

## Report of the Assistant Director Corporate Services to a Hearing before the Keighley/Shipley Area Licensing Panel to be held on 16 June 2009

# D

### Subject:

Application for Variation of a Premises Licence for the Golden Fleece, Lane Ends, Oakworth, Keighley

### Summary statement:

Application for variation to allow the provision of regulated entertainment (indoor sporting events, live music indoors & outdoors, recorded music outdoors).

Suzan Hemingway  
Assistant Director Corporate Services (City Solicitor)

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**Portfolio:**

**Corporate**

**Improvement Committee Area:**

**Corporate Improvement Committee  
Safer and Stronger Communities**



Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



Ward: Worth Valley

## 1. Summary

### 1.1 The applicant

Anthony John Holmes and Denise Margaret Holmes. A copy of the application is included at Appendix 1.

### 1.2 The Premises

Golden Fleece, Lane Ends, Oakworth, Keighley

### 1.3 Designated Premises Supervisor

Denise Margaret Holmes

### 1.4 Current Licence

The premises currently hold a Premises Licence with the following permitted hours;

#### Sale/supply of alcohol

Monday to Saturday:	11.00 to midnight
Sunday:	Noon to 23.00
Christmas Eve:	11.00 to 00.30
New Years Eve:	Noon to midnight
New Years Day:	Midnight to 02.00
Non Standard Timings:	A further additional hour on Saturday & Sunday of every statutory Bank Holiday weekend

#### Playing of recorded music (indoors)

Monday to Saturday:	11.00 to 23.30
Sunday:	Noon to 22.30
Christmas Eve:	11.00 to 00.30
New Years Eve:	Noon to midnight
New Years Day:	Midnight to 01.00

The Operating Schedule is attached at Appendix 2 of this report.

### 1.5 Variation Application

The variation application has been submitted to include the provision of regulated entertainment. The applicant has amended the application in respect of outdoor entertainment to the hours shown below;

#### Indoor sporting events, live music indoors & anything of a similar description indoors

Monday to Saturday:	11.00 to 23.30
Sunday:	12.00 to 22.30

Christmas Eve: 11.00 to 00.30  
New Years Eve: Noon to midnight  
New Years Day: Midnight to 01.00  
Non Standard Timings: A further additional hour on Saturday & Sunday of every statutory Bank Holiday weekend.

Live music outdoors

Sunday prior to Bank Holiday Monday: 12.00 to 22.00

Recorded music outdoors

Monday to Saturday: 11.00 to 21.00  
Sunday: 12.00 to 21.00

Premises opening hours

Monday to Saturday: 11.00 to 00.30  
Sunday: Noon to 23.30  
Christmas Eve: 11.00 to 01.00  
New Years Eve: Noon to midnight  
New Years Day: Midnight to 02.30  
Non Standard Timings: A further additional hour on Saturday & Sunday of every statutory Bank Holiday weekend

**1.6 Steps proposed by the applicant to address the Licensing Objectives**

a) Prevention of crime and disorder will be achieved by;

All existing lighting shall be maintained in good working order and used where appropriate at all times the premises remain open to the public.

Maintain a zero tolerance policy with regard to illegal drugs to include staff training in detection and prevention, co-operate with West Yorks Police drug watch initiative or any similar scheme.

b) Public Safety will be achieved by;

All emergency lighting and fire exit signs shall be maintained in good working order and all staff including temporary staff adequately trained about the evacuation procedures for the premises.

c) Prevention of public nuisance will be achieved by;

Ensure that the external areas of the premises are kept clean of litter and refuse.

Display notice in prominent positions near exits reminding customers to leave in a quiet and orderly manner.

All doors and windows to be kept closed when entertainment is taking place.

Ensure that staff monitor on a regular basis noise emanating from the premises from entertainment to ensure that neighbours are not disturbed.

Clear outdoor drinking area of customers by 23.00 hours with signage displayed encouraging customers to comply with this requirement.  
Do not empty bottle bins between 21.00 – 07.00 hours.

d) Protection of children from harm will be achieved by;

The Licensee and staff must ensure that children under 18 years of age vacate the premises by 20.00 hours.

Children must be accompanied by a parent or guardian and shall not be allowed access to the cigarette machines or amusement with prizes.

Enforce an efficient proof of age policy at all times and ensure appropriate staff training in its operation.

e) General – all four licensing objectives

Ensure that adequate supervision of the premises is maintained at all times during the carrying out of licensable activities and that any staff are trained in ensuring compliance with the licensing objectives at all times.

## 2. **Relevant Representations Received**

### 2.1 **Interested Parties**

Local residents – Seven letters of representation have been received from local residents on the grounds of anticipated noise and disturbance from regulated entertainment in the outdoor areas and noise and anti social behaviour from patrons using the outdoor areas and leaving the premises late at night. The residents also state that the premises are in a residential area.

The letters of representation are attached at Appendix 3.

## 3. **Legal Appraisal**

3.1 The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives:

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) The protection of children from harm

3.2 The Council must also have regard to the guidance issued by the Department of Culture Media and Sport under Section 182 of the Licensing Act 2003. Regard must also be taken of the Council's statement of Licensing Policy for the District.

3.3 Where it is decided it is necessary to depart from the statutory guidance or the Licensing Policy on the merits of a particular case; then special reasons justifying this must be given that can be sustained.

3.4 Only "relevant representations" by or expressly on behalf of a defined "interested party" or "responsible authority" can be taken into account. In order to be "relevant"

a representation must fairly relate to achieving a licensing objective. If it does not, it must be discounted.

- 3.5 Any licensing conditions that Members may propose attaching must also relate to achieving one of the licensing objectives; be tailored to the actual premises and style of licensable activity; must be reasonably achievable by the applicant and in his/her control.

#### 4. **Statement of Policy Issues**

- 4.1 The following parts of the Licensing Policy are of particular importance; Part 4 (prevention of crime and disorder) and Part 6 (prevention of Public Nuisance).

- 4.2 The Annexes to the Policy sets out various types of model condition that could be considered.

#### 5. **Legal Options**

- 5.1 Members may:

- (a) Vary the premises licence as applied for subject to any mandatory conditions and the precautions specified in the operating schedule submitted.
- (b) Vary the premises licence in whole or in part subject to such additional conditions relating to achievement of the licensing objectives as members think fit; or
- (c) Refuse to vary the premises licence.

- 5.2 Should the applicant or any other party to the hearing feel aggrieved at any decision with regard to the licence or to any conditions or restrictions attached by Members they may appeal to the Magistrates Court.

#### 6. **Financial and resource appraisal**

- 6.1 There are no apparent finance or resource implications.

#### 7. **Other implications**

##### 7.1 **Equal Rights**

There are no apparent equal rights implications.

##### 7.3 **Community safety implications**

There are no apparent community safety implications.

##### 7.4 **Human Rights Act**

The following rights are applicable:

Article 1 First Protocol to the Convention – Right to peaceful enjoyment of possessions subject to the state’s right to control the use of property in accordance with the general interest. The Council’s powers set out in the recommendations fall within the states right. A fair balance must be struck between public safety and the applicant’s rights.

Article 6 – A procedural right to a fair hearing. As refusal of the application is an option, adherence to the Panels’ usual procedure of affording a hearing to the applicant is very important. The applicant should also be able to examine the requirements of the fire authority. If the decision is to refuse then reasons should be given.

**8. Not for publication documents**

8.1 None

**9. The Role of the Panel**

9.1 Members are invited to consider the information and documents referred to in this report and, after hearing interested parties, determine the related application(s).

**10. Appendices**

1. Application form received on 20 April 2009. In the interests of economy this document has been sent to Members of the Panel only. A public inspection copy is available in Committee Secretariat, Room 112, City Hall, Bradford or on [www.bradford.gov.uk](http://www.bradford.gov.uk).
2. Operating schedule.
3. Letters of representation from local residents.

**11. Background documents**

Application form, plan etc

Licensing Team, Room 402, City Hall, Bradford, BD1 1HY

## Application to vary a premises licence under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

ANTHONY JOHN HOLMES  
/We DENISE MARGARET HOLMES. (insert name(s) of applicant) being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises licence number

BD/PRAO451

### Part 1 – Premises Details

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

THE GOLDEN FLEECE, LANE ENDS, OAKWORTH.

Post town

KEIGHLEY

Post code

BD22PR

Telephone number at premises (if any)

01535 - 645930

Non domestic rateable value of premises

£

### Part 2 – Applicant Details

Daytime contact telephone number

01535 - 645930

Email address (optional)

APR 2009

Mr

Mrs

Miss

Ms

Other title  
(for example, Rev)

Surname

HOLMES

First names

ANTHONY JOHN  
DENISE MARGARET

Current postal address  
if different from  
premises address

AS PREMISES

Post Town

Postcode

**Part 3 - Variation**

Please tick ✓

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

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

Day	Month	Year					

If your proposed variation would mean that 5000 or more people are expected attend the premises at any one time please state the number expected to attend

N/A
-----

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

To vary the current licence to include live music

To vary the current playing of recorded music to include outdoor Base Garden until 9pm.

To vary the current licence to include indoor sporting events



## Part 4 - Operating Schedule

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

### Provision of regulated entertainment

Please tick ✓

- |   |                                     |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performance of dance (if ticking yes, fill in box G)   | <input type="checkbox"/>            |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

### Provision of entertainment facilities:

- |   |                          |
|---|--------------------------|
| i) making music (if ticking yes, fill in box I)   | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J)  | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

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	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)  N/A	Both	
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	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)  N/A	Both	
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) <i>To allow team games within a league</i>
Day	Start	Finish	
Mon	11.00	23.30	State any seasonal variations for indoor sporting events (please read guidance note 4)  <i>n/a</i>
Tue	11.00	23.30	
Wed	11.00	23.30	
Thur	11.00	23.30	
Fri	11.00	23.30	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)  <i>n/a</i>
Sat	11.00	23.30	
Sun	12.00	12.30	

**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)	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 boxing or wrestling entertainment (please read guidance note 4)		
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 5)		
Sat					
Sun					

**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	
Day	Start	Finish		Outdoors	
				Both	<input checked="" type="checkbox"/>
Mon	11.00	23.30	Please give further details here (please read guidance note 3) TO ALLOW THE PLAYING OF REGULATED AMPLIFIED + NOISE AMPLIFIED MUSIC		
Tue	11.00	23.30			
Wed	11.00	23.30	State any seasonal variations for the performance of live music (please read guidance note 4)  see email 19/5/09		
Thur	11.00	23.30			
Fri	11.00	23.30	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) CHRISTMAS EVE, NEW YEARS EVE NEW YEARS DAY PLUS A FURTHER ADDITIONAL HOUR ON ALL BANK HOLIDAY WEEKENDS		
Sat	11.00	23.30			
Sun	12.00	22.30			

**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	
Day	Start	Finish		Outdoors	
				Both	<input checked="" type="checkbox"/>
Mon	11.00	23.30	Please give further details here (please read guidance note 3) AS EXISTING BUT TO INCLUDE OUTDOOR BEER GARDEN UNTILL 21.00		
Tue	11.00	23.30			
Wed	11.00	23.30	State any seasonal variations for the playing of recorded music (please read guidance note 4)  see email 19/5/09		
Thur	11.00	23.30			
Fri	11.00	23.30	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) TO INCLUDE OUTDOORS UNTILL 21.00		
Sat	11.00	23.30			
Sun	12.00	22.30			

# 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	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)  N/A	Both	
Tue					
Wed				State any seasonal variations for the performance of dance (please read guidance note 4)	
Thur					
Fri				Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 5)	
Sat					
Sun					

# H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will the entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Indoors	
				Outdoors	
Mon			Karaoke	Both	✓
Tue				Indoors	✓
Wed				Outdoors	✓
Thur				Both	✓
Fri				Please give further details here (please read guidance note 3) To play Karaoke which involves customer participation	
Sat				State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) a further additional hour on SAT & SUN on BANK holidays	
Sun				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) CHRISTMAS EVE 11am - 00:30 NEW YRS EVE 12NOON - 01:00 The following morning	

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
					Outdoors
					Both
Day	Start	Finish	Please give further details here (please read guidance note 3)  N/A		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			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
					Outdoors
					Both
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing  N/A		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			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

<b>Provision of facilities for entertainment of a similar description to that falling within (i) or (j)</b> 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)	<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors		Outdoors		Both	
Indoors										
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Day	Start	Finish	Please give further details here (please read guidance note 3)  N/A							
Mon										
Tue										
Wed										
Thur										
Fri										
Sat										
Sun										
<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)							
Day	Start	Finish	<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>		Indoors		Outdoors		Both	
Indoors										
Outdoors										
Both										
Mon			Please give further details here (please read guidance note 3)  N/A							
Tue										
Wed										
Thur										
Fri										
Sat										
Sun										
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)					State any seasonal variations for the provision of late night refreshment (please read guidance note 4)					
Non standard timings. Where you intend to use the premises for the provision of 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)			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)							

# L

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)							
Day	Start	Finish	<table border="1"> <tr> <td>Indoors</td> <td></td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>		Indoors		Outdoors		Both	
Indoors										
Outdoors										
Both										
Mon			Please give further details here (please read guidance note 3)  N/A							
Tue										
Wed										
Thur										
Fri										
Sat										
Sun										
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)					State any seasonal variations for the provision of late night refreshment (please read guidance note 4)					
Non standard timings. Where you intend to use the premises for the provision of 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)			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)							

# M

Sale of alcohol Standard days and timings (please read guidance note 6)			Will the sale 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			AS EXISTING	Both	
Tue					
Wed					
Thur			Non standard timings. Where you intend to use the premises for the sale of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Fri					
Sat					
Sun					

# 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)

AS EXISTING REGARDING THE PROVISION OF GAMING MACHINES.



0

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	11.00	00.00	To include an additional hour on Saturday & Sunday of every Statutory Bank Holiday  Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 5)  CHRISTMAS EVE 11am-1am. NEW YEAR EVE 12.00 - 2.30am - the following morning
Tue	08.00	00.30	
	11.00	00.00	
Wed	00.00	00.30	
	11.00	00.00	
Thur	00.00	00.30	
	11.00	00.00	
Fri	00.00	00.30	
	11.00	00.00	
Sat	00.00	00.30	
	11.00	00.00	
Sun	00.00	00.30	
	12.00	13.30	

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

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

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

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

## P

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

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

ENSURE THAT ADEQUATE SUPERVISION OF THE PREMISES IS MAINTAINED AT ALL TIMES DURING THE CARRYING OUT OF LICENSABLE ACTIVITIES AND THAT ANY STAFF ARE TRAINED IN ENSURING COMPLIANCE WITH THE LICENSING OBJECTIVES AT ALL TIMES

### b) The prevention of crime and disorder

ALL EXISTING LIGHTING SHALL BE MAINTAINED IN GOOD WORKING ORDER AND USED WHERE APPROPRIATE AT ALL TIMES THE PREMISES REMAIN OPEN TO THE PUBLIC.

MAINTAIN A ZERO TOLERANCE POLICY WITH REGARD TO ILLEGAL DRUGS TO INCLUDE STAFF TRAINING IN DETECTION AND PREVENTION CO-OPERATE WITH WEST YORK POLICE DRUG WATCH INITIATIVE OR ANY SIMILAR SCHEME

### c) Public safety

~~REMOVED~~  
ALL EMERGENCY LIGHTING & FIRE EXIT SIGNS SHALL BE MAINTAINED IN GOOD WORKING ORDER AND ALL STAFF INCLUDING TEMPORARY STAFF ADEQUATELY TRAINED ABOUT THE EVACUATION PROCEDURES FOR THE PREMISES.

### d) The prevention of public nuisance

ENSURE THAT THE EXTERNAL AREAS OF THE PREMISES ARE KEPT CLEAN OF LITTER & REFUSE  
DISPLAY NOTICE IN PROMINENT POSITIONS NEAR EXITS REMINDING CUSTOMERS TO LEAVE IN A QUIET & ORDERLY MANNER  
ALL DOORS & WINDOWS TO BE KEPT CLOSED WHEN ENTERTAINMENT IS TAKING PLACE  
ENSURE THAT STAFF MONITOR ON A REGULAR BASIS NOISE EMANATING FROM THE PREMISES FROM ENTERTAINMENT TO ENSURE THAT NEIGHBOURS ARE NOT DISTURBED  
CLEAR OUTDOOR DRINKING AREA OF CUSTOMERS BY 23:00 HRS WITH SIGNAGE DISPLAYED ENCOURAGING CUSTOMERS TO COMPLY WITH THIS REQUEST  
~~DO NOT EMPLOY BOTTLE KICKS BETWEEN 21:00 - 07:00 HRS~~

### e) The protection of children from harm

THE LICENCEE & STAFF MUST ENSURE THAT CHILDREN UNDER 18 YEARS OF AGE VACATE THE PREMISES BY 9:00 HRS

CHILDREN MUST BE ACCOMPANIED BY A PARENT OR GUARDIAN AND SHALL NOT BE ALLOWED ACCESS TO THE CIGARETTE MACHINES OR AMUSEMENTS WITH PRIZES  
ENFORCE AN EFFICIENT PROOF OF AGE POLICY AT ALL TIMES AND ENSURE APPROPRIATE STAFF TRAINING IN ITS OPERATION.

Please tick ✓

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

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

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

**Part 5 – Signatures** (please read guidance note 10)

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

Signature .....

Date ..... 21-04-09

Capacity ..... LICENCEE

**Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the current premises licence holder) or 2<sup>nd</sup> 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 ..... 21.4.09.

Capacity .....

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

## Melanie McGurk

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**From:** thegoldenfleece [thegoldenfleece@blueyonder.co.uk]  
**Sent:** 19 May 2009 11:50  
**To:** Melanie McGurk  
**Subject:** Amendment to licence

Further to your telephone call this morning I would like to amend the premises licence as follows Live music outdoors on the Sunday of every bank holiday weekend prior to Bank holiday Monday untill 22.00 hrs Recorded background music outdoors to beer garden to remain the same.

I would also like to inform you that I will be away on Holiday from 28/05/09 to 11/06/09

Yours A. J. Holmes

would you please let me know you have received this e-mail

## **Annex 1 – Mandatory Conditions**

1. No supply of alcohol may be made under the premises licence;-
  - (a) at a time when 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.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

## **Embedded Conditions**

3. None of the restrictions on permitted hours prohibit:
  - a. During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
  - b. Consumption of the alcohol on the premises or the taking of the sale or supply of alcohol to any person residing in the licensed premises;
  - c. The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
  - d. The sale of alcohol to a trader or club for the purposes of the trade or club;
  - e. The sale or supply of alcohol to any canteen or mess, being a canteen in which the supply or sale of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's Naval, Military or Air Forces;
  - f. The taking of alcohol from the premises by a person residing there; or
  - g. The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
  - h. The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

## **Annex 2 – Conditions Consistent with Operating Schedule**

All four Licensing Objectives:

4. The Licensee shall ensure that adequate supervision of the premises is maintained at all times during the carrying out of licensable activities and that any staff are trained in ensuring compliance with the licensing objectives at all times.

### **The Prevention of Crime & Disorder:**

5. All existing lighting shall be maintained in good working order and used where appropriate at all times the premises remain open to the public.

6. The Licensee shall at all times maintain a “zero tolerance” policy with regard to illegal drugs (including appropriate staff training in detection and prevention); and shall co-operate with the West Yorkshire Police’s “Drugs Watch” initiative or any similar scheme.

**Public Safety:**

7. All emergency lighting and fire exit signs shall be maintained in good working order and all staff (including temporary staff) adequately trained about the evacuation procedures for the premises.

**The Prevention of Public Nuisance:**

8. The Licensee shall ensure that the external areas of the premises are kept clear of litter and refuse.
9. Notices shall be displayed in prominent positions near exits reminding patrons to leave in a quiet and orderly manner.
13. All doors and windows are to be kept closed when regulated entertainment is taking place.
14. The Licensee shall ensure that staff monitor, on a regular basis, noise emanating from the premises from regulated entertainment to ensure that neighbouring residents are not disturbed.
15. The outdoor drinking areas are to be cleared of customers no later than 23.00 hours with prominent appropriate signage displayed encouraging patrons to co-operate with this requirement.
16. Removal of refuse and emptying of bottle bins within the curtilage of the licensed premises shall not take place between the hours of 21.00 and 07.00.

**The Protection of Children from Harm:**

17. The Licensee and staff must ensure that children under 18 years of age vacate the premises by 20.00 hours.
18. Children must be accompanied by a parent or guardian and shall not be allowed access to the cigarette machines; or amusement with prizes machines.
19. The Licensee shall enforce an efficient recognised “proof of age policy” at all times and ensure appropriate staffing training in its operation.

**Annex 3 – Conditions attached after a hearing by the Licensing Authority**

Not Applicable.

Lane Ends  
Oakworth  
Keighley  
West Yorkshire  
BD22 7PR

Melanie McGurk  
Bradford Council  
Licensing Department  
Room 402  
City Hall  
Bradford  
BD1 1HY

Tuesday 12<sup>th</sup> May 2009

Dear Sir / Madam,

Ref: Golden Fleece, Lane Ends, Oakworth, BD22 7PR / Anthony Holmes

I am writing with regards to the proposed "provision of Live Music (indoors & Outdoors) Monday – Sunday 11.00 – 23.30, Sunday 12.00 – 22.30. To include indoor sporting events to match above hours. To vary the current playing of recorded music to include the outdoor drinking area until 21.00)".

As a neighbour of this establishment, I have enjoyed a great relationship with the former landlord Dennis, who although strict was considerate that we lived in a residential area with neighbours surrounding the premises on all sides.

We have so far been subjected to Mr Holmes playing music so loud that I could not hear my own TV and the windows rattled in the lounge as his various bands, artistes etc subjected us to more and more loud and grotesque music with no license for entertainment within the pub. We have also had one Charity event outside which was so loud that you could hear the music from as far as Hill top farm and the Snooty Fox which is some distance away in which he drove myself and other neighbours out of their homes until after 9 O clock in the evening. This is just two incidents that I have mentioned. There have been countless fights outside the establishment and one incident where he evicted his revellers from the pub at 1 O clock in the morning after a funeral party where a mass fight started outside the pub as soon as the door slammed shut behind them and we were subjected to 3 Police Cars and an Ambulance turning up to try and mop up the carnage and stop the noise.

I have worked in a recording studio in the past and as such we were heavily regulated on the amount of noise that we could produce and had to ensure that our neighbours were not disturbed by the volume of any bands that played within the walls of the building. (Sound Proofing was a necessity). We have one adjoining wall to the pub and this kind of consideration has not been thought of when playing entertainment in the Golden Fleece to the point were I have had to call the environmental health and the council to complain. We have been advised to take recordings and notes of the

noise and have recordings of noise from the lounge of our home which we have had to endure. I work every day and usually retire to bed at approx 10pm but the disturbances suffered by ourselves from the Golden Fleece have been unbearable. We have 18" thick walls in our 300 year old cottage and this is a residential area in a quiet village which should not have to be subjected to this kind of disturbance.

I am writing this letter to heavily object to the provision of Live Music (Indoors & Outdoors Monday – Sunday on the above hours as this would give the Golden Fleece carte blanche to disrupt, disturb, aggravate and alienate his neighbours even more than he has done already. I have lived in this area for 4 years where for 2 years I had a very good relationship with the previous landlord who had consideration for his neighbours and the fact that this is a residential area. It is sad to see that the Golden Fleece current Landlord does not seem to have that same consideration or thought. This is a local pub for local people and not a nightclub or wine bar for the centre of town. So I heavily object to this license.

Kind Regards



Lane Ends  
Oakworth  
KEIGHLEY  
West Yorkshire  
BD22 7PR

Melanie McGurk  
Senior Licensing Officer  
Licensing Unit  
Room 402  
City Hall  
Bradford

29<sup>th</sup> April 2009

Dear Madam

**RE: GOLDEN FLEECE, LANE ENDS, OAKWORTH, KEIGHLEY**

It has come to my attention that the licensee at the above public house has applied to you for a music licence for music to be played outside in the beer garden until 9 pm each evening.

I strongly object to this application on the grounds that I live very close to this public house and will be unable to enjoy the peace and quiet in my rear garden if a licence is granted to play music outside.

I have lived by this public house for 23 years and have tolerated levels of noise late at night as customers leave the premises. To extend the noise out into the beer garden will be an infringement on my privacy, peace and quiet.

I am a long-term tinnitus sufferer and have to avoid noise, especially loud music. I have spent a lot of time and money in my garden and don't expect it to be violated by the whims of the local publican.

I trust you will give my objections your serious consideration and keep me informed of the decision made.

Yours faithfully

c.f.i. District Councillor K Hopkins (Worth Valley Ward), Councillor A Rhodes (Town Councillor for Oakworth)

Lane Ends  
Oakworth  
KEIGHLEY  
West Yorkshire  
BD22 7PR

Melanie McGurk  
Senior Licensing Officer  
Licensing Unit  
Room 402  
City Hall  
Bradford

29<sup>th</sup> April 2009

Dear Madam

**RE: GOLDEN FLEECE, LANE ENDS, OAKWORTH, KEIGHLEY**

It has come to my attention that the licensee at the above pubic house has applied to you for a music licence for music to be played outside in the beer garden until 9 pm each evening.

I strongly object to this application on the grounds that I live very close to this public house and will be unable to enjoy the peace and quiet in my rear garden if a licence is granted to play music outside.

I trust you will give my objections your serious consideration and keep me informed of the decision made.

Yours faithfully

29 APR 2009

Hillside Avenue  
Oakworth  
Keighley  
BD22 7QQ

April 29<sup>th</sup>, 2009

I am writing to you to express both mine and my husband's deep concerns and objections to the licensing proposals by the Golden Fleece public house, Oakworth.

We are concerned about the proposal of the pub to playing music outside. Our house and garden are in very close proximity to the beer garden and without doubt we will be able to hear the music, this will be a nuisance to us.

Both my husband and I are retired and enjoy spending time in the garden, I am worried that this will be effected by the noise we will be able to hear. We enjoy living in this area as it has always been quiet and peaceful with little noise pollution. We would not like to be forced to close our windows due to the music being played. It would make us unhappy to have to put up with the noise.

We are both surprised that such an application could be considered as the music will be played in an area that numerous properties adjoin. Many of the homes also have young children in them and people who work shifts and will be affected badly by the noise from the pub if music is played outside.

Please consider our worries and objections when making your decision. I am not sure if you visit the sight before making your decision but in this case I think if you do not know the area it would be worthwhile. I think that you will be surprised at how residential the area is and how many houses it will cause a problem to.

Thank you,

10/04/09

30 APR 2007

Hillside Avenue  
Oakworth  
Keighley  
West Yorkshire  
BD22 7QQ

Tel:  
Mob

Melanie McGurk  
Bradford Council Licensing Department  
Room 402  
4<sup>th</sup> Floor  
City Hall  
Bradford  
BD1 1HY

27<sup>th</sup> April 2007

Dear Madam,

I am writing to place on record my objection to a licensing application as requested by the Golden Fleece Public House, Lane Ends, Oakworth, BD22 7PR.

The landlord has requested the following variation to his licence:

*For provision of Live music (indoors & outdoors) Monday - Sunday 11.00 - 23.30, Sunday 12.00 - 22.30. To include indoor sporting events to match above hours. To vary the current playing of recorded music to include the outdoor drinking area until 21.00 hrs.*

I am objecting to this request on the grounds of "the prevention of public nuisance" as detailed on your website.

This public house is located in a residential area of Oakworth village and in particular my house is within 50 yards of a newly created beer garden (added in summer 2008) to the rear of the premises.

This beer garden is also adjacent to a number of houses both to the side, front and back - and in some cases extremely close to houses where both elderly residents and residents who have young children reside.

While I have no objection to any licensing variation involving music - either record or otherwise - played inside the building, I am extremely unhappy about the prospect of music being played on the outside beer garden adjacent to my property.

On several occasions last summer music was played outside on a permanent speaker system (presumably without the required license which is being applied for now?) until late into the night.

This was clearly a public nuisance as windows needed to be closed to prevent the music being heard inside local residents' houses.

On a personal level, even when my windows were closed it was still possible to hear the music until the pub closed after 11pm.

Needless to say, this is extremely irritating when the weather is warm and there is a need for windows to be open.

After two such occasions last year I called the Licensing Department and enquired as to what license the public house had at that point for playing music.

I was informed that they had a licence for playing music inside the premises but that the landlord was obligated to take all reasonable steps to ensure windows and doors were kept closed to prevent noise nuisance to local residents.

If this was the case then (and was flouted!) I am firstly amazed that the landlord is requesting permission to play outside music and secondly would be surprised if this request were granted in a residential area.

If it has been requested that he keeps doors and windows closed in the past, how can he make a request to play music directly outdoors until late into the evening?

Looking to the future, I fear that if the public house is given permission to (again) play this music outside it will again cause an unacceptable disturbance to local residents and have a detrimental effect on quality of life and also resale potential of properties.

To compound the matter, the landlord of the public house removed several trees from a patch of land in front of my house in June 2008 without the required permission.

This is an ongoing planning case with your colleagues at Bradford Council (08/02439/CPN, concerning Eric Waterworth in the Planning Department).

Had the trees been left in place then any music played on the outside area may well have been shielded somewhat from residents' houses on Hillside Avenue and Lane Ends.

However, without the protection of the trees, the beer garden and any additional music noise is quite literally now right on the doorstep of already unhappy residents.

I have already personally witnessed examples of anti-social behaviour - such as customers urinating in the car park rather than using the indoor public house toilet facilities - and I am deeply concerned that the addition of outside music will only seek to exacerbate this problem.

Many thanks for your time and I look forward to hearing from you in the future.

Yours faithfully,

(Residents)

Lane Ends  
Oakworth  
Keighley  
BD22 7PR

Department of Legal and Democratic Services  
Licensing Team  
City Hall  
Bradford  
BD1 1H

11<sup>th</sup> May 2009

Dear Sir

I would like to place an objection to the application for outdoor music at the Golden Fleece inn, Oakworth. I live next door with a three year old daughter, and the excessive noise from both the music and the patrons would be extremely disruptive to her sleep. The small outdoor space at the said venue is surrounded by private dwellings and is totally unsuitable for entertainment

Yours Sincerely

13 MAY 2009

Lane Ends  
Oakworth  
KEIGHLEY  
West Yorkshire  
BD22 7PR

Melanie McGurk  
Senior Licensing Officer  
Licensing Unit  
Room 402  
City Hall  
Bradford

8<sup>th</sup> May 2009

Dear Madam

**RE: GOLDEN FLEECE, LANE ENDS, OAKWORTH, KEIGHLEY  
APPLICATION FOR VARIATION OF PREMISES LICENCE**

It has come to our attention that the licensee at the above pubic house has applied to you for a variation of premises licence for music to be played outside in the beer garden until 9 pm each evening.

We strongly object to this application on the grounds that we live very close to this public house and will be unable to enjoy the peace, quiet and tranquillity in our rear garden if a licence is granted to play music outside.

If the beer garden was in a rural area away from other properties then it would be a different matter but the Lane Ends/Hillside Avenue area of Oakworth is densely populated with lots of elderly people and young families with little children who go to bed early living nearby. Therefore the granting of a music licence to play music outside in the beer garden would be totally inappropriate.

I trust you will give our objections your serious consideration and keep us informed of the decision made by the Licensing Panel.

Yours faithfully

10/05/09