

Mission Statement

To Improve the Quality of Life
For Those Who Live and Work in The District

9 November 2009

Dear Councillor

You are hereby invited to a meeting of the **Licensing Sub-Committee** to be held in **Committee Room 2**, Civic Centre, Portholme Road, Selby on **Tuesday 17 November 2009** commencing at **10:00 am**.

The agenda is set out below.

1. Election of Chair

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

2. Introductions

3. Disclosure of Interest

To receive any disclosures of interest in matters to be considered at the meeting in accordance with the provisions of Section 117 of the Local Government Act 1972, and Sections 50, 52 and 81 of the Local Government Act 2000 and the Members' Code of Conduct adopted by the Council.

4. Application for a Premises Licence for Selby Superbowl.

To determine the application received for a Premises Licence in respect of the above named premises.

S Martin
Strategic Director
9 November 2009

Disclosure of Interest – Guidance Notes:

- (a) Councillors are reminded of the need to consider whether they have any personal or prejudicial interests to declare on any item on this agenda, and, if so, of the need to explain the reason(s) why they have any personal or prejudicial interests when making a declaration.
- (b) The Democratic Services Officer or relevant Committee Administrator will be pleased to advise you on interest issues. Ideally their views should be sought as soon as possible and preferably prior to the day of the meeting, so that time is available to explore adequately any issues that might arise.

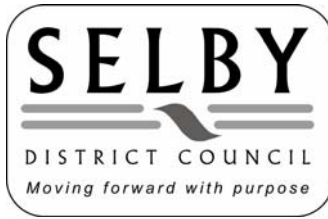
[Please note that the papers relating to the applications have been circulated to councillors of the Licensing Sub-Committee only, who should return the agenda to Democratic Services at the conclusion of the meeting to enable the papers to be destroyed confidentially].

Enquiries relating to this agenda, please contact Jade Hibberd on:

Tel: 01757 292078

Fax: 01757 292020

Email: jhibberd@selby.gov.uk



Agenda Item No: 4

Title: Section 35(3)(a) Application for a Premises Licence for Selby Superbowl, Unit 1, Bawtry Road, Selby YO8 8NA

To: Licensing Act 2003 Sub-Committee

Date: 17th November 2009

Service Area: Customers and Business Support

Author: Tim Grogan

Presented by: Tim Grogan

1. Summary

- 1.1 To seek the determination by the Licensing Sub Committee of an application for a Premises Licence where relevant representations have been received.
- 1.2 Application reference: TAG/SS
- 1.3 Name of Applicant: Suneal Kumari Smith
- 1.4 Type of authorisation applied for: The nature of the application is to grant a premises licence for Selby Superbowl, Unit 1, Bawtry Road, Selby. The applicant requests that the licence be granted for the provision of: indoor sporting events, regulated entertainment in the form of live music, recorded music and performance of dance; entertainment facilities in the form of making music and dancing; late night refreshment and sale by retail of alcohol from 10:00 – 02:00 Monday to Sunday (inclusive).

2. Background

- 2.1 A copy of the application for a Premises Licence is attached at Annex 1.

3. Promotion of Licensing Objectives

- 3.1 The applicant proposes to operate as a responsible and effective manager of the premises in order to promote the licensing objectives and this detail is contained in section P of the Premises Licence Application at Annex 1.

4. Consultation

- 4.1 Consultation was carried out by the applicant in accordance with section 13, and section 17(5) of the Licensing Act 2003 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 the local newspaper giving details of the application and serving a copy of the application on all responsible authorities. The applicant complied with all statutory requirements.

5. Summary of representations made by Responsible Authorities

- 5.1 No representations were received from any Responsible Authority.

6. Summary of representations made by interested parties

- 6.1 Representations have been received from eleven interested parties listed at Annex 4. The Representations are attached at Annex 5. Essentially the representations are in line with the Licensing objectives regarding the prevention of Crime and Disorder and the prevention of Public Nuisance.
- 6.2 A map of the area showing the various locations is attached at Annex 5. An interested party is defined at section 13(3) of the Act as being a person living in the vicinity of the premises and the interested party is therefore duly qualified.
- 6.3 Councillors are reminded that Representations are only “relevant” if they relate to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives

7. Options

- 7.1 By virtue of section 18(4) of the Act, the Sub Committee have the following options available to them in making their decision:-
Option 1: Grant the variation of the licence in the terms applied for
Option 2: Grant the variation of the licence with modified/additional conditions imposed by the Licensing Sub Committee
Option 3: Grant the variation of the licence to exclude any of the licensable activities to which the application relates and modify/add conditions accordingly
Option 4: Reject the application.

8 Analysis

- 8.1 The following could be the result of any decision made by this Sub Committee:
- 8.2 Option 1: This decision could be appealed at Magistrates Court by the representor.
- 8.3 Option 2: This decision could be appealed at Magistrates Court by the applicant or the representor.
- 8.4 Option 3: This decision could be appealed at Magistrates Court by the applicant or the representor.
- 8.5 Option 4: This decision could be appealed at magistrates Court by the applicant

9 Licensing Objectives

- 9.1 The Licensing Act 2003 has 4 objectives:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm.

10 Implications

- 10.1 Community safety and crime: The Sub 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 cooperate in the reduction of crime and disorder in the town.

11 Risk Management

- 11.1 This decision could be appealed at Magistrates Court by the applicant or the representor. In addition any decision which is unreasonable or unlawful could be open to legal challenge resulting in loss of image reputation and potential financial penalty.

12 Recommendations

- 12.1 Councillors determine the application

ANNEX 1

Copy of the application for a Premises Licence for Selby Superbowl, Unit 1, Bawtry Road, Selby YO8 8NA.

WK/200933578



SELBY DISTRICT COUNCIL
Civic Centre, Portholme Road, Selby, YO8 4SB.

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 your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/we SELBY SUPER BOWL (insert name(s) of applicant) apply for 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, ordinance survey map reference or description <u>SELBY SUPERBOWL</u> <u>Unit 1, BANTON ROAD</u> <u>SELBY</u>		28 SEP 2009 £395.00 LL 5295 28.9.09
Post town <u>SELBY</u>	Post code <u>YO8 8NA</u>	

Telephone number of premises (if any) 01757 707074

Non domestic rateable value of premises £ 45,500

Part 2 – Applicant Details

Please state whether you are applying for the licence as:

- | | |
|--|---|
| a) an individual or individuals* | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual* | |
| i. as a limited company | <input type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input checked="" type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> 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 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:

Please tick ✓

- 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)

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

Surname First names

SMITH

SUNEAL KUMARI

Please tick ✓ yes

I am 18 years old or over

Current postal address if different from premises address

4. HIGGFIELD COURT
BRAYTON

Post Town

SLIBY

Postcode

YO8 9RN

Daytime contact telephone number

01757 210069

Email address (optional)

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick yes

I am 18 years old or over

Current postal address
if different from
premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

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

Name	SELBY SUPERBOWL
Address	UNIT 1, BAWTRY ROAD SELBY YO8 8NA.
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.)	PARTNERSHIP
Telephone number (if any)	01757 707074
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
01	02	09

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

Day	Month	Year

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

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

INDOOR BOWLING & ENTERTAINMENT CENTRE,
SITUATED IN TOWN CENTRE. PREMISES
COMPRISES BAR SERVING ONE LARGE
AREA

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

Please tick yes

Provision of regulated entertainment

- 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)
- f) recorded music (if ticking yes, fill in box F)
- g) performance of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)
 (if ticking yes, fill in box H)

Provision of entertainment facilities for:

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

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

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

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish	Both		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing play (please read guidance note 4)		
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 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a films take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish	Both		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
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 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon	10.00	02.00	State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue	10.00	02.00	
Wed	10.00	02.00	
Thur	10.00	02.00	
Fri	10.00	02.00	
Sat	10.00	02.00	Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list. (please read guidance note 5)
Sun	10.00	02.00	

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	
Day	Start	Finish	Indoors	Outdoors
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

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

State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4)

Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list. (please read guidance note 5)

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10 ⁰⁰	02 ⁰⁰	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	10 ⁰⁰	02 ⁰⁰			
Wed	10 ⁰⁰	02 ⁰⁰	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	10 ⁰⁰	02 ⁰⁰			
Fri	10 ⁰⁰	02 ⁰⁰	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (Please read guidance note 5)		
Sat	10 ⁰⁰	02 ⁰⁰			
Sun	10 ⁰⁰	02 ⁰⁰			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	10 ⁰⁰	02 ⁰⁰	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue	10 ⁰⁰	02 ⁰⁰			
Wed	10 ⁰⁰	02 ⁰⁰	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	10 ⁰⁰	02 ⁰⁰			
Fri	10 ⁰⁰	02 ⁰⁰	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat	10 ⁰⁰	02 ⁰⁰			
Sun	10 ⁰⁰	02 ⁰⁰			

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	10.00	02.00	Please give further details here (please read guidance note 3)	Both	
Tue	10.00	02.00			
Wed	10.00	02.00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	10.00	02.00			
Fri	10.00	02.00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat	10.00	02.00			
Sun	10.00	02.00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat					
Sun					

I

Provision of facilities for making music Standard day and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both – please tick (✓) (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	10	02			
Tue	10	02			
Wed	10	02			
Thur	10	02			
Fri	10	02			
Sat	10	02			
Sun	10	02			
			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
			Non standard timings. Where you intend to use the premises for the provision of facilities for making music at different times to those listed in the column on the left, please list. (please read guidance note 5)		

J

Provision of facilities for dancing Standard timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (✓) (please read guidance note 2)		Indoors <input checked="" type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	10	02			
Tue	10	02			
Wed	10	02			
Thur	10	02			
Fri	10	02			
Sat	10	02			
Sun	10	02			
			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list. (please read guidance note 5)		

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing					
			Will the entertainment facility be place indoors or outdoors or both – please tick (✓) (please read guidance note 2)					
			Indoors					
			Outdoors					
			Both					
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the provisions of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat								
Sun								

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)					
			Indoors					
			Outdoors					
			Both	✓				
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon	23.00	02.00						
Tue	23.00	02.00						
Wed	23.00	02.00				State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23.00	02.00						
Fri	23.00	02.00				Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Sat	23.00	02.00						
Sun	23.00	02.00						

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon	12.00	02.00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	12.00	02.00			
Wed	12.00	02.00			
Thur	12.00	02.00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Fri	12.00	02.00			
Sat	12.00	02.00			
Sun	12.00	02.00			
				Both	<input checked="" type="checkbox"/>

State the name and details of the individual whom you wish to specify on the licence as premises supervisor	
Name	SUDEEP KUMAR, SMITH
Address	4 HIGHFIELD COURT BRAYTON SLEBY
Postcode	YO8 9RN
Personal licence number (if known)	
Issuing licensing authority (if known)	SLEBY DISTRICT COUNCIL

N

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

NO entertainment of an adult or sexual nature

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	10.00	02.30	
Tue	10.00	02.30	
Wed	10.00	02.30	
Thur	10.00	02.30	Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 5)
Fri	10.00	02.30	
Sat	10.00	02.30	
Sun	10.00	02.30	

P

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

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

Responsible and effective management
of the premises

b) The prevention of crime and disorder

As above.

c) Public safety

As above

d) The prevention of public nuisance

As above

e) The protection of children from harm

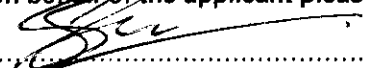
As above

- Please tick ✓ Yes
- 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 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

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

Part 4 – Signatures (please read guidance note 10)

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

Signature 

Date 28.9.09

Capacity Applicant

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 19)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Notes for guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e. Christmas Eve.
6. Please give timings in 24 hour clock (eg 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick on. If you wish people to be able purchase alcohol to consume away from the premises, please tick off. If you wish people to be able to do both, please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gambling machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

ANNEX 2

List of Responsible Authorities

Selby District Council's Environmental Health Service.

ANNEX 3

Representation made by Responsible Authority (Environmental Health Services)

Licensing Act 2003 – Representation by Responsible Authority

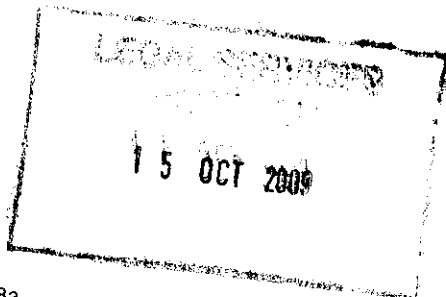
Licence Ref:	WK/200933747		
Type of Licence:	Premises		
Premises Name:	Selby Super Bowl		
Address:	Unit 1, Bawtry Road, Selby, North Yorkshire		
Name of Applicant:	Suneal Kumari Smith		
Date Notification of Application Received by Responsible Authority:	6 October 2009		
Officer Name: Mr M Edgell	Designation: Senior Environmental Health Officer		
Responsible Authority:	Environmental Health Commercial Team		
Authority Address:	Civic Centre, Portholme Road, Selby, YO8 4SB		

Representation relates to the following objective/s of the Licensing Act 2003

Prevention of Public Nuisance	X	Public Safety	
-------------------------------	----------	---------------	--

The proposed variation has the potential for causing nuisance to domestic properties close to the premises. I would suggest that the following conditions are attached to the licence:

1. Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment at the premises [between the hours of 23:00 and 07:00] shall not be audible inside habitable rooms of noise sensitive properties in the vicinity.
2. No external doors and windows to the room/s where regulated entertainment is being provided shall be open during the course of the entertainment, other than for normal access and egress.
3. Amplified and non-amplified music, singing and speech associated with the regulated entertainment shall only be carried out inside the premises except with the prior written approval of the Licensing Authority.
4. Speakers used to relay amplified music, singing and speech provided as part of the regulated entertainment shall not be positioned outside the premises; where placed internally ensure that they are directed away from external doors and windows.
5. The disposal of waste bottles into external receptacles shall not take place between the hours of 23:00 and 07:00.
6. All external lighting shall be directed so as not to cause intrusive illumination or glare to neighbouring residents, business or road-users.



Licensing Officer:	<u><i>E Lloyd</i></u>
Date:	<u>13/10/09</u>

PEHO Signature: RDR
Date: 14/10/9

ANNEX 4

List of Representors (Interested parties)

1. Mr Parker 5, Bawtry Close, Selby YO8 8DX.
2. Mr Hinks 9, Bawtry Close, Selby YO8 8DX
3. Mr Philpot 11, Bawtry Close, Selby YO8 8DX.
4. Mr and Falkingham 15, Bawtry Close, Selby YO8 8DX.
5. Mr Cooney 19, Bawtry Close, Selby YO8 8DX.
6. Mr and Mrs Pitchforth 21, Bawtry Close, Selby YO8 8DX
7. Mr and Mrs Booker 23, Bawtry Close, Selby YO8 8DX.
8. Mr and Mrs Dougall 25, Bawtry Close, Selby YO8 8DX
9. Mrs Pollock 246, Abbots Road, Selby YO8 8BA
10. Mr and Mrs Huby 248, Abbots Road, Selby YO8 8BA

ANNEX 5

Representations made by Representors (Interested parties)

16-10-2009

5 BROWTRY CHOSE

SELBY

LEGAL SERVICES
RECEIVED

Dear Sirs,

19 OCT 2009

Regarding the Public Notice in the papers, pointed out to me by a neighbour regarding an application for a premises licence for Selby Superbowl. I must object very strongly against a licence for drinking, music, and dancing until 200 am seven nights a week being granted on the grounds the premises are far too close to private houses and Council owned houses causing too much noise from the building, also traffic leaving the premises at such an early hour of the morning. In my opinion this is

a bowling alley not a night
club. Thank you

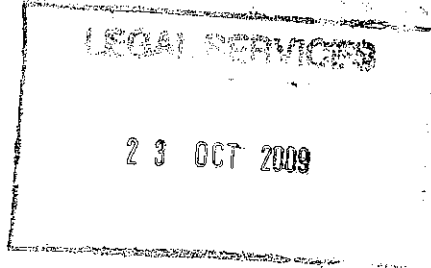
Yours faithfully

John R Parker

JOHN PARKER

MR J HINKS
9 BAWTRY CLOSE,
SELBY
YO8 8DX

TEL 01757 708334



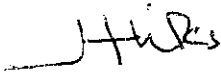
21/10/09

Dear Sir,

I would like to register an objection to the Licensing Application by Mr Suneal K Smith at Selby Superbowl, Unit 1, Bawtry Road, Selby.

I believe that the activities covered in this licence and the operating time of up to 2 am are not appropriate in close proximity to a residential housing estate. The residents most closely affected already suffer problems with noise, litter, late night and early morning traffic. I fear that the granting of this licence application will add further to the existing problems.

yours sincerely



11, Bawtry Close,
SELBY,
YO8 8DX
16-10-09

Selby Superbowl

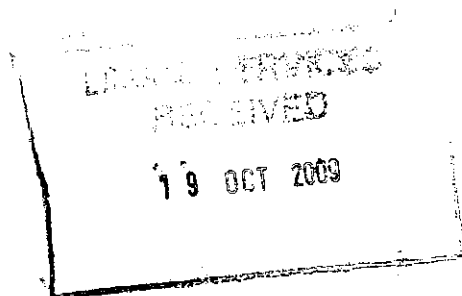
Licensing Authority,
Selby D.C.

Dear Sir

I wish to make an objection
to hours of closing of the above 2.cam,
7 days a week.

I have no issue if it is
run how it used to be closing at
2300 hrs.

Yours faithfully
R.D. Philpot

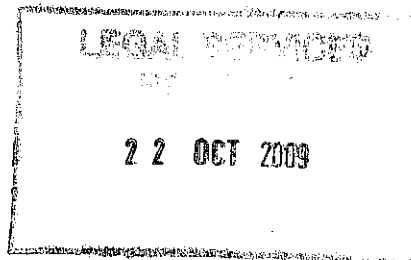


Roger P.

PHILPOT

21 October 2009

Mr T Grogan
The Licensing Office
Selby District Council
Civic Centre
Portholme Road
Selby
YO8 4SB



Dear Mr Grogan

We are writing with regard to the notice in the Selby Times concerning an application for a premises licence for Selby Superbowl, Bawtry Road, Selby.

Our concerns lie with the requested hours of the licence. We live directly opposite the said premises and we are worried that a 2.00 am licence would increase the likelihood of noise disturbance, increased litter and the possibility of damage to property for both us and our neighbours through antisocial behaviour. We are of the opinion that if a licence is essential for the operation of the business, it should be for no later than midnight, bearing in mind that it is opposite a residential area. There has already been some inconvenience caused by the business in question when it was known as Bowl'n'Fun in that the exterior lighting was extremely bright and shone across into our houses until around midnight. If there is an extension to the licensing hours then the lighting problem would be exacerbated as it would then be in use until the early hours of the morning.

The area around our property has become increasingly busy over the last few years, since the advent of the Selby Bypass (increased traffic), the retail park (increased traffic and all night lighting, boy racers using the car park during the night as a race track) and the later opening hours of the petrol station (now midnight). This would be yet another inconvenience and disturbance during the times when we expect to have peace and quiet in our own home.

On the basis of these reasons we would like to formally lodge an objection to the proposed application and ask that a modification to the opening hours be considered.

We look forward to hearing the outcome.

Yours sincerely

Gary and Janet Falkingham

Gary and Janet Falkingham
15 Bawtry Close
Selby
YO8 8DX

15-10-09

Mr B Cooney
19, Bawtry Chase
Selby

16 OCT 2009

Y085DX

706038

Ref. Unit 1 Bawtry Road Selby.

My wife and I strongly object to the proposed use of unit 1 for dancing, live and recorded music, performance of dance making music and opening hours of 10AM to 2AM. Note that we do not object to sporting events.

I am 76 my wife 74.

We have lived at this address for 49 yrs and are at a stage when one needs a little peace.

My wife and I are not nimbys. We have children and grandchildren.

Yours Sincerely
B Cooney

COONEY

26 OCT 2009

Customer Service Centre
21 OCT 2009

21 OCT 2009

24 OCT 2009

RECEIVED

21 Bowtrey Close

Selkies

North Yorkshire

YO88DX

20th October 2009.

TEL 01757 291102

Premises Licence For Selkies Superbowl 28/9/9
Unit 1 Bowtrey Road. Selkies YO88NA.

Dear Sir

All my Family enjoyed the Bowl Fun
and are pleased it will return.
However my wife and I are disturbed about
the 2:00am Finish. seven days a week.

We are both Pensioners and have had our
fair share of Anti Social behaviour.
Most of the time late at night.

Windows broken. Fences damaged, litter,
beer cans thrown at house, when we
confront them, we get abuse and

Foul F Words

Loud music from Cars etc. I could

go on and on

So please could you consider use when
this Licence comes before you.

The Police are aware about Bowtrey Close

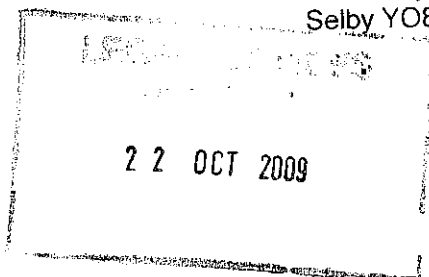
Yours Sincerely

Mrs Maureen and Keith Pitchforth

20 Oct 09

Mr & Mrs M Booker
23 Bawtry Close
Selby YO8 8DX

Mr Tim Grogan
Planning Department
Selby District Council
Civic Centre
Portholme Road
Selby YO8 4SB



Dear Mr Grogan

Licensing Application for Selby Superbowl, Unit 1, Bawtry Road, Selby YO8 8NA

With reference to the licensing application for Selby Superbowl at Unit 1, Bawtry Road, we would like to raise our objection.

We do not object to having the Superbowl re-opened as we are parents of young children who will benefit from being able to go bowling, what we are objecting to is that they intend to extend the hours having live music and serving alcohol until 2am seven days a week.

We know other people are expressing their concerns over this so we're sure you are aware of the problems that we already have with broken windows, damage to hedges and fences, broken bottles and litter thrown in front of the houses and having the Superbowl opened until 2am will only cause further problems.

Yours sincerely

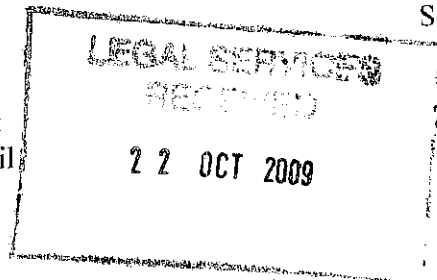
Mr M D Booker

Mrs J A Booker

20 Oct 09

Mr & Mrs P Dougall
25 Bawtry Close
Selby YO8 8DX

Mr Tim Grogan
Planning Department
Selby District Council
Civic Centre
Portholme Road
Selby YO8 4SB



Dear Mr Grogan

Licensing Application for Selby Superbowl, Unit 1, Bawtry Road, Selby YO8 8NA

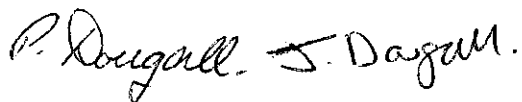
It has just been brought to our attention the licensing application for Selby Superbowl at Unit 1, Bawtry Road and we would like to express our concerns.

We are not opposing the idea of having the Superbowl re-opened as we enjoy attending our objection is the idea of having a licence for live music and alcohol from the hours of **10am to 2am seven days a week**, we already have to put up with noise from people going to the Jet garage late at night and seem to insist on playing their car radios full volume.

In the past there has been problems with windows being broken, new fences broken, empty bottles, cartons from McDonalds thrown about, the list can go on and we think the problems will become worse if the above premises are allowed to have a licence until 2am. The police are aware of the problems in Bawtry Close area.

We would appreciate there being some consideration for the residents in Bawtry Close which consist of pensioners, young families and others who have to be up early for work and therefore do not want to be disturbed by rowdy people leaving Superbowl up until 2am .

Yours sincerely



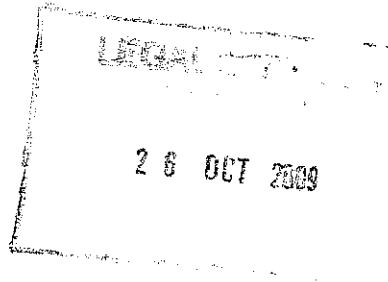
Mr P Dougall and Mrs J Dougall

248 Abbot's Road
Selby YO8 8BA
North Yorkshire

26th October 2009

The Licensing Office

Selby District Council
Civic Centre
Portholme Road,
Selby YO8 4SB



Dear Sir/Madam

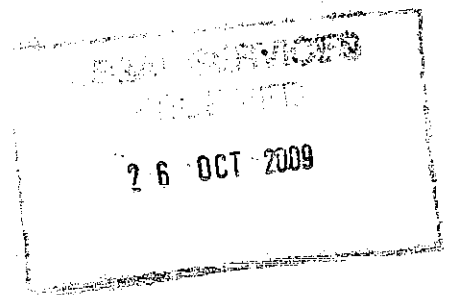
Re: Application by Suneal K Smith – Licence for Selby Superbowl, Unit 1, Bawtry Rd, Selby.

As residents who live almost opposite the above premises, we strongly object to the above application to open 10am to 2am Monday to Sunday inclusive. Most of the businesses in and around the Three Lakes Retail Park, Bawtry Road, including the Jet Garage on Bawtry Road are closed by 12 o'clock (midnight) which seems late enough. We would have no objection to the above application if they too closed at 12 o'clock (midnight).

Yours faithfully

F.C.T. Hlay

Mr & Mrs M Hubby



Mrs S. Pownock

246 Abbots Ln

Selby

YO8 8BA

26 Oct 2009

LEGAL SERVICES

26 OCT 2009

LICENSING DEPT.
SELBY DISTRICT COUNCIL

LEGAL SERVICES

26 OCT 2009

Dear Sir

I refer to the licensing application made by Suneeal K Smith for the premises Superbowl, Bawtry Road, Selby

I strongly object to this application being granted. The problems it will cause should not have to be put into words but just in case:-

Rowdiness

Drunkenness

Rubbish

Fighting

Damage to properties

Broken Glass

We already have to put up with

all this aggro (except daunkered)
from the Retail Park

Help in solving the existing
problems would be very much
appreciated instead of more
problems being created by the
granting of this license.

Please show some consideration
to the residents in this area.

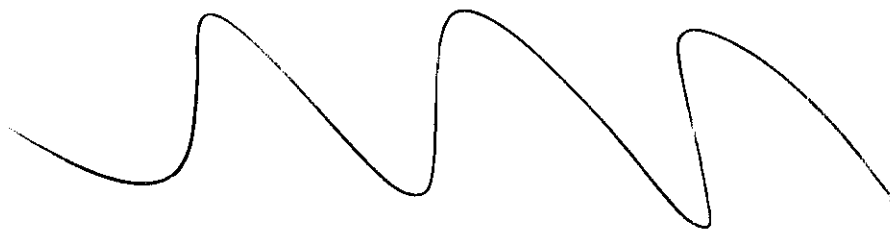
Yours faithfully

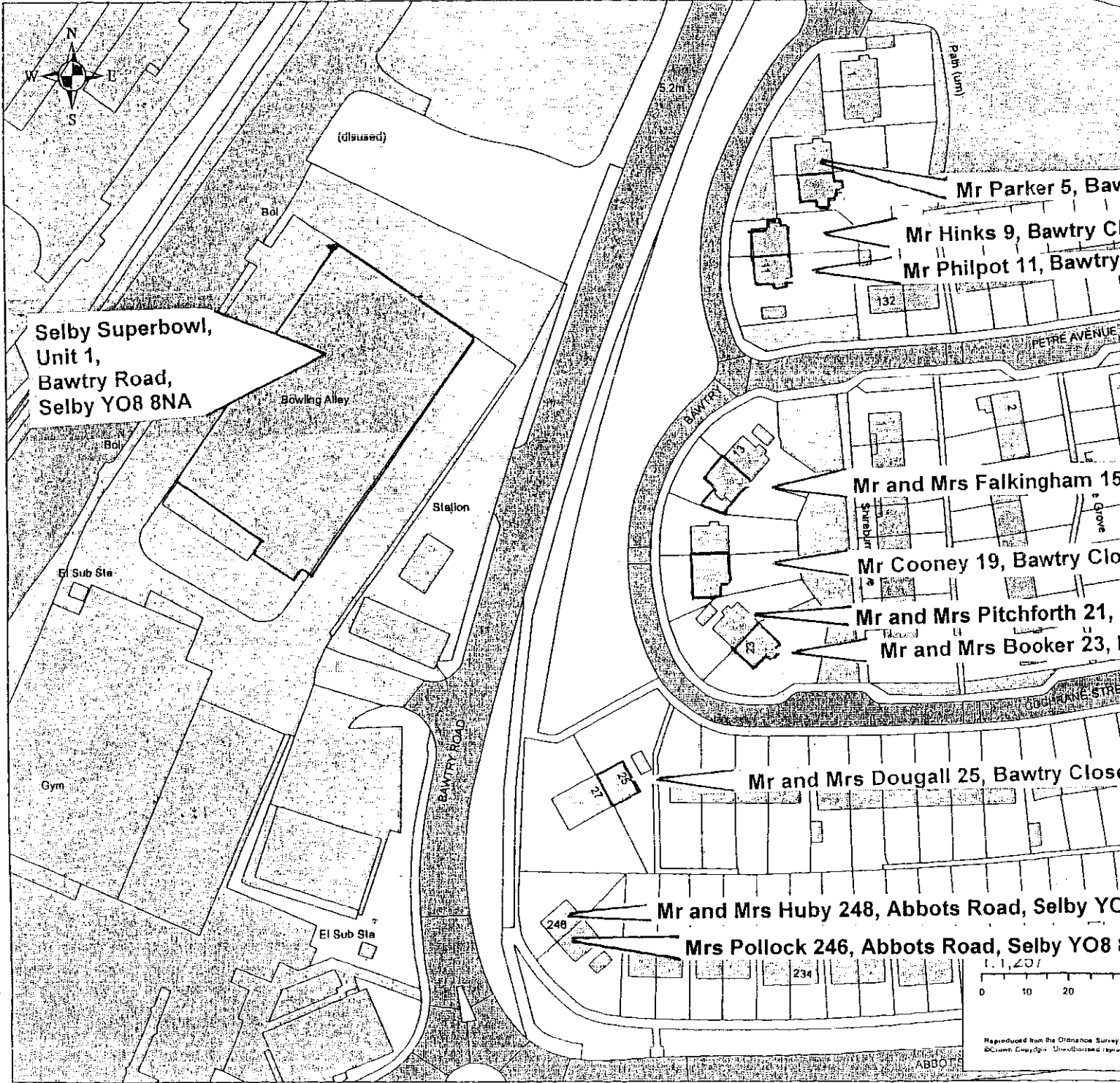
S. PLOW

NOTE:- Mr SMITH may promise
'problems will not arise' We, the
residents at Bawby Road end of
Abbots Road, were made promises
by 'DEANFIELD'S'. Four years, approx,
we are still having problems.

ANNEX 6

Map of the area concerned





Reproduced from the Ordnance Survey
© Crown Copyright. Unauthorised reproduction is prohibited.



Guidance on procedure for hearing licensing applications

The Chair introduces him/herself, the other members of the panel, the Clerk to the panel and any officers present

The Chair will ask the parties to introduce themselves, and provide details of any witnesses they will be calling. If more than one interested party, the Chair will ask whether a representative can be appointed to speak on their behalf.

The Clerk summarises the hearings procedure, any time limits for speakers and any additional information to be produced by the parties.

The Licensing Officer gives a summary of his report and any representations received.

The Chair asks for questions for the licensing officer from members, and then the Applicant, responsible authorities, interested parties and officers.

The Applicant or their representative makes a brief opening statement and may call witnesses relevant to the application.

The Chair asks for questions for the applicant from members, and then responsible authorities, interested parties and officers.

Responsible Authorities or their representative makes a brief opening statement and may call witnesses relevant to the application.

The Chair asks for questions for the responsible authorities from members, and then the applicant, interested parties and officers.

The Interested Parties or their representative makes a brief opening statement and may call witnesses relevant to the application.

The Chair asks for questions for the interested parties from members, and then the Applicant, responsible authorities and officers.

The Chair asks the responsible authorities or their representative if they wish to sum up their case, without adding any new evidence.

The Chair asks the interested parties or their representative if they wish to sum up their case, without adding any new evidence.

The Chair asks the applicant or their representative if they wish to sum up their case, without adding any new evidence.

The Chair confirms with all parties that they have had an opportunity to say all they wanted to say in relation to the application.

The Clerk advises the meeting that the panel will retire to deliberate and reach a decision.

Meeting reconvenes

The Chair announces the decision of the committee

Meeting Closes

LICENSING OFFICER'S REPORT:

On the 28th September 2009 Suneal Kumari Smith made application to Selby District Council for a Premises Licence in respect of Selby Superbowl, Unit 1, Bawtry Road, Selby.

Under the Licensing Act 2003 the terms of the application are for the licence to authorise:

the provision of: regulated entertainment in the form of: indoor sporting events, live music, recorded music and performance of dance; entertainment facilities in the form of making music and dancing; late night refreshment and sale by retail of alcohol from:

(a) Monday to Sunday (inclusive) between 10:00 – 02:00

As you are aware there are 4 Licensing Objectives with which the DPS has to comply in order to operate within the Licensing Act, they are:

- **the prevention of crime and disorder**
- **public safety**
- **the prevention of public nuisance**
- **the protection of children from harm**

In this particular case representations have been received from Environmental Health Services (EHS) and ten Interested Parties (residents). Essentially all representations relate to issues of:

- **the prevention of crime and disorder**
- **the prevention of public nuisance**

The representations relate to: the likelihood of **crime and disorder** in terms of **criminal damage and anti-social behaviour; nuisance** in terms of **noise and litter**.

There is no representation from the Police.

Dealing with EHS it is agreed that providing the Designated Premises Supervisor (DPS) complies with the conditions recommended by that department they will have no opposition to the activities and hours applied for. Mrs Smith as I understand it is willing to accept the imposition of these conditions.

With regard to the Interested Parties it is clear that they anticipate that there will be a disruption to the immediate environment of the premises should the licence be granted in the terms applied for. In particular they refer to **damage, anti-social behaviour, noise and litter** where it is their combined belief that if the licence were granted there would be a potential for problems in all these areas.

The Licensing Department reports that this establishment was previously granted a Premises Licence, when it was known as Selby Bowl and Fun, on 24th November 2005 when Selby District Council received no representations. The application was in broadly similar vein to the current application. However, the terms are slightly different in that this application applies for: the provision of; indoor sporting events, live music, recorded music, performance of dance: entertainment facilities in the form of; making music, dancing and provision of late night refreshments and sale by retail of alcohol.

The hours of the new application will be increased in that the premises applies to open from 10am to 2am Monday to Sunday (inclusive) rather than from midday to midnight on Sunday, from 10am to 1am Monday to Saturday (inclusive). There have been no previous problems associated with this establishment.

In relation to the issues of *crime and disorder*, in terms of the likelihood of damage and anti-social behaviour generated from the premises, it is considered that if crime and disorder were considered to be matters of serious concern as a consequence of the granting of this licence the Police would no doubt have made a representation in order to recommend appropriate measures to address the potential of this type of behaviour.

In relation to the issue of *nuisance*, in terms of the likelihood of noise and litter generated by the premises, the Licensing Department forms the view that the conditions recommended by EHS are both appropriate and effective to deal with any potential problems in this area.

LICENSING DEPARTMENT'S CONCLUSION

The Licensing Department's view is that the Licensing Sub-Committee makes a decision having considered the information submitted in the attached case papers and the additional verbal evidence presented to it today.

The issues are quite clear, under its previous licence the premises formally known as Selby Bowl and Fun was operated in a manner which never brought it to the attention of either the Licensing Authority, EHS or the Police in an adverse capacity as a consequence of crime and disorder, nuisance, safety and harm to children.

As a consequence EHS consider that providing the DPS complies with the conditions recommended by that department they will have no opposition to the activities and hours applied for. Mrs Smith has accepted these recommendations in full. The Police have made no representations.

However, the residents consider that the terms in which the licence has been applied for will increase the likelihood of the commissions of *crime and disorder* in relation to criminal damage and anti-social behaviour and *nuisance* in relation to levels of noise and litter.

Should this Sub-Committee recommend the grant of a Premises Licence to Selby Superbowl the Licensing Department would strictly enforce any conditions imposed as warnings are no longer necessary given the attention drawn to the issue by this hearing. In addition the establishment would be expected to both join and be active members of the local pubwatch scheme.