

Report of the Assistant Director Corporate Services to a Hearing before the Keighley/Shipley Area Licensing Panel to be held on 21 July 2009

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Subject:

Application for Variation of a Premises Licence for the Old Sun Inn, 79 West Lane, Haworth, Keighley

Summary statement:

Application for variation to allow the provision of regulated entertainment and late night refreshment.

Suzan Hemingway
Assistant Director Corporate Services (City Solicitor)

Report Contact: Melanie McGurk
Senior Licensing Officer
Phone: (01274) 431873
E-mail: melanie.mcgurk@bradford.gov.uk

Portfolio:

Corporate

Improvement Committee Area:

Corporate Improvement Committee
Safer and Stronger Communities



2006-2007
Improving Rural Services
Empowering Communities



INVESTOR IN PEOPLE

Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



Ward: Worth Valley

1. **Summary**

1.1 **The applicant**

Greene King Retailing Limited. A copy of the application is included at Appendix 1.

1.2 **The Premises**

Old Sun Inn, 79 West Lane, Haworth, Keighley

1.3 **Designated Premises Supervisor**

Susan Duke

1.4 **Current Licence**

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

Sale/supply of alcohol

Sunday to Thursday:	09.00 to 01.00
Friday and Saturday:	09.00 to 02.00
Christmas Eve:	09.00 to 02.30
New Years Eve:	10.00 hours until the start of permitted hours the following day
Non Standard Timings:	09.00 to 02.30 Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends.

A copy of the Premises Licence is attached at Appendix 2.

1.5 **Variation Application**

The variation application has been submitted to include the provision of regulated entertainment and late night refreshment.

Films & Indoor sporting events

Sunday to Thursday:	09.00 to 01.30
Friday and Saturday:	09.00 to 02.30
Christmas Eve:	09.00 to 02.30
New Years Eve:	09.00 to 02.30
Non Standard Timings:	09.00 to 02.30 Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends.

Live music, recorded music, provision of facilities for making music and dancing

Sunday to Thursday:	09.00 to 23.00
Friday and Saturday:	09.00 to 02.00
Christmas Eve:	09.00 to 02.00
New Years Eve:	09.00 to 02.00

Non Standard Timings: 09.00 to 02.00 Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends.

Late night refreshment

Sunday to Thursday: 23.00 to 02.00
Friday & Saturday: 23.00 to 02.00
Christmas Eve: 23.00 to 02.00
New Years Eve: 23.00 to 02.00
Non Standard Timings: 23.00 to 02.00 Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends.

An additional hour is permitted for all licensable activities authorised by the Licence on the day when British Summertime commences.

1.6 Steps proposed by the applicant to address the Licensing Objectives

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

The existing CCTV system installed at the premises shall be maintained in good working order and used at all times the premises remain open to the public for licensable activities. Any CCTV footage shall be kept for at least 28 days and available to the Licensing Authority or a Responsible Authority on request. Adopting best practices. External checks of the premises. Internal and external lighting checked regularly.

b) Public Safety will be achieved by;

Electrics and relevant equipment checked and maintained in working order and relevant fire risk assessments etc carried out.

c) Prevention of public nuisance will be achieved by;

Notices shall be displayed in prominent positions near exits reminding patrons to leave in a quiet and orderly manner. The Designated Premises Supervisor or his appointed agent will monitor customers leaving the premises and where necessary remind them to leave in a quiet and orderly manner. Due diligence log to be completed when regulated entertainment takes place which includes patrolling the boundary of the site regularly to ensure musical entertainments are kept a reasonable level.

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

The Licensee shall enforce an effective recognised proof of age policy at all times and ensure appropriate staff training in its operation. Refusals register kept on site.

e) General – all four licensing objectives

To ensure all staff are fully aware of the licensing objectives.

2. Relevant Representations Received

2.1 Responsible Authorities

Environmental Health – A representation has been received from the Environmental Health Department who have received complaints of noise nuisance from unlicensed regulated entertainment at the premises. In order to address the prevention of public nuisance objective and avoid further complaints, the Officer has recommended that regulated entertainment should cease at 23.00 hours every day and that the following conditions are placed on the Licence;

1. Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment at the premise shall not be audible at the nearest noise sensitive premises.
2. All outward opening external doors and windows to the licensed premises where regulated entertainment is being provided shall remain closed during the course of the entertainment other than for normal access and egress.
3. No external doors or windows to the rear and front of the premises (including fire doors) shall be propped open between the hours of 22.00 and 08.00 on any given day.
4. Prominent, clear notices shall be displayed to the rear and front exits of the premises, requesting customers and staff to respect the needs of local residents and leave the premises and area quietly.

The representation from Environmental Health is attached at Appendix 3.

2.2 Interested Parties

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

The letters of representation are attached at Appendix 4.

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 29 May 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).
2. Premises Licence.
3. Representation from Environmental Health
4. Letters of representation from local residents.

11. Background documents

Application form, plan etc

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

I/We Greene King Retailing Limited

(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/PRA0129
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Old Sun Hotel 79 West Lane Haworth West Yorkshire			
Post town	Keighley	Post code	BD22 8EL

Telephone number at premises (if any)	01535 642780
Non-domestic rateable value of premises	10150

Part 2 – Applicant details

Daytime contact telephone number	(01284) 763222		
E-mail address (optional)			
Current postal address if different from premises address	Greene King Retailing Limited Abbot House		
Post town	Bury St Edmunds	Post code	IP33 1QT

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day Month Year

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

To add summer time as a seasonal variation only for opening and sale of alcohol.

To add late night refreshment, live music, recorded music, facilities for dancing, facilities for making music, sporting events and exhibition of a film.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick yes

- | | |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" 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) performances 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 type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|--|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" 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

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	09:00	01:30	<u>Please give further details here</u> (please read guidance note 3) Moving pictures, films, pre-recorded videos, moving images etc.		
Tue	09:00	01:30			
Wed	09:00	01:30	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) Christmas Eve, New Years Eve and Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends 09:00 - 02:30. On the morning on which summer time begins, where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.		
Thur	09:00	01:30			
Fri	09:00	02:30	<u>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</u> (please read guidance note 5)		
Sat	09:00	02:30			
Sun	09:00	01:30			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3) Darts, pool etc - exhibition matches, tournaments etc
Day	Start	Finish	
Mon	09:00	01:30	
Tue	09:00	01:30	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4) Christmas Eve, New Years Eve and Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends 09:00 - 02:30. On the morning on which summer time begins, where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.
Wed	09:00	01:30	
Thur	09:00	01:30	<u>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</u> (please read guidance note 5)
Fri	09:00	02:30	
Sat	09:00	02:30	
Sun	09:00	01:30	

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Bands, Karaoke etc		
Mon	09:00	23:00			
Tue	09:00	23:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) Christmas Eve, New Years Eve and Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends 09:00 - 02:00. . On the morning on which summer time begins, where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.		
Wed	09:00	23:00			
Thur	09:00	23:00	<u>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</u> (please read guidance note 5)		
Fri	09:00	02:00			
Sat	09:00	02:00			
Sun	09:00	23:00			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Discos, DJ's etc		
Mon	09:00	23:00			
Tue	09:00	23:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) Christmas Eve, New Years Eve and Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends 09:00 - 02:00. . On the morning on which summer time begins, where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.		
Wed	09:00	23:00			
Thur	09:00	23:00	<u>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</u> (please read guidance note 5)		
Fri	09:00	02:00			
Sat	09:00	02:00			
Sun	09:00	23:00			

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u> Making provision for playing of music, whether live/recorded, recording performances, microphone with amplifier, karaoke machine etc.		
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)		
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) When regulated entertainment takes place.		
Mon	09:00	23:00			
Tue	09:00	23:00			
Wed	09:00	23:00			
Thur	09:00	23:00			
Fri	09:00	02:00			
Sat	09:00	02:00			
Sun	09:00	23:00			
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) Christmas Eve, New Years Eve and Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends 09:00 - 02:00. . On the morning on which summer time begins, where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.		
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input checked="" type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
			Please give a description of the facilities for dancing you will be providing A dance area created.		
Day	Start	Finish			
Mon	09:00	23:00	Please give further details here (please read guidance note 3) When regulated entertainment takes place.		
Tue	09:00	23:00			
Wed	09:00	23:00	State any seasonal variations for providing dancing facilities (please read guidance note 4) Christmas Eve, New Years Eve and Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends 09:00 - 02:00. . On the morning on which summer time begins, where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.		
Thur	09:00	23:00			
Fri	09:00	02:00	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	09:00	02:00			
Sun	09:00	23:00			

I

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	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Hot food and drink being served.		
Mon	23:00	01:00			
Tue	23:00	01:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) Christmas Eve and Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends 23:00 - 02:00. New Years from 23:00 to the start of permitted hours the following day. On the morning on which summer time begins, where the terminal hour is later than 01:00 am, the terminal hour shall be extended by one hour.		
Wed	23:00	01:00			
Thur	23:00	01:00	<u>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</u> (please read guidance note 5)		
Fri	23:00	02:00			
Sat	23:00	02:00			
Sun	23:00	01:00			

Please tick yes

- 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 premises licence

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)

To ensure all staff are fully aware of the licensing objectives.

b) The prevention of crime and disorder

The existing CCTV System installed at the premises shall be maintained in good working order and used at all times the premises remain open to the public for licensable activities. Any CCTV footage shall be kept for at least 28 days and available to the Licensing Authority or a Responsible Authority on request. Adopting best practices. External checks of the premises. Internal and external lighting checked regularly.

c) Public safety

Electrics and relevant equipment checked and maintained in working order and relevant fire risk assessments etc carried out.

d) The prevention of public nuisance

Notices shall be displayed in prominent positions near exits reminding patrons to leave in a quiet and orderly manner. The Designated Premises Supervisor or his appointed agent will monitor customers leaving the premises and where necessary remind them to leave in a quiet and orderly manner. Due Diligence Log to be completed when regulated entertainment takes place which includes patrolling the boundary of the site regularly to ensure musical entertainments are kept a reasonable level.

e) The protection of children from harm

The Licensee shall enforce an effective recognised "proof of age policy" at all times and ensure appropriate staff training in its operation. Refusals Register kept on site.

Please tick yes

- 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

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 (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	28 May 2009
Capacity	Licensing Officer

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) 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 postal address for correspondence associated with this application (please read guidance note 13)

Natasha Wade (Licensing Officer)
 Greene King Pub Partners
 Licensing Department
 Abbot House
 Westgate Brewery

Post town	Bury St. Edmunds	Post code	IP33 1QT
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Telephone number (if any)	01284 763222
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If you would prefer us to correspond with you by e-mail your e-mail address (optional)
 licensingpp@GreeneKing.co.uk

Licensing Act 2003
Premises Licence

BD/PRA0129

Date Issued: 12/07/2005

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Old Sun Inn

79 West Lane, Haworth, Keighley, West Yorkshire, BD22 8EN.

Telephone 01535 642780

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON and OFF the premises			
	Monday to Thursday	9:00am	1:00am
	Friday and Saturday	9:00am	2:00am
	Sunday	9:00am	1:00am
	Christmas Eve	9:00am	2:30am
	New Years Eve		
	10:00 hours until the start of permitted hours the following day.		
	Seasonal Variations:	9:00am	2:30am
	Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends.		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	9:00am	1:30am
Friday and Saturday	9:00am	2:30am
Sunday	9:00am	1:30am
Christmas Eve	9:00am	3:00am
New Years Eve		
10:00 hours until the start of permitted hours the following day.		
Seasonal Variations:	9:00am	3:00am
Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends.		

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

NAME (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Greene King Retailing Ltd

Abbot House, Bury St Edmunds, Suffolk, IP33 1QT.
Telephone 01284 763222

Licensing Act 2003 Premises Licence

BD/PRA0129

Date Issued: 12/07/2005

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Greene King Retailing Ltd

5265451

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Susan DUKE

Kings Arms Hotel, 2 Church Street, Haworth, West Yorkshire, BD22 8DR.
Telephone 01535 647302

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. BD/PER0046

Issued by Bradford

ANNEXES

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.

Annex 2 - Conditions Consistent with Operating Schedule

All four Licensing Objectives:

None

The Prevention of Crime & Disorder:

3. The existing CCTV System installed at the premises shall be maintained in good working order and used at all times the premises remain open to the public for licensable activities. Any CCTV footage shall be kept for at least 28 days and available to the Licensing Authority or a Responsible Authority on request.

Public Safety:

None

The Prevention of Public Nuisance:

4. Notices shall be displayed in prominent positions near exits reminding patrons to leave in a quiet and orderly manner.
5. The Designated Premises Supervisor or his appointed agent will monitor customers leaving the premises and where necessary remind them to leave in a quiet and orderly manner.

The Protection of Children from Harm:

Licensing Act 2003
Premises Licence

BD/PRA0129

Date Issued: 12/07/2005

ANNEXES continued...

6. The Licensee shall enforce an effective recognised "proof of age policy" at all times and ensure appropriate staff training in its operation.

Annex 3 - Conditions attached after a hearing by the Licensing Authority

Not Applicable.

G:\LEGALSERVICE\LLC&LICENSING\LICENSING\DEV\TEMPLATE\LIC STD\DEV\TEMPLATE\LIC.STD\LICENCE CONDITIONS\OLD SUN
INN - BDPRA0129

Licensing Act 2003 Premises Licence Summary

BD/PRA0129

Date Issued: 12/07/2005

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Old Sun Inn

79 West Lane, Haworth, Keighley, West Yorkshire, BD22 8EN.

Telephone 01535 642780

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Thursday	9:00am	1:00am
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	Sunday	9:00am	1:00am
	Christmas Eve	9:00am	2:30am
	New Years Eve		
	10:00 hours until the start of permitted hours the following day.		
	Seasonal Variations:	9:00am	2:30am
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THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
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Sunday	9:00am	1:30am
Christmas Eve	9:00am	3:00am
New Years Eve		
10:00 hours until the start of permitted hours the following day.		
Seasonal Variations:	9:00am	3:00am
Friday, Saturday, Sunday and Monday of statutory Bank Holiday weekends.		

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND /OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Greene King Retailing Ltd

Abbot House, Bury St Edmunds, Suffolk, IP33 1QT.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Greene King Retailing Ltd

5265451

Licensing Act 2003
Premises Licence Summary

BD/PRA0129

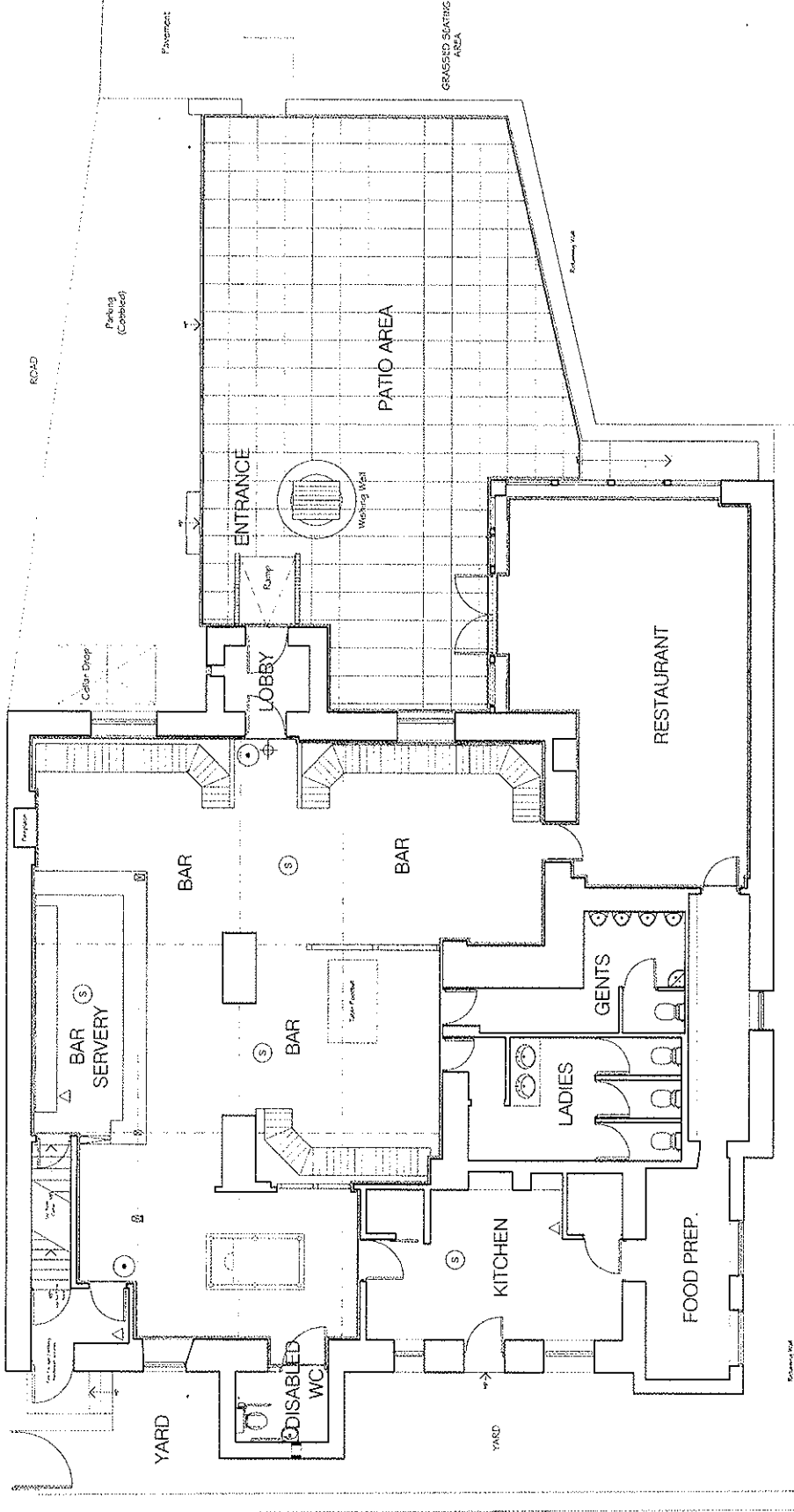
Date Issued: 12/07/2005

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Susan DUKE

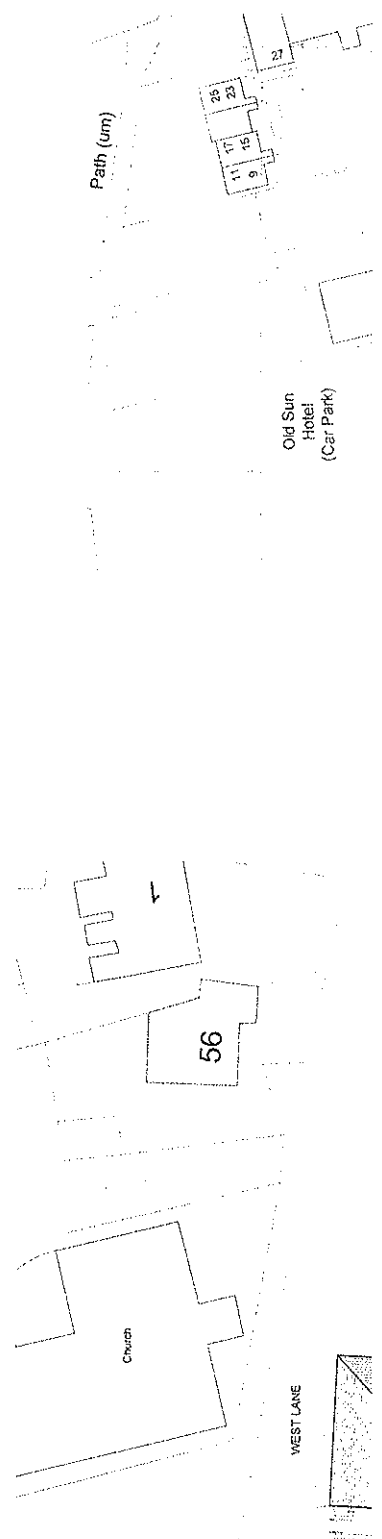
STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

None



GROUND FLOOR PLAN AS EXISTING
 LICENSING AREA = 151.082 sq. m.
 EXTERNAL LICENSING AREA = 84.396 sq. m.

SYMBOL LEGEND	
[Symbol]	Internally Illuminated Exit Sign
[Symbol]	Non Illuminated Exit Sign
[Symbol]	Emergency Lighting Illuminatio
[Symbol]	Escape Exit with Push Bar to Open sign
[Symbol]	Water Fire Extinguisher
[Symbol]	Carbon Dioxide Fire Extinguisher
[Symbol]	Dry Powder Fire Extinguisher
[Symbol]	Fire Brakes
[Symbol]	Foam Fire Extinguisher
[Symbol]	Half Hour Fire Resisting Door
[Symbol]	One Hour Fire Resisting Door
[Symbol]	Self Closing Device
[Symbol]	Smoke Detector
[Symbol]	Heat Detector
[Symbol]	Spreader
[Symbol]	Vision Panel
[Symbol]	Fire Alarm Call Point
[Symbol]	Fire Alarm Sounding
[Symbol]	Fire Alarm Visual Warning
[Symbol]	Fire Door - Keep Shut Sign
[Symbol]	Fire Door - Keep Locked Sign
[Symbol]	Fire Door - No Open Sign
[Symbol]	Licensed Area
[Symbol]	Public Entertainment Area



APP 3

Melanie McGurk**Subject:** FW: The Old Sun Inn, 79 West Lane, Haworth

From: Aliah Syed
Sent: 22 June 2009 17:46
To: Melanie McGurk; Tracy McLuckie
Cc: Paul Binks
Subject: The Old Sun Inn, 79 West Lane, Haworth

Hello Melanie,

RE : Variation Of Premises Licence for The Old Sun Inn, 79 West Lane, Haworth

Thank you for consulting this Department in respect of the above proposed Premises Licence variation for The Old Sun Inn, 79 West Lane, Haworth.

The premises are located in the quiet village location of Howarth and current opening hours for business extend to the early hours of the morning which I understand to be until 02.00 hrs. I can confirm a number of complaints have been received since February 2009 by Environmental Health, from residents in close proximity to this public house in relations to comings and goings at the public house and disturbances until the early hours of the morning of up to 2.45 am and from audible entertainment noise / music emanating from the premises.

The application for variation relates to a licence to provide live entertainment from 09.00 hrs to 23.00hrs Sunday to Thursday and 09.00 to 02.00 hrs Friday and Saturday.

My recommendations are to restrict all regulated entertainment to no later than 23.00 hrs on any given day for theses premises. This will help to ensure the aural amenity of nearby dwellings can be protected.

In addition to this restriction on hours of regulated entertainment, I would recommend the following conditions for the licence :

1. Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment at the premises shall not be audible at the nearest noise sensitive premises.

The licensee is advised to carry out a simple 'sound check' outside the nearest noise sensitive premises by listening to the music, singing or speech coming from the regulated entertainment. If it is clearly audible, then it is likely to be a breach of the condition and steps should be taken to reduce the volume of the noise.

2. All external doors and windows to the licensed premises where regulated entertainment is being provided shall remain closed during the course of the entertainment, other than for normal access and egress.

3. No external doors or windows to the rear and front of the premises (including fire doors) shall be propped open between the hours of 22.00 and 08.00 on any given day.

4. Prominent, clear notices shall be displayed to the rear and front exits of the premises, requesting customers and staff to respect the needs of local residents and leave the premises and area quietly.

I trust this is the information you require. I can confirm I will be commenting similarly for the proposed Premises Licence Review.

Kind Regards,

Aliah Syed

26/06/2009

APP4

West
Lane
Haworth
Keighley
BD22 8EN

5TH June 2009

Dear Sir/Madam

Licencing application –Old Sun Hotel Haworth

We have become aware that the owners of this pub are applying for a licence to operate with varying forms of entertainment from 9am until 1.30 am the following morning from Sunday to Thursday and 9am until 2.30am on Friday and Saturday.

As residents we feel this is highly inappropriate as it will without doubt lead to an increase in anti social behaviour, crime and disorder together with unacceptable levels of nuisance and fears for public safety of residents.

In short

1. The area is residential with the majority of premises surrounding the pub being Social Housing primarily occupied by the elderly. Haworth is not a flat place and West Lane provides one of the few level areas suited to the needs of the elderly and disabled – hence the reason for such a concentration of housing to meet their needs.
2. The playing of loud music and other forms of entertainment in premises surrounded by houses occupied by the elderly to the times applied for is inappropriate and contrary to the interests, health and wellbeing of the residents.
3. Disturbance is caused at present not only by music etc but by noisy customers when leaving and the taxis that arrive to take them away who block the road on what is a dangerous and blind bend. To extend the hours will attract additional problems through increased numbers and into the early hours of the morning.
4. The fear of crime is a major issue for the elderly with screaming youths and broken glass in the area. Extension of hours will only serve to upset and disturb these vulnerable residents to a totally unacceptable level.

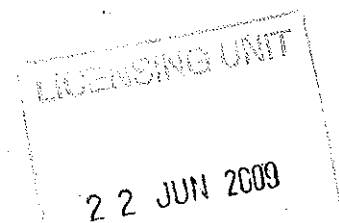
You will have better access to information than us but the UpMyStreet profile of the post code states the following.

"This type of postcode contains the highest proportion of households with residents over the age of 75. 50% of households in this type are pensioners. Many are living alone."

We recognise the pub industry is having a rough time at the moment and owners have to do what they can to keep going but to allow almost "nightclub" provisions at the centre of such an area is unreasonable in the extreme and detrimental to the health and wellbeing primarily of its elderly neighbours.

Yours faithfully

Mrs & Mrs



APP 4

West Lane,
Haworth,
West Yorkshire.
BD22 8EL

9th June 2009

Melanie McGurk,
Dept. of Legal Democratic Services,
Licensing Team,
Room 402
City Hall,
Bradford.
BD1 1HY

Dear Sir/Madam,

RE: THE OLD SUN HOTEL, WEST LANE, HAWORTH – LICENSING APPLICATION

It has been brought to my notice that the managers of The Old Sun Hotel, Haworth are intending to apply for a licence which will enable them to extend their opening hours from 9.00am to 1.30am (Sunday to Thursday) and 9.00am to 2.30am (Friday and Saturday), also to provide various forms of entertainment.

As a resident directly adjacent to these premises, I feel this is highly inappropriate and will lead to an increase in noise, nuisance and anti-social behaviour, possibly putting the safety of residents at risk.

This part of Haworth is a residential area and for the larger part is inhabited by elderly residents. To have the Sun Hotel open at these times, playing loud music and other forms of entertainment would be detrimental to the well-being of myself and other residents. Also the extra amount of traffic this would generate on what is a dangerous blind-bend in the road, would not be acceptable.

I would therefore strongly object to permission being granted for the above licence.

Yours faithfully,

22 JUN 2009