North Yorkshire Police have agreed conditions with the applicant to be attached to the licence if granted, and therefore make no further representation, their agreed conditions are attached at Annex 3.
18. City of York Council Public Protection (Environmental Protection) have agreed conditions with the applicant to be attached to the licence if granted, which includes a change/reduction to the stated timings, therefore they make no further representation. The agreed conditions are attached at Annex 4.

Summary of Representations made by Other Parties

19. There have been nine relevant representations received from other persons. The list of representors is attached at Annex 5.
20. The representations are predominantly based on the grounds of the prevention of public nuisance objectives. They state that this objective will be undermined if the application is granted.
21. A copy of all the representations are attached at Annex 6.
22. A letter was prepared by the applicant in response to the representations received from other persons. A copy of this letter is attached at Annex 7.
23. A map showing the general area around the venue is attached at Annex 8.

Planning Issues

24. On 18 June 2020 a Planning Enforcement Officer advised the Licensing Authority that the site does not have the correct Planning Permission for the intended use.

Options

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

Analysis

30. The following could be the result of any decision made this Sub Committee:-
31. Option 1: This decision could be appealed at Magistrates Court by any of the representors.

32. Option 2: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
33. Option 3: This decision could be appealed at Magistrates Court by the applicant or any of the representors.
34. Option 4: This decision could be appealed at Magistrates Court by the applicant.

Council Plan

35. The Licensing Act 2003 has four objectives the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.
36. By taking the statutory requirements of the Licensing Act into consideration, as well as the four licensing objectives when determining licensing applications the Council are supporting the new and existing licence trade, as well as local residents and businesses. The functions support the Council's Plan of safe communities and culture for all, and a good quality of life for everyone.

Implications

37.
 - **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

38. All Members of the Licensing Act 2003 Committee have received full training on the Act and the regulations governing hearings. They are aware that any decision made which is unreasonable or unlawful could be open to challenge resulting in loss of image, reputation and potential financial penalty.
39. The report details the options available to the panel in determining the application and recommends that a decision be reached. There are no risks involved with this recommendation.

Recommendations

40. Members determine the application.
Reason: To address the representations received as required by the Licensing Act 2003.

Contact Details

Author:

Lesley Cooke
Licensing Manager

Tel No. 01904 551515

Chief Officer Responsible for the report:

Mike Slater
Assistant Director for Planning and Public Protection.

**Report
Approved**



**17 July
2020**

Specialist Implications Officer(s)

Head of Legal & Democratic Services
Ext: 1004

Wards Affected: Haxby & Wigginton



For further information please contact the author of the report

Annexes:

- Annex 1** - Application form
- Annex 2** - Plans of premises
- Annex 3** - North Yorkshire Police Agreed Conditions

- Annex 4** - Public Protection Agreed Conditions
- Annex 5** - List of Representors (Confidential)
- Annex 6** - Other Persons Representations
- Annex 7** - Letter to other persons from Applicant
- Annex 8** - Map of area
- Annex 9** - Mandatory Conditions
- Annex 10** - Legislation and Policy Considerations

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Annex 1



CITY OF YORK COUNCIL
Licensing Services, Hazel Court EcoDepot, James Street,
York, YO10 3DS

Application for a premises licence to be granted 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 that 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.

EVENT COORDINING LTD

I/We ~~DONNA HARPER + LEE CONGILL~~
(Insert name(s) of applicant)

145

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

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

THE SALIX YURTS
WILLOW HOUSE CARAVAN PARK
WIGGINTON ROAD
WIGGINTON
YORK

Post town YORK

Postcode YO32 2RH

Telephone number at premises (if any)

Non-domestic rateable value of premises £ 4100

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)

- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)
Surname		First names		
Date of birth	I am 18 years old or over <input type="checkbox"/>		Please tick yes	
Nationality				
Current residential address if different from premises address				
Post town			Postcode	
Daytime contact telephone number				
E-mail address (optional)				

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see

note 15 for information)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss Ms Other Title (for example, Rev)

Surname First names

Date of birth I am 18 years old or over Please tick yes

Nationality

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)

Current residential address if different from premises address

Post town Postcode

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name

EVENT COORDINING LTD

Address

WILLOW HOUSE CARAVAN PARK

WIGGINTON ROAD

YORK

YO322RH

Registered number (where applicable)

10491604

COMPANIES HOUSE NUMBER.

Description of applicant (for example, partnership, company, unincorporated association etc.)

COMPANY

Telephone number (if any)

E-mail address (optional)

INFO@THE SAUX YURTS.COM

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY
01 08 2020

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

DD MM YYYY

Please give a general description of the premises (please read guidance note 1)

8M DIAMETER + 10M DIAMETER YURTS,
SEMI PERMANENT ON A WOODEN DECK
WITH GARDEN AREA AROUND.
PREDOMINENTLY USED FOR WEDDINGS
AND EVENTS.

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

What licensable activities do you intend to carry on from the premises? (please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (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)

X

- f) recorded music (if ticking yes, fill in box F)
- g) performances 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)

X

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

X

Supply of alcohol (if ticking yes, fill in box J)

X

In all cases complete boxes K, L and M

A

Plays
Standard days and
timings (please read
guidance note 7)

Will the performance of a play take place
indoors or outdoors or both - please tick
(please read guidance note 3)

Indoors

Outdoors

Both

Day Start Finish

Mon

Please give further details here (please read guidance note 4)

Tue

Wed

State any seasonal variations for performing plays (please read
guidance note 5)

Thur

Fri

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 6)

Sat

Sun

B

Films
Standard days and
timings (please read
guidance note 7)

Will the exhibition of films take place indoors
or outdoors or both – please tick (please read
guidance note 3)

Indoors

Outdoors

Both

Day Start Finish

Mon

Please give further details here (please read guidance note 4)

Tue

Wed

State any seasonal variations for the exhibition of films (please
read guidance note 5)

Thur

Fri

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 6)

Sat

Sun

C

Indoor sporting events
Standard days and
timings (please read
guidance note 7)

Please give further details (please read guidance note 4)

Day	Start	Finish
-----	-------	--------

Mon		
-----	--	--

Tue		
-----	--	--

State any seasonal variations for indoor sporting events
(please read guidance note 5)

Wed		
-----	--	--

Thur		
------	--	--

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 6)

Fri		
-----	--	--

Sat		
-----	--	--

Sun		
-----	--	--

D

Boxing or wrestling entertainments
Standard days and timings (please read guidance note 7)

Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)

Indoors

Outdoors

Both

Day Start Finish

Mon

Please give further details here (please read guidance note 4)

Tue

Wed

State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)

Thur

Fri

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 6)

Sat

Sun

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors Outdoors Both
Day	Start	Finish		
Mon	1200	0100	Please give further details here (please read guidance note 4)	<input checked="" type="checkbox"/>
Tue	1200	0100		
Wed	1200	0100	State any seasonal variations for the performance of live music (please read guidance note 5)	
Thur	1200	0100		
Fri	1200	0100	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 6)	
Sat	1200	0100	WEDDING VENUE, WILL ONLY BE USED 3-4 TIMES A MONTH.	
Sun	1200	0100		

F

Recorded music Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)

Standard days and timings (please read guidance note 7)

Indoors X

Outdoors

Day . Start Finish Both

Mon 1200 0100 Please give further details here (please read guidance note 4)

Tue 1200 0100

Wed 1200 0100 State any seasonal variations for the playing of recorded music (please read guidance note 5)

Thur 1200 0100

Fri 1200 0100 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 6)

Sat 1200 0100 WEDDING VENUE, WILL ONLY BE USED 3-4

Sun 1200 0100 TIMES A MONTH.

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)
			Indoors
			Outdoors
			Both
Day	Start	Finish	
Mon			Please give further details here (please read guidance note 4)
Tue			
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)
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 6)
Sat			
Sun			

H

Anything of a similar description to that falling within (e), (f) or (g)
 Standard days and timings (please read guidance note 7)

Please give a description of the type of entertainment you will be providing

Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors Outdoors Both
Mon				
Tue			Please give further details here (please read guidance note 4)	
Wed				
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)	
Fri				
Sat			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 6)	
Sun				

I			Late night refreshment	
Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	
Day	Start	Finish	Indoors	Outdoors
Mon	1200	0100		
			Both	X
Please give further details here (please read guidance note 4)				
Tue	1200	0100		
Wed	1200	0100		
State any seasonal variations for the provision of late night refreshment (please read guidance note 5)				
Thur	1200	0100		
Fri	1200	0100		
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 6)				
Sat	1200	0100		
Sun	1200	0100		
WEDDING VENUE, WILL ONLY BE USED 3-4 TIMES A MONTH.				

J

Supply of alcohol
Standard days and
timings (please read
guidance note 7)

Will the supply of alcohol be for consumption
– please tick (please read guidance note 8)

On the premises X
Off the premises
Both

Day	Start	Finish
Mon	11.00	01.00
Tue	11.00	01.00
Wed	11.00	01.00
Thur	11.00	01.00
Fri	11.00	01.00
Sat	11.00	01.00
Sun	11.00	01.00

State any seasonal variations for the supply of alcohol (please read guidance note 5)

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 6)

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name: LEE ARRON COWELL

Date of birth:

Address:

Postcode:

Personal licence number (if known)

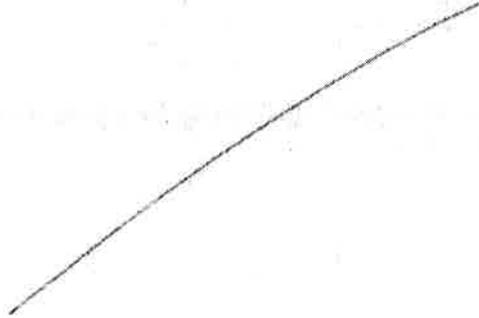
PERS/365/06

Issuing licensing authority (if known)

NUNGATON BEDWORTH

K

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 9).



L

Hours premises are open to the public Standard days and timings (please read guidance note 7)

State any seasonal variations (please read guidance note 5)

Day	Start	Finish
Mon	0800	0100
Tue	0800	0100
Wed	0800	0100
Thur	0800	0100
Fri	0800	0100
Sat	0800	0100
Sun	0800	0100

WE ARE NOT OPEN TO THE PUBLIC, INVITE + PRIVATE FUNCTIONS OR TICKETED EVENTS ONLY.

THE YURTS ARE USED AT DIFF TIMES FOR DIFFERENT EVENTS - BUT NOT USUALLY OUTSIDE OF THESE TIMES

Non standard timings. Where you intend 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 6)

OTHER THAN FOR SETUP OR CLEAN DOWN.

M

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

a) General - all four licensing objectives (b, c, d and e) (please read guidance note 10)

CCTV IN OPERATION.
CHALLENGE 25 IN OPERATION.
REFUSAL LOG.
PRIVATE EVENTS ONLY.
RESPONSIBLE PERSON/EVENT MANAGER.

b) The prevention of crime and disorder

CCTV IN OPERATION.
PRIVATE PARTIES + EVENTS ONLY.
REFUSAL OF SERVICE TO INTOXICATED GUESTS +
REFUSALS LOGGED.
RESPONSIBLE PERSON/EVENT MANAGER @ EACH
EVENT.

c) Public safety

CCTV IN OPERATION.
PRIVATE LAND - NOT OPEN TO PUBLIC.
5MPH SPEED LIMIT PAST SITE.
FENCED AREA BETWEEN SITE + ROAD.

d) The prevention of public nuisance

CCTV IN OPERATION.
'RESPECT OUR NEIGHBOURS' SIGN.
SOUNDPROOFING OF THE YURTS.
NOISE LEVELS CHECKED REGULARLY +
A LOG KEPT.

e) The protection of children from harm

CCTV IN OPERATION.
CHALLENGE 25 IN OPERATION.
REFUSAL OF SERVICE TO GUESTS SUSPECTED
OF BUYING FOR A MINOR.
5MPH SPEED LIMIT + FENCED AREA.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her

proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)

Signature

Date

20.05.2020

Capacity

DIRECTOR OF EVENT COORDINING LTD

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

DONNA HARPER - EVENT COORDINING LTD
WILLOWHOUSE CARAVAN PARK
WIGGINTON ROAD, WIGGINTON

Post town

YORK

Postcode Y0322RH

Telephone number (if any)

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

.com

SORRY FOR THE HAND SCRIBBLE + VERY POOR PRINTER - BLAME THE VIRUS + WORKING FROM HOME!

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BACK DOOR
FREE EX

DANCE FLOOR

SUPPORT POLES

TABLES

CUPBOARD

OPEN DOOR FRAME

CHAIR

FREE EX'S
6KG FOAM
X2 CDOORS
FREE BLANKET
BEHIND BAR.

FRONT DOOR
FREE EX
DRESSER
FAKE WALL
BAR
FRIDGES

SUPPORT POLES

SOFA

CHAIR

TABLE

ALL ITEMS
ARE REMOVABLE

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Annex 3

Conditions agreed with North Yorkshire Police

1. The Sale of alcohol shall cease 30 minutes prior to the venue closing.
2. The premises shall operate for pre booked private events and weddings only.
3. An event manager shall be allocated to each event and consideration shall be given to the need for an event management plan (EMP).
4. It is the responsibility of the Designated Premises Supervisor /Manager on duty for risk assessing the need for Door Supervisors at the premises for all events held.
5. Documented staff training will be given regarding staff's obligation under the Licensing Act in respect of the:-
 - Retail sale of alcohol
 - Age verification policy
 - Conditions attached to the Premises Licence
 - Permitted Licensable activities
 - The Licensing objectives and
 - The Opening Times of the venue.
 - Such training will be refreshed (and documented) every six months and the documented records shall be kept for a minimum of one year.Such records shall be kept for a minimum of one year and will be made available immediately upon request from any Responsible Authority.
6. A Refusals Register and Incident Report Register will be kept. Such documents will record incidents of staff refusals of alcohol sales to under-age or drunk people as well as incidents of any anti-social behaviour and ejections from the premises.
 - Such records shall be kept for at least one year. [For the avoidance of doubt, the one year period relates to each respective entry in the log book and runs from the date of that particular entry]: They will be made available immediately upon a reasonable request from any responsible authority.
7. A digital colour CCTV system will be installed to cover the premises.
 - It will be maintained, working and recording at all times when the premises are open.
The recordings should be of good evidential quality to be produced in Court or other such hearing.
Copies of the recordings will be kept available for any Responsible Authority for 28 days. Subject to Data Protection requirements.
 - Copies of the recordings shall be made available to any Responsible Authority within 48 hrs upon request. Subject to Data Protection requirements.

Copies of the recordings will display the correct time and date of the recording.

- It is the responsibility of the management to ensure that there are sufficient members of staff available during the hours of operation to be able to download evidence from the cctv system at the request of the police or responsible authority. Subject to Data Protection requirements.
8. The licence holder will operate a Challenge 25 Age Verification Policy.
- The only acceptable proof of age identification shall be a current Passport, photo card Driving Licence, Military ID card, or identification carrying the PASS logo.

Annex 4

Public Protection Representation

Public Protection objected to the premises license application at The Salix Yurts, Willow House, Wiggington Road, York on grounds of public Nuisance. I have, however, mediated with the applicants and so long as the following conditions are attached our objection is withdrawn:

1. The days shall be restricted to the following days of the week:

Wednesday, Friday, Saturday, Sunday, Bank Holiday Sundays

2. The hours of regulated entertainment and live music shall be restricted to the following hours on each day respectively:

Wednesday 12:00 - 23:00 hours

Friday, Saturday, Bank Holiday Sundays 12:00 - 00:00 hours

Non-Bank holiday Sundays 12:00– 20:00hours

3. A noise management plan shall be submitted within 2 months of the premises license being granted. This shall be approved by the Local Authority and once approved implemented thereafter.
4. No regulated entertainment or live music shall be played through electronic speakers in the outside licensed area.

Should you have any further queries please contact me on 01904 551580.

Michael Golightly
Acting Environmental Health Officer

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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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Annex 6

Representations received from other persons (Redacted)

Sefton, Helen

From:
Sent: 17 June 2020 14:59
To: licensing@york.gov.uk
Subject: Application comment

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

It has come to our attention that a Premises Licence Application has been made by

Event Coordin8 Ltd.
The Salix Yurts
Willow Farm Caravan Park
Wigginton Road
YO32 2RH

for Live Music both Indoors and Outdoors from 12 noon until 1 am.

We live in Sandringham Close adjacent to Westfield Beck and are probably the nearest dwellings to the proposed application. Last year we were aware of music coming from somewhere and our neighbour told us it was from Villa Farm wedding venue.

The location of Villa Farm is close to Wigginton Road and therefore cannot be any further from our house, and we cannot say that the sound we could hear was obtrusive.

However, The Salix Yurts application gives us great cause for concern since the precise location of the events is not adjacent to Wigginton Road but some considerable distance down their access road, and consequently quite near to our house. We do not know whether the "venue" is to be a marquee or large yurt or in a brick built building.

Live music in a marquee type of building until 1 am is totally unacceptable as the walls would not provide any soundproofing, particularly in view of the proximity to our house and many others.

We would be pleased if this can be given careful consideration.

Yours sincerely,

Sandringham Close
Haxby
York
YO32 3GL

Sefton, Helen

From: [REDACTED]
Sent: 18 June 2020 10:04
To: licensing@york.gov.uk
Cc: [REDACTED]
Subject: Re Event Coorin8 Ltd Willow House Caravan Park Wigginton Road YO32 2RH

Categories: Helen

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello

At the virtual meeting of Wigginton Parish Council held on 17.06.2020 the members considered the recent Premises Licence application recently received.

The Parish Council resolved that they have concerns as follows:-

1. The lateness of the hour for activities and supply of alcohol
There are concerns that the period of supply from 11am to 0100am is extremely excessive and could in some circumstance and with some organised groups or functions lead to serious anti-social behaviour problems particularly as noted in 2 below. Public Houses in Wigginton are required to cease the sale of alcohol at 1030pm why should this application be different?
2. Noise arising from activities
Clearly with any gathering, particularly where alcohol is concerned, there are potential issues with excessive uncontrolled noise. Wigginton is a village environment with considerable open space. This will allow the travel of noise to affect a serious number of properties running along the northern and eastern edges of the open space where the organised events are proposed to be held. There are also a few residents along Wigginton Road who are in close proximity to the event centre.
(Is it planned to consult more widely with Wigginton Residents)?
3. Traffic
It is unclear in the application notice we received who will be attending these events, are they residential or travelling. There is no indication in the application notice of the numbers expected to attend these events. Wigginton Road, (B1363) is a very busy single carriageway road leading to and from a busy ring road. Traffic is already excessive of the road added to which it is a very fast vehicle route with many drivers well exceeding the speed limit. Any increase in traffic volumes is most unwelcome.

Before any decision is made we feel wider public consultation is quite necessary.

Kind regards

Clerk to Wigginton Parish Council

Sefton, Helen

From: [Redacted]
Sent: 23 June 2020 18:08
To: licensing@york.gov.uk
Subject: Event Coordin8 Ltd, Willow House Caravan Park, Wigginton Road, York

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

The above have applied for a premises license including live and recorded music (indoors and outdoors) and the supply of alcohol. I wish to object to this under the objective: Prevention of Public Nuisance. As the premises are approximately only half a mile from residential homes in Sandringham Close, Haxby and a similar distance to Ashwood Glade (a cul de sac) of bungalows. The inevitable noise from outdoor music and outdoor late refreshments would have a negative impact on many local residents.

• Sandringham Close
Haxby
York YO32 3GL

Sent from my iPhone

Sefton, Helen

From: ~~Ms. Helen Sefton~~
Sent: 20 June 2020 13:47
To: licensing@york.gov.uk
Subject: Application for licence for live music and recorded music plus alcohol.

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,
I live in Sandringham Close, Haxby and it was to my dismay that an application for licence for live music and recorded music plus alcohol for 7 days a week has been requested from the Willow House Caravan park.

I strongly object to this being granted as it will give rise to loud noise at night. We all know how sound travels and it would not only affect Sandringham Close but many other streets in the area as well. It is completely unacceptable to allow loud music and noise with an alcohol licence so close to a residential area. If you are not the correct recipient for my objection, could you advise me whom I should contact.

Thank you

~~Ms. Helen Sefton~~
Sandringham Close
Haxby
York

Sent from my iPad-3

Sefton, Helen

From:
Sent: 08 July 2020 14:08
To: Sefton, Helen
Subject: Re: Premises licence application - Salix Yurts, Willow Farm - information from applicant

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Helen,

Thank you for your email regarding the Premises Licence Application of Willow Farm.

I still strongly wish to object to the application. I have read the applicants document and map.

The grounds of our objection are still the same in that the events will lead to unnecessary noise and although the applicant states that the doors will be shut after 9pm etc, on a warm night I very much doubt that people attending will adhere to that once drink is involved.

The applicant states that she has had events before and there have been no objections. We have Indeed heard loud music previously late at night on occasions but not been aware of where the noise was located. If we had been aware of its source we would have indeed complained. It is very difficult to pin point noise late at night and I presumed it was a private party going on somewhere late into the night.

The applicant states that they followed conditions in the granting of temporary events notices previously but we have never been leafleted or informed of any past events and we have lived here over 20 years.

The increase in alcohol sales and noise is totally unacceptable and would be heard in our quiet residential close to the detriment of all who live here.

Regards

Sent from my iPad-3e

5

24th June 2020

Re Event Coordin8 Ltd

Premises Address
The Saic Yurts
Willow House Caravan Park
Wigginton Road
York
YO32 2RH



Application for Premises Licence.

Live music indoors and outdoors
12pm-1am Mon to Sun
Recorded Music indoors
12pm -1am Mon to Sun
Late night refreshment (indoors and outdoors)
Mon to Sun 11pm -1am

Supply of Alcohol
Monday to Sunday
11am to 01.00am

Opening Hours
8am to 01.00am
Monday to Sunday

Dear Sir

I wish to object to the above application as we live at : Sandringham Close Haxby, with our house and main bedroom backing directly on to West Field Woods.
The noise which would be created by this Entertainment Area would be, to say the least, very intrusive.

Ours is a quiet residential Close and to have these proposed musical events would be to the detriment of our area.

I understand there are, at present, 2 Yurts on site with the intention of increasing that number, obviously there is no sound insulation within a Yurt and this would increase the disturbance even further.

I sincerely hope that potential increased noise level will be assessed by York Environmental department and this, along with the increase alcohol sales, will allow the council to reject the application.

Yours sincerely

Sandringham Close
Haxby
York

Copy to

Councillor Ian Cuthbertson Haxby and Wigginton Ward

10/20/2010

10/20/2010

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10/20/2010

Sefton, Helen

From: Helen Sefton <h.sefton@york.gov.uk>
Sent: 08 July 2020 19:12
To: licensing@york.gov.uk
Subject: Licensing Application Objection - The Salic Yurts

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I would formally like to object to the license application from the Salic Yurts.

I live at Sandringham Close, Haxby, York, North Yorkshire, YO32 3GL, United Kingdom which, I believe, is the closest property from the Haxby side. Having only recently moved in I cannot comment on previous sound issues.

I have seen the letter from the applicant which seeks to reassure us that sound will not be an issue to us. However it appears that they have not modified their application to match their statements in the letter. This raises my concerns that they will expand their activities up the limit of application. This states both outdoor music and alcohol until 1am 7 days per weeks And this is clearly not acceptable in a residential area.

I would be happy with an application along the lines that they state in their letter, that is, not outside after 9pm and music only if doors remain closed. The same policy should apply to alcohol.

Please consider this objection.

Sefton, Helen

From: ?
Sent: 09 July 2020 23:23
To: licensing@york.gov.uk
Subject: Fwd: OBJECTIONS TO WILLOW FARM - THE SALIX YURTS LICENCE APPLICATION

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To Whom it may concern,

I have been asked by Cllr I Cuthbertson to forward my concerns/objections with regards to the application by Willow Farm - The Salix Yurts licence application.

Yours Sincerely

Sent from my iPad

Begin forwarded message:

From:
Date: 9 July 2020 at 18:27:57 BST
To:
Cc:
Subject: OBJECTIONS TO WILLOW FARM - THE SALIX YURTS LICENCE APPLICATION

To Whom it may concern,

I am writing with regards to my objections towards the licence application made by Willow Farm- Salix Yurts. The initial application which was entered was for the following:

Live Music (Indoors and Outdoors)

1200 pm to 0100 am Monday - Sunday

Recorded Music (Indoors)

1200 pm to 0100 am Monday - Sunday

Late Night Refreshments (Indoors and Outdoors)

1100 pm to 0100 am

Supply of Alcohol (On Sales)

1100 am to 0100 am Monday - Sunday

Opening Hours

0800 am to 0100 am

When I entered into the Facebook debate with regards to the application and my concerns I posted the following message:

I'm sorry but living on Sandringham Close, we are in the direct line of fire for all the noise, so it is a definite NO from me.

We already have to put up with the noise which is generated by Villa Farm (which is the close neighbour of Willow Farm), and for them to even consider asking for a 7 day event licence shows no consideration for anyone other then themselves and lining their pockets.

In case you are in any doubt as to my answer, it is NO

I then received a return message from [redacted] stating the following:

Hi [redacted] There is no intention to host events seven days per week. The venue currently hosts 15 licensed events per year and has been forced into applying for a permanent license in order to cater for the wedding postponements from 2020. The terms of the TENS see all doors closed from 9pm and noise levels monitored at 30 minute intervals. If you have any concerns or have had problems from the weddings hosted over the last two years then please feel free to get in touch with me at any time.

Louisiana's Weddings

My reply was as follows:

It's not that I have dates to hand (thanks to [redacted] for your thoughts) and maybe I am attributing all the noise I have heard in the past to Villa Farm and perhaps it was one of your functions.

Interested to see that you are telling me with regards to my concerns about noise when you say "you will see that doors are closed at 9 pm and noise levels monitored very 30 mins", but asking for live music to be played outdoors and indoors Monday - Sunday 12pm to 1am.

I am hoping Andrew, Ed & Ian (Lib Dem focus team) instigate and follow the trusted and considered advise of [redacted] (he definitely knows his stuff) with regards to this application.

I have recently had sight of a further response from Salix Yurts and this has brought even more concerns to me. Within the letter it mentions a number of conditions/checks which are undertaken for each event. One of the points was the following:

Local residents to be informed in advance of the proposed event via leafleting and provided with a telephone number for someone to contact in the event of a complaint during the event. Any complaints received from local residents during the event, to be acted upon immediately.

As I live in Sandringham Close I would expect to be someone who would have received one of the said leaflets and I can assure you I have not. This makes me wonder if any of the

protocols which they have stipulated for a TENS function are been conducted? Perhaps a look at the previous recorded noise level checks would prove me wrong, or otherwise?

Outdoor music has been requested for light background music, such as acoustic guitarists, as guests arrive. All music must be indoors after 9pm with all doors and entrances to the Yurts remaining closed at this time except for entrance and exit.

If this indeed is what they are saying will happen why does the application state the following:

Live Music (Indoors and Outdoors)

1200 pm to 0100 am Monday - Sunday

I could keep “picking holes” in the application but I think you will have an understanding just by reading the previous couple of paragraphs and will pick up on my concerns.

I’m not heartless and of course I have sympathy with anyone’s plans who have been disrupted due to COVID 19. However, the tone and lack of clarity in the application and it would appear lack of compliance on historical TENS should ensure that this application be denied.

By means of summary, in the past I have heard noise usually on a Saturday (late) evening/ (early) Sunday morning and I have always thought that the noise protagonists was Villa Farm also Located on Wigginton. It would appear that maybe I was wrong in some cases to be blaming Villa Farm as I was unaware of the TENS used by Willow Farm. I should have spoken with the EHO over previous noise concerns I had, a failure on my behalf.

If I can be if any further assistance in this matter please do not hesitate to contact me.

Yours Sincerely

Sandringham Close
YO323GL

Sent from my iPad

Sefton, Helen

From: Cllr. E. Pearson
Sent: 13 July 2020 10:25
To: licensing@york.gov.uk;
Cc: Cllr. I. Cuthbertson; Cllr. A. Hollyer
Subject: Licensing Application - Salix Yurts, Willow House, Wigginton Road, York YO32 2RH

FAO CYC Licensing Team

Hi Louise,

I am writing on behalf of myself and my fellow Ward Councillors Ian Cuthbertson and Andrew Hollyer in order to make a representation in regards to the New Premises Grant for The Salix Yurts at Willow House on Wigginton Road.

We have been contacted by a number of residents living on Sandringham Close and Ashwood Glade in Haxby, and even as far north as Manor Garth in Wigginton. We wish to make a representation on behalf of these residents and on behalf of the residents in Haxby and Wigginton, particularly those living on the west side of Eastfield Avenue and Green Dike (Greystone Court, Ashwood Glade, Sandringham Close, Foxcroft, Bridge Close, Broad Acres, Old Dyke Lands, Lund Close, Manor Garth, etc.) Residents have explained to us that existing event noise levels from events at Willow House (until now applied for through temporary event notices (TENs)), and possibly from the adjacent fully licensed wedding venue at Villa Farm, are already a concern, and they clearly do not want these noise problems to become worse. We have also been made aware that Wigginton Parish Council has made a representation, and some concerned residents have also made individual representations of their own.

We therefore have a number of concerns and objections to elements of the application that we would like to raise on behalf of residents on grounds of unacceptable levels of noise, i.e. public nuisance, but also a possible increase in crime or public disorder affecting the locality.

- We object to the licensing application terms for the hours of operation regarding the sale/supply of alcohol and playing of live or recorded music, particularly outdoors. We would object to these activities extending beyond 9pm on weekday nights (Sunday to Thursday), or 11 pm on Friday and Saturday nights. Certainly, we would not expect the licensed hours for Willow House to extend any later than the adjacent Villa Farm wedding venue, and indeed the licence conditions ought to be stricter given the much closer proximity of the Yurts to residential streets and properties, and the outdoor nature of this venue.
- We would also request that the days of the week in which wedding parties are allowed to be limited to just Friday or Saturday evenings. Given this wedding

venue has thus far been able to operate on TENs; restricting the events to just one or two nights of the week would still represent a viable way for this business to grow, while also minimising any disturbances caused by the playing of music on weeknights.

- Given the open / outdoors nature of the Salix Yurts venue and the flat/open land between this venue and the proximity of the site to residential parts of Haxby and Wigginton, we wish for a maximum noise level not to be exceeded (i.e. maximum allowed dB level). This should be considered at a level where noise does not cause a public nuisance to the nearest residential dwellings outwith the farm.
- The application site is at one end of a long area which allows space for tents and caravans to the east. The eastern boundary of the Willow House site is a short distance from a public right of way which runs up the west back of Westfield Beck and gives access via a small footbridge to the residential development around Sandringham Close. In order to minimise the risk of public nuisance or crime arising from wedding guests and partygoers, we would ask that the eastern boundary is made as secure as possible to avoid such egress from the Willow House site.
- Equally, given the possibility of increased numbers of wedding guests who are coming to the venue turning carelessly, or leaving the venue by driving straight out on to the fast B1363 York-Helmsley Road, we would ask that some form of warning is given about the speed of traffic on this road and the need to turn off it or to join it with great care. This is to minimise any risks to public safety arising from motor, pedestrian or cycle traffic entering or leaving the site.

Our requested amendments to the application would be to avoid and mitigate against the public nuisance of noise pollution and unacceptable levels of noise; especially at late night near a residential area.

Many thanks,

Kind regards,

Ed

Cllr. Edward Pearson

Haxby and Wigginton Ward, City of York Council
West Offices, Station Rise, York, YO1 6GA

Sefton, Helen

From: [redacted]
Sent: 13 July 2020 12:00
To: licensing@york.gov.uk
Subject: Licensing Application :Salix Yurts Willow House YO32 2RH

This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

As a resident of Manor Garth, Wigginton, I completely support the representation made by local City Councillors Pearson, Cuthbertson and Collyer

In particular, ludicrous length of licensed hours, noise, traffic risks etc.

I ALSO SEEK EVIDENCE OF ANY ON SITE Management to ensure control of the terms of any licensing agreement.



THE
SALIX
YURTS



Dear Sir / Madam,

I write to you in connection to your objection to our license application for The Salix Yurts on Willow House Caravan Site for sale of alcohol and live entertainment.

I genuinely appreciate your concern and the points raised in your objection are completely understandable for a local resident. However, I'd like to clarify a few points which may hopefully put your mind at rest:

1 – The Salix Yurts are located at the front entrance of Willow House Caravan Site and located over 700m, including several buildings and more than 100m of Woodland, from the nearest residence on Sandringham Close (see map attached). As there are also two caravan sites and a Glamping Site on-site, we are already mindful of keeping noise to a minimum so our guests are not disturbed.

2 – We have been hosting weddings and events at The Salix Yurts since April 2018 and have averaged thirteen events per year during this time with live and amplified music. These events have been licensed with Temporary Events Notices (TENS) which have never received any objections.

3 – Public Protection have always imposed the following conditions on our TENS which we have gladly accepted and followed:

1. At the beginning of the music events subjective noise monitoring shall be carried outside the premises and if necessary, noise levels reduced.
2. Local residents to be informed in advance of the proposed event via leafletting and provided with a telephone number for someone to contact in the event of a complaint during the event. Any complaints received from local residents during the event, to be acted upon immediately.
3. Regular checks of the noise levels shall be made at the site boundary nearest to residential premises when regulated entertainment is taking place. All noise level

checks to be logged and any issues addressed immediately. Records of noise level checks to be made available for inspection by officers of the City of York Council.

4 – It has been necessary to apply for a Premises License due to the number of wedding receptions postponed in 2020 due to COVID-19. With bookings already in place for 2021 we would exceed the maximum number of TENS and leave a number of bride and grooms very disappointed after already suffering stress and loss from the cancellation of their big day this year.

5 –The majority of events will take place on a Saturday, with smaller gatherings such as christenings, funerals and birthdays parties being held midweek and on Sundays.

6 – Outdoor music has been requested for light background music, such as acoustic guitarists, as guests arrive. All music must be indoors after 9pm with all doors and entrances to the Yurts remaining closed at this time except for entrance and exit.

7 – The Yurts do already have soundproofing and improvements to this are being made this summer to further reduce the projection of sound.

8 – There will be no huge increase in traffic on Wigginton Road. The Yurts have a relatively small capacity with an average of 20-30 cars expected to each event. Many parties arrive on a single bus.

9 – There has never been a problem with nuisance guests as they leave the premises. Most leave as they arrived or stay at on-site accommodation and taxi numbers are provided at the exit with parties encouraged to pre book taxis. Our terms & conditions state that nobody should walk along Wigginton Road at any time.

I sincerely hope the above allays many fears about The Salix Yurts receiving a Premises License and as a small independent business we are simply doing what we need to do to host weddings that have sadly been cancelled during the COVID-19 pandemic.

We as a company have suffered huge financial losses at this time, including the need to apply for this license, so the support of the local community is greatly appreciated at this tough time.

If you would like to speak any further about any for the above then please feel free to call me on 07528 356693 or email lee@louisianas.com at any time.

Yours Faithfully,

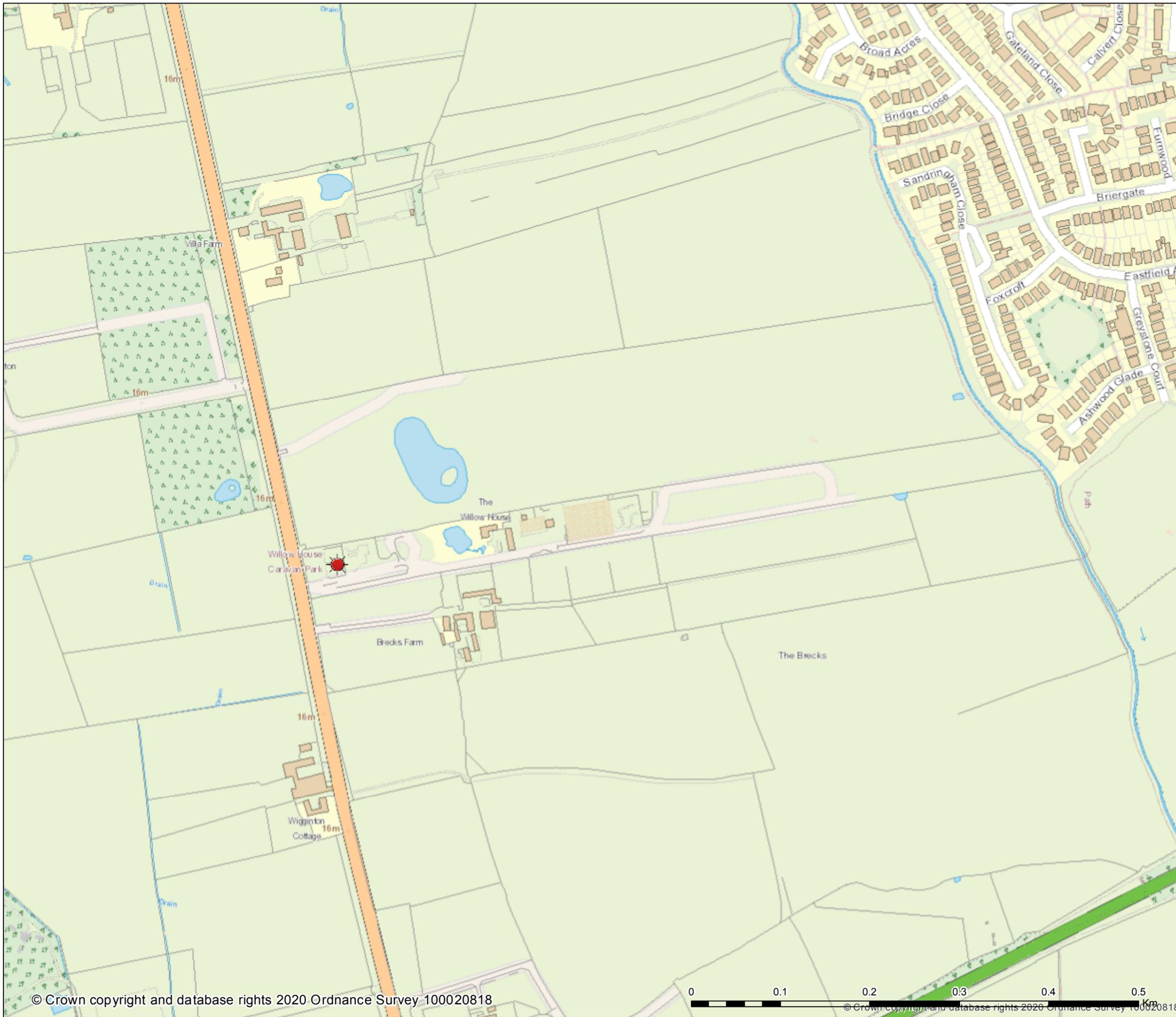
Lee Cowell
Louisiana's Weddings / The Salix Yurts

Donna Harper
Event Coordin8 / The Salix Yurts

Annex 8

Author: City of York Council

Date: 21 Jul 2020



Points



Override 1

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**MANDATORY & PROHIBITED 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.
4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
 - (a) games or other activities which require or encourage, or are designed to require or encourage individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

7. The responsible person must ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
 - (iii) still wine in a glass: 125ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

MANDATORY CONDITION: ALCOHOL PRICING

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 –
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);
 - (b) “permitted price” is the price found by applying the formula –
$$P = D + (D \times V)$$
where –
 - (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(7).
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

MANDATORY CONDITION: DOOR SUPERVISION

1. In accordance with section 21 of the Licensing Act 2003 (as amended by section 25 Violent Crime Reduction Act 2006), 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 -
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of that Act.
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 which is licensable conduct for the purposes of that Act (see section 3(2) of that Act), 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.

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).

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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; ss19, 20 and 21 mandatory conditions; The Licensing Act (Mandatory Licensing Conditions) Order 2010; and The Licensing Act 2003 (Mandatory Conditions) Order 2014.
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: Section 2 The Licensing Objectives; Section 9 Determining applications; Section 10 Conditions attached to premises licences and club certificates; and Section 14 Statements of licensing policy.
4. The following paragraphs of the licensing authority's statement of licensing policy apply to this application: 5.0 Applications for Premises Licences, Club Premises Certificates and Variations; 6.0 Guidelines for Applicants; 7.0 Saturation and Cumulative Impact and 8.0 Licensing Hours.
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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