

Report of the Assistant Director Corporate Services to a Hearing before the Keighley/Shipley Area Licensing Panel to be held on 12<sup>th</sup> April 2010

**M**

---

**Subject:**

Application for a Premises Licence for Martinez Wines, 35 The Grove, Ilkley.

**Summary statement:**

Application for a new premises licence for the sale of alcohol and provision of regulated entertainment.

---

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](mailto:melanie.mcgurk@bradford.gov.uk)

**Portfolio:**

**Corporate**

**Improvement Committee Area:**

**Corporate Improvement Committee  
Safer and Stronger Communities**



2006-2007  
Improving Rural Services  
Empowering Communities



BRADFORD METROPOLITAN DISTRICT COUNCIL

Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



BRADFORD  
METROPOLITAN DISTRICT COUNCIL

## 1. Summary

### 1.1 Background

The ground floor of the premises is currently licensed for the sale/supply of alcohol for consumption on and off the premises with the following permitted hours;

Monday to Saturday: 08.00 to 23.00  
Sunday: 10.00 to 22.30

### 1.2 The applicant

Swanpride Ltd trading as Martinez Wines. A copy of the application is included at Appendix 1.

### 1.3 The Premises

Martinez Wines, 35 The Grove, Ilkley

### 1.4 Designated Premises Supervisor

Phillip Bradley Sutcliffe

### 1.5 Application

The application is for the grant of a Premises Licence which includes both the ground floor and basement. The operating schedule describes the following as the relevant licensable activities applied for:-

- Sale/supply of alcohol for consumption on and off the premises
- Provision of regulated entertainment

Hours of licensable activities:

#### Sale of alcohol & provision of regulated entertainment.

Monday to Saturday: 08.00 to 23.00  
Sunday: 10.00 to 22.30

Hours the premises proposed to be open:

Monday to Saturday: 08.00 to 23.00  
Sunday: 10.00 to 22.30

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

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

Drugs policies/Notices  
Membership of local Pubwatch Scheme  
Provide adequate lighting  
Age restrictions

b) Public Safety will be achieved by;

Provision of emergency lighting  
Accommodation limits (as per Bradford Council stipulation)  
First Aid provision  
Number of attendants

c) Prevention of public nuisance will be achieved by;

Keeping music to a reasonable level  
Litter clearance  
Considerate loading/unloading arrangements  
The basement has no windows and all doors have self-closing mechanisms

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

Proof of age cards  
Requirement to be accompanied by an adult

e) General – all four licensing objectives

Personal Licence holder or authorises persons on premises at all times  
premises are open to public  
Staff training on licensing issues

## 2. Relevant Representations Received

### 2.1 Interested Parties

Local Residents – 5 letters of representation have been received from local residents, on the grounds of anticipated noise and disturbance from patrons using the outdoor areas and leaving the premises late at night and noise nuisance from regulated entertainment and bottle/glass clearing. The residents also state that the premises are in a residential area.

The letters are attached at Appendix 2.

## 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 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) Grant a premises licence as applied for subject to any mandatory conditions and the precautions specified in the operating schedule submitted.
  - (b) Grant a premises licence subject to such additional conditions relating to achievement of the licensing objectives as members think fit; or
  - (c) Refuse the application for a 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 state's 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 17 February 2010. 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. Letters of representation.

#### 11. **Background documents**

Application form, plan etc

**City of Bradford Metropolitan District Council**

www.bradford.gov.uk

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

**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 SWANPRIDE LTD Has MARTINEZ WINES (insert name(s) of applicant) apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description	
35 THE GROVE ILKLEY WEST YORKSHIRE	
Post town	Post code
ILKLEY	LS29 9NJ

Telephone number at premises (if any)

01943 600000

Non domestic rateable value of premises

£ 14,500

**Part 2 – Applicant Details**

Please state whether you are applying for a Premises Licence as:

- |   |   |                             |
|---|---|-----------------------------|
|   | Please tick <input checked="" type="checkbox"/> |                             |
| a) an individual or individuals*                  | <input type="checkbox"/>                        | please complete section (A) |
| b) a person other than an individual*             |   |                             |
| i. as a limited company                           | <input checked="" type="checkbox"/>             | please complete section (B) |
| ii. as a partnership                              | <input type="checkbox"/>                        | please complete section (B) |
| iii. as an unincorporated association or          | <input type="checkbox"/>                        | please complete section (B) |
| iv. Other (for example a statutory corporation)   | <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 | <input type="checkbox"/>                        | 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)

Please tick ✓

\*If you are applying as a person described in (a) or (b) please confirm:

- 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

Please tick ✓

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)

**SECOND INDIVIDUAL APPLICANT (if applicable)**

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

Surname

First names



Please tick

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

**(B) OTHER APPLICANTS**

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

Name	SWANPRIDE LTD T/AS MARTINEZ WINES
Address	35 THE GROVE ILKLEY WEST YORKSHIRE LS29 9NJ
Registered number (where applicable)	03440513
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	01943 600000 / 603241
E-mail address (optional)	shop@martinez.co.uk



### Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	

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 are expected to 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)

- TERRACED PREMISE - END OF TERRACE ADJOINING KITCHEN DESIGN SHOP ON GROUND FLOOR.
- PREMISE CONSISTS OF LOWER GROUND FLOOR BASEMENT; GROUND FLOOR RETAIL WINE SHOP (LICENSED FOR ON-PREMISE AND OFF-PREMISE SALES); 3 UPPER FLOORS OF OFFICES.
- THE LOWER GROUND FLOOR IS BEING REFURBISHED AS A WINE TASTING CELLAR TO BE LICENSED FOR ON-PREMISE SALES AND CONSUMPTION.
- HOURS OF SUPPLY REMAIN UNCHANGED FROM EXISTING LICENCE (BD/PRA1267)
- ONLY GROUND FLOOR AND LOWER GROUND FLOOR WILL BE USED FOR LICENSABLE ACTIVITIES
- ONLY LOWER GROUND FLOOR WILL BE USED FOR ENTERTAINMENT PROVISION ON SPECIAL OCCASIONS:-
  - LIVE MUSIC - ACOUSTIC MUSIC SUCH AS GUITARISTS - BLUES; JAZZ; SPANISH; CLASSICAL OCCASIONALLY MAYBE A TRIO OR QUARTET.
  - WINE TASTING EVENTS / WINE DINNERS WITH GUEST SPEAKERS WHO MAY REQUIRE USE OF SMALL P.A. SYSTEM

[A NEW STORE ROOM IS BEING BUILT AT BACK OF THE OFFICE ON THE GROUND FLOOR]

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)

**Provision of regulated entertainment**

Please tick ✓

- 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

<b>Plays</b> 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)	Both	
Tue					
Wed			State any seasonal variations for performing plays (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

<b>Films</b> 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)	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

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			
Wed			
Thur			
Fri			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)
Sat			
Sun			

### D

<b>Boxing or wrestling entertainment</b> 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	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	08.00	23.00	Please give further details here (please read guidance note 3) <b>ACOUSTIC MUSIC MAINLY - BLUES, JAZZ, SPANISH, CLASSICAL GUITARISTS MAY USE SMALL AMPLIFIER - NOT ROCK BANDS</b>	Both	
Tue	08.00	23.00			
Wed	08.00	23.00		State any seasonal variations for the performance of live music (please read guidance note 4)	
Thur	08.00	23.00			
Fri	08.00	23.00		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	08.00	23.00			
Sun	10.00	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	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			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					
Sun					

# 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)	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	Indoors	
Day	Start	Finish		Outdoors	
			WINE TASTING EVENTS / WINE DINNERS		<input checked="" type="checkbox"/>
			Will this entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 2)	Both	
Mon	08.00	23.00	Please give further details here (please read guidance note 3) WINE TASTING EVENTS / WINE DINNERS		
Tue	08.00	23.00		GUEST SPEAKERS MAY REQUIRE USE OF SMALL P.A. SYSTEM	
Wed	08.00	23.00	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	08.00	23.00			
Fri	08.00	23.00	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	08.00	23.00			
Sun	10.00	22.30			

I

<b>Provision of facilities for making music</b> 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)		
Mon					
Tue			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Wed					
Thur			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)		
Fri					
Sat					
Sun					

J

<b>Provision of facilities for dancing</b> Standard days & 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		
Mon					
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Fri					
Sat			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)		
Sun					

# 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)	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

<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)			
			Indoors			
			Outdoors			
			Both			
			Please give further details here (please read guidance note 3)			
Day	Start	Finish				
Mon						
Tue						
Wed					State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur						
Fri					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						
Sun						




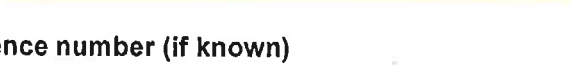
# M

<b>Sale of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the sale of alcohol be for consumption on or off the premises or both – please tick (✓) (please read guidance note 7)</b>	On the premises	
				Off the premises	
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	08.00	23.00	State any seasonal variations for the sale of alcohol (please read guidance note 4)		
Tue	08.00	23.00			
Wed	08.00	23.00			
Thur	08.00	23.00	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	08.00	23.00			
Sat	08.00	23.00			
Sun	10.00	22.30			

**State the name and details of the individual whom you wish to specify on the licence as premises supervisor**

Name **PHILLIP BRADLEY SUTCLIFFE**

Address 

Postcode 

Personal licence number (if known)  
**BD/PER1789**

Issuing licensing authority (if known)  
**BRADFORD**

# 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)

NONE

# 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	08.00	23.00	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)
Tue	08.00	23.00	
Wed	08.00	23.00	
Thur	08.00	23.00	
Fri	08.00	23.00	
Sat	08.00	23.00	
Sun	10.00	22.30	

## 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)

- PERSONAL LICENSE HOLDER OR AUTHORISED PERSONS ON PREMISES AT ALL TIMES PREMISES ARE OPEN TO PUBLIC.
- STAFF TRAINING ON LICENSING ISSUES

b) The prevention of crime and disorder

- DRUGS POLICIES / NOTICES
- MEMBERSHIP OF LOCAL PUBWATCH SCHEME
- PROVIDE ADEQUATE LIGHTING
- AGE RESTRICTIONS

c) Public safety

- PROVISION OF EMERGENCY LIGHTING
- ACCOMMODATION LIMITS (AS PER BRADFORD COUNCIL STIPULATIONS)
- FIRST AID PROVISION
- NUMBER OF ATTENDANTS

d) The prevention of public nuisance

- KEEPING MUSIC TO A REASONABLE LEVEL
- LITTER CLEARANCE
- CONSIDERATE LOADING/UNLOADING ARRANGEMENTS
- THE BASEMENT HAS NO WINDOWS AND ALL DOORS HAVE SELF-CLOSING MECHANISMS

e) The protection of children from harm

- PROOF OF AGE CARDS
- REQUIREMENT TO BE ACCOMPANIED BY AN ADULT

Please tick ✓

- I have made or enclosed payment of the fee
- I have enclosed a 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

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" 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 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 ..... 16.2.10

Capacity ..... Director

**For joint applications signature of 2<sup>nd</sup> applicant 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 .....

Capacity .....

**Contact Name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 19)

Post town

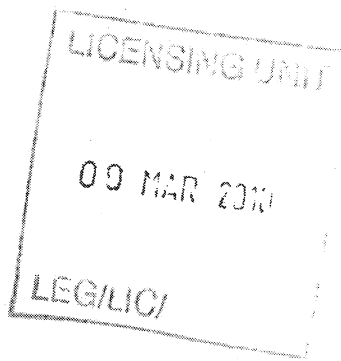
Post code

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 e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 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 gaming 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.



Cart Croft Court,  
Parish Ghyll Road,  
ILKLEY. LS29 9NE.  
07:03:10.

Dept. of Legal + Democratic Services,  
Licensing Team,  
City Hall,  
Bradford. BD1 1HY.

Licensing Application No. 064475.

Dear Sir,

I am writing to you concerning the application that Martiney Wines, 35 The Grove, Ilkley, are making to have regulated entertainment of live music, dance + playing of recorded music at the venue.

I object very strongly to this application being granted. This is a residential area with many flats and houses only a few yards away from the wine bar. Our lounge and bedroom are only five yards away from the large extension Martiney Wines have been allowed to build. The noise of live music, recorded music, dance music + entertainment (whatever that means) all day, every day throughout the year would be unbearable for us + all the people around. Most of the people in the nearby flats are elderly in their 80's or 90's + some are not in good health. They have come to Ilkley to have a quiet peaceful life, not to live next door to a dance hall.

We did not object to the extension they applied for because they said there would be no loud music + now that they have had that permitted they have applied for loud music. They have been very deceitful. The smokers will come outside to smoke only yards from the flats. Also the parking would be impossible. Only two cars could park on their premises. We already have cars revving up engines and banging car doors late in the evening from the other restaurants.

This type of venue Mastoney wants is not suitable for this residential area. It will greatly reduce the value of our flats + may even prevent us from ever selling them if we need to.

I sincerely hope you will appreciate how awful it would be to have this music ~~of~~ all day + every day.

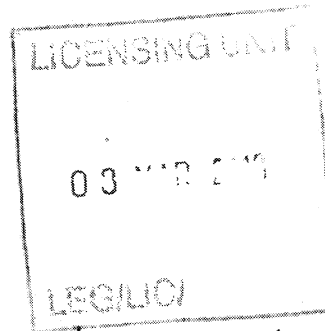
Yours very sincerely.

Carr Croft Court  
Parish Ghyll Road  
Ilkley LS29 9NE

Licensing Authority

City Hall

Bradford BD1 1HY



5 March 10

Dear Sirs,

Regulated Entertainment License, 35 The Grove, ILKLEY

I make no outright objection to the application but, if granted the operation of the licence will have to be monitored to make sure that the terms of assent are not being stretched i.e. in terms of hours of operation or in terms of amount of noise. There will undoubtedly be extreme noise nuisance to local residents (primarily a residential area) and particularly to ~~residents~~ residents of Carr Croft Court who will be closest to the seat of the noise and to a great extent sitting above it. (We already have experience of noise from another restaurant on the Grove a few yards further west. Clients sit outside, heated by outdoor heaters and and chatter / laughter is very disturbing especially about the time the clients are dispersing.

I suggest that there should be a condition restricting all music to indoors.

I would ask you to bear in mind the character of the residents of Carr Croft Court. There are almost exclusively elderly, mostly over 80 and some of them over 90. For such people noise disturbance is particularly difficult to tolerate. Some of them are ill. They all come to Carr Croft Court for what they expected would be a peaceful

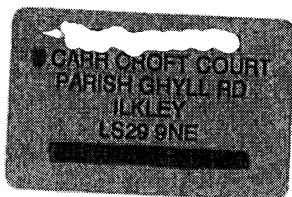


I hope it is unnecessary to say that a smoking ban for clients of the  
Wine bar who will be very close to Carr Loft Court residents should be  
maintained at all times.

Yours sincerely,

11/11/11

Both are



March 5, 10.

To the Dept of legal and  
Bureaucratic Services, Licensing  
Team,

Dear Sirs,

I live in Van Croft Court,  
in close proximity to the Martiney  
wine shop, and I am alarmed  
that he has applied for a new  
license with a clause for  
regulated entertainment and  
music on his premises.

This is a predominantly  
residential area, where in the  
main, residents are of the older  
generation who have chosen  
to live here for the peace it  
offers.

Martiney has parking for  
one or two cars only, already  
overseeing motorists with  
clamping! Where would the  
visiting traffic park?

I do very strongly object to  
this clause being granted.  
Sincerely,

Dept of Legal and Democratic Services  
Licensing Team  
City Hall  
Bradford  
BD1 1HY

Carr Croft Court  
Parish Ghyll Road  
Ilkley  
West Yorks  
LS29 9NE

Sunday, March 07, 2010

Dear Sir,

Re Application No 064475 Martinez, 35 The Grove, Ilkley

I have read in the Ilkley Gazette the application by Martinez to change the terms of their licence for the premises above, and I wish to object to the change and especially any granting of an entertainments licence.

This western end of the Grove is not part of the commercial heart of the town. It is very much a residential area, quiet, pleasant, and in the immediate vicinity of the premises in question quite densely populated by elderly people, like myself, living in owner-occupied apartments.

I know from previous experience how disruptive it is to have loud music playing until late at night, and the disturbance caused by drinkers exiting premises. I thought this was going to be a just a quiet little wine bar with just background music, but "entertainment" is a step further which is inappropriate in this area. This property is less than 50 yards from my flat, and about 30 feet from its closest neighbour in my development.

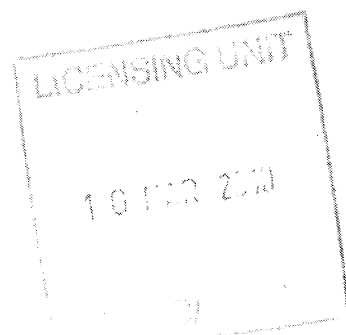
From planning documents I have seen there is no provision for smokers, and I am really concerned that they will open the back door and congregate in the back yard which is literally just over the fence from us. Of course, if the door is open on warm evenings then any entertainment noise will come straight out and affect us all in Carr Croft Court particularly.

I am also concerned that there will be late night clanking of bottles as they clear the tables at closing time, and take them out to the bins which are again just over the fence.

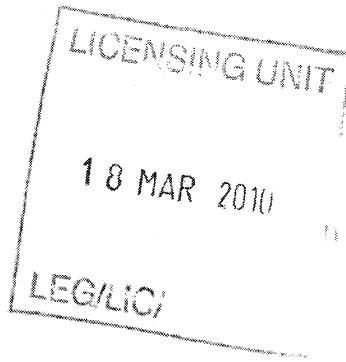
I am also not sure what ventilation arrangements are, and whether they will wish to open the rear door for ventilation on warm evenings, which will let out the noise. Alternatively, they might want to install noisy air conditioning which could be equally disruptive to neighbours.

On these grounds I object to the granting of an entertainments licence. I would also like you to impose conditions on their licence so that they can only open the rear door in an emergency, that smokers have to congregate at the front of the property on The Grove, and that they cannot clear bottles etc and make noise at the rear of the property after 9pm.

Yours Sincerely



16 March 2010



Chairman  
Carr Croft Court Ltd.  
Pavish Ghyll Road  
IKley

LS29 9NE

Legal and Democratic Services,  
Licensing Team  
City Hall  
Bradford BD1 1HY

Dear Sirs,

LICENSING APPLICATION No. 064475  
Martinez Wines, 35 The Grove, IKley

I write on behalf of the Local 13 Residences of Carr Croft Court Ltd, and declare on behalf of the Residents our strongest opposition to the granting of a Regulated Entertainment Licence at the above named premises. We are filled with foreboding at what type of 'entertainment' and noise which will be thrust upon the area, which for some home owners, their properties are only 25 yards from the venue

The market value of these 13 properties is close to £3 million and we foresee that the saleable value would dive down if the proposed new clause were to be granted. 93% of the residents here are retired, elderly people and this application shows a complete lack of consideration toward the calm and peaceful life they <sup>wish</sup> to continue to enjoy.

We feel that the new clause would erode the character of this residential area of the town, and would soon prove to be altogether unsuitable.

Please give serious regard to this submission when considering the application.

Yours sincerely,

Chairman  
Carr Croft Court Ltd.