

**Report of the Assistant Director Corporate Services to a Hearing before the Keighley/Shipley Area Licensing Panel to be held on 13 September 2010**

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**Subject:**

Application for a Premises Licence for Octagon, Bradford Road, Sandbeds, Keighley.

**Summary statement:**

Application for a new premises licence for the sale of alcohol, provision of regulated entertainment and the provision of late night refreshment.

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Assistant Director Corporate Services (City Solicitor)

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**Portfolio:**

**Corporate**

**Improvement Committee Area:**

**Corporate Improvement Committee  
Safer and Stronger Communities**



2006-2007  
Improving Rural Services  
Empowering Communities



CONSTITUTION OF THE CITY OF BRADFORD

Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



1. **Summary**

1.1 **The applicant**

John W Pennington Ltd. A copy of the application is included at Appendix 1.

1.2 **The Premises**

The Octagon, Octagon House, Bradford Road, Sandbeds, Keighley.

1.3 **Designated Premises Supervisor**

John Allan Pennington

1.4 **Application**

The application is for the grant of a Premises Licence. The operating schedule describes the following as the relevant licensable activities applied for:-

- Sale/supply of alcohol
- Provision of regulated entertainment
- Provision of late night refreshment

Hours of licensable activities:

Sale of alcohol & provision of regulated entertainment (plays, films, indoor sporting events, recorded music, performance of dance, anything of a similar description, provision of facilities for making music, provision of facilities for dancing).

Monday to Sunday: 11.00 to 01.00  
New Years Eve: 11.00 hours until the start of permitted hours the following day

Live music.

Monday to Sunday: 11.00 to 00.30  
New Years Eve: 11.00 to 03.00

Provision of late night refreshment.

Monday to Sunday: 23.00 to 01.30  
New Years Eve: 23.00 to 05.00

Hours the premises proposed to be open:

Monday to Sunday: 10.00 to 01.30  
New Years Eve: 10.00 hours until the start of permitted hours the following day

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

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

CCTV to be installed. Tapes/DVD to be kept for min 28 days and maintained in good working order. The recordings will be made available to the Licensing Authority or Responsible Authority on request.

Ongoing staff training to recognise drunkenness and refuse service to customers who have consumed excessive alcohol.

Encourage vigilance amongst staff to supervise customers in all areas of the premises. Alcohol shall not be removed from the premises unless in a sealed container.

There shall be a zero tolerance to drugs, violence and any form of anti-social behaviour.

b) Public Safety will be achieved by;

Management shall ensure that all staff are adequately trained about the evacuation procedure.

Training of all staff in the handling of emergencies.

Maintaining emergency exits unlocked and clear at all times the premises is open to the public.

Health & Safety at work/fire procedures posters.

Accident book/first aid kit.

Fire/workplace risk assessment.

Fire alarm/fire extinguishers/smoke detectors tested regularly.

Emergency lights tested regularly.

c) Prevention of public nuisance will be achieved by;

There shall be placed at all exits from the premises prominent, clear and legible notices that can be easily read by the public requiring customers to leave the premises quickly and the area quietly.

The DPS or their representative shall conduct regular assessments of the noise coming from the premises when regulated entertainment takes place and shall take steps to reduce the level of noise where it is likely to disturb neighbours.

No external loudspeakers.

Supply of telephone numbers for taxi companies available for customers to use.

Refuse, including bottles shall not be removed from the building for disposal between the hours of 22.00 and 07.00 hours.

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

Premises to have house rules relating to children and to be the responsibility of the DPS.

Challenge 21 scheme in place.

The scheme shall require any person who appears to be under the age of 21 years to produce a recognised photographic proof of age card.

e) General – all four licensing objectives

Staff shall be trained on the requirements of the Licensing Act 2003 with regard to the licensing objectives.

## 2. **Relevant Representations Received**

### 2.1 **Interested Parties**

Local Residents – 4 letters of representation from local residents have been received, on the grounds of anticipated noise and disturbance from patrons leaving the premises late at night. 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 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) 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. (this will effectively mean that the premises could not open unless by authority of a temporary event notice without breaching the licensing laws).

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 28 July 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

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

**I/We** JOHN W PENNINGTON LTD

*(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 THE OCTAGON OCTAGON HOUSE BRADFORD ROAD SANDBEDS			
Post town	KEIGHLEY	Post code	BD20 5LY

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£27500 of 28/7/10.

LICENSING UNIT  
28 JUL 2010

**Part 2 - Applicant Details**

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

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

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

Please tick yes

- 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)

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

**SECOND INDIVIDUAL APPLICANT** (if applicable)

<b>Mr</b> <input type="checkbox"/>	<b>Mrs</b> <input type="checkbox"/>	<b>Miss</b> <input type="checkbox"/>	<b>Ms</b> <input type="checkbox"/>	<b>Other Title</b> (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over					<input type="checkbox"/> Please tick yes



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 the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name JOHN W PENNINGTON LTD
Address THE COUNTING HOUSE TOWER BUILDINGS WADEHOUSE ROAD SHELF BRADFORD, HX3 7PB
Registered number (where applicable) 2703002
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any) 07836 261557
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note1)  
THE PREMISES IS A ~~CAFE BAR~~ /PERFORMANCE AREA.IT IS SITUATED ON A MAIN ROAD AND A CAR PARK WILL BE DEVELOPED TO ACCOMADATE APPROX 60 VEHICLES. THE BUILDING COMPRISES OF A GROUND FLOOR, MEZZANINE LEVEL AND ON CONVERSION WILL INCORPORATE A LICENSED BAR, COFFEE LOUNGE, VIEWING BALCONY AND PERFORMANCE AREA.

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

**Please tick yes**

- |   |                                     |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input checked="" 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 checked="" 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 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)

**Supply 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)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3) To be able to allow the performance of plays as and when requested.		
Mon	11.00	01.00			
Tue	11.00	01.00	<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4) none		
Wed	11.00	01.00			
Thur	11.00	01.00	<b><u>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</u></b> (please read guidance note 5) From the end of permitted hours on New Years Eve to the commencement of permitted hours on New Years Day.		
Fri	11.00	01.00			
Sat	11.00	01.00			
Sun	11.00	01.00			

**B**

Films Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	11.00	01.00	<b><u>Please give further details here</u></b> (please read guidance note 3) Recorded entertainment on tv screens.		
Tue	11.00	01.00			
Wed	11.00	01.00	<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4) none		
Thur	11.00	01.00			
Fri	11.00	01.00	<b><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></b> (please read guidance note 5) From the end of permitted hours on New Years Eve to the commencement of permitted hours on New Years Day.		
Sat	11.00	01.00			
Sun	11.00	01.00			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b>Please give further details</b> (please read guidance note 3) To permit pub style games that attract an audience either spontaneously or by advertisement.
Day	Start	Finish	
Mon	11.00	01.00	
Tue	11.00	01.00	<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4) none
Wed	11.00	01.00	
Thur	11.00	01.00	<b>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</b> (please read guidance note 5)
Fri	11.00	01.00	From the end of permitted hours on New Years Eve to the commencement of permitted hours on New Years Day.
Sat	11.00	01.00	
Sun	11.00	01.00	

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>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</u></b> (please read guidance note 5)		
Sat					
Sun					

**E**

Live music Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11.00	00.30	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue	11.00	00.30			
Wed	11.00	00.30	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4) none		
Thur	11.00	00.30			
Fri	11.00	00.30	<b><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></b> (please read guidance note 5) New Years Eve until 03.00hrs		
Sat	11.00	00.30			
Sun	11.00	00..30			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon	11.00	01.00			
Tue	11.00	01.00			
Wed	11.00	01.00			
Thur	11.00	01.00			
			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4) none		
Fri	11.00	01.00	<b><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></b> (please read guidance note 5) From the end of permitted hours on New Years Eve to the commencement of permitted hours on New Years Day.		
Sat	11.00	01.00			
Sun	11.00	01.00			



**G**

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11.00	01.00	<b>Please give further details here</b> (please read guidance note 3) To have dance performances.	Both	<input type="checkbox"/>
Tue	11.00	01.00			
Wed	11.00	01.00	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4) none		
Thur	11.00	01.00			
Fri	11.00	01.00	<b>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</b> (please read guidance note 5) From the end of permitted hours on New Years Eve to the commencement of permitted hours on New Years Day.		
Sat	11.00	01.00			
Sun	11.00	01.00			

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment you will be providing</u></b> Quizzes, comedians, speciality acts ie: circus type performers( not animals)		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	11.00	01.00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11.00	01.00	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed	11.00	01.00			
Thur	11.00	01.00	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4) none		
Fri	11.00	01.00			
Sat	11.00	01.00	<b><u>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</u></b> (please read guidance note 5) From the end of permitted hours on New Years Eve to the commencement of permitted hours on New Years Day.		
Sun	11.00	01.00			

I

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the facilities for making music you will be providing</u></b>	
			<b><u>Will the facilities for making music be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon	11.00	01.00	<b><u>Please give further details here</u></b> (please read guidance note 3)	
Tue	11.00	01.00		
Wed	11.00	01.00	<b><u>State any seasonal variations for the provision of facilities for making music</u></b> (please read guidance note 4) none	
Thur	11.00	01.00		
Fri	11.00	01.00	<b><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></b> (please read guidance note 5)	
Sat	11.00	01.00	From the end of permitted hours on New Years Eve to the commencement of permitted hours on New Years Day.	
Sun	11.00	01.00		

**J**

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			<b><u>Will the facilities for dancing be indoors or outdoors or both – please tick</u></b> (see guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give a description of the facilities for dancing you will be providing</u></b>	
Mon	11.00	01.00	<b><u>Please give further details here</u></b> (please read guidance note 3)	
Tue	11.00	01.00		
Wed	11.00	01.00	<b><u>State any seasonal variations for providing dancing facilities</u></b> (please read guidance note 4) none	
Thur	11.00	01.00		
Fri	11.00	01.00	<b><u>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</u></b> (please read guidance note 5) From the end of permitted hours on New Years Eve to the commencement of permitted hours on New Years Day.	
Sat	11.00	01.00		
Sun	11.00	01.00		

# 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)			<b><u>Please give a description of the type of entertainment facility you will be providing</u></b>		
Day	Start	Finish	<b><u>Will the entertainment facility be indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur					
Fri			<b><u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u></b> (please read guidance note 4)		
Sat					
Sun					
			<b><u>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</u></b> (please read guidance note 5)		

**L**

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	23.00	01.30	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue	23.00	01.30			
Wed	23.00	01.30	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4) none		
Thur	23.00	01.30			
Fri	23.00	01.30	<b><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></b> (please read guidance note 5) New Years Eve 23.00hrs until 05.00hrs		
Sat	23.00	01.30			
Sun	23.00	01.30			

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) none		
Mon	11.00	01.00			
Tue	11.00	01.00			
Wed	11.00	01.00			
Thur	11.00	01.00			
Fri	11.00	01.00			
Sat	11.00	01.00			
Sun	11.00	01.00			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5) From the end of permitted hours on New Years Eve to the commencement of permitted hours on New Years Day.		

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

<b>Name</b> JOHN ALLAN PENNINGTON	
<b>Address</b> WEST RIDDLESDEN HALL RIDDLESDEN KEIGHLEY	
<b>Postcode</b>	BD20 5BU
<b>Personal Licence number (if known)</b> BD/PER1465	
<b>Issuing licensing authority (if known)</b> BRADFORD COUNCIL	

**N**

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

NONE

**O**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	10.00	01.30	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5) From the end of permitted hours on New Years Eve to the commencement of permitted hours on New Years Day.
Tue	10.00	01.30	
Wed	10.00	01.30	
Thur	10.00	01.30	
Fri	10.00	01.30	
Sat	10.00	01.30	
Sun	10.00	01.30	



**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)**

Staff shall be trained on the requirements of the Licensing Act 2003 with regard to the licensing objectives

**b) The prevention of crime and disorder**

CCTV to be installed. Tapes/dvd to be kept for min 28 days and maintained in good working order. The recordings will be made available to the Licensing Authority or responsible authority on request.

Ongoing staff training to recognise drunkenness and refuse service to customers who have consumed excessive alcohol.

Encourage vigilance amongst staff to supervise customers in all areas of the premises. Alcohol shall not be removed from the premises unless in a sealed container.

There shall be a zero tolerance to drugs, violence and any form of anti-social behaviour.

**c) Public safety**

Management shall ensure that all staff are adequately trained about the evacuation procedure. Training of all staff in the safe handling of emergencies.

Maintaining emergency exits unlocked and clear at all times the premises is open to the public.

Health & Safety at work/fire procedures posters.

Accident book/first aid kit.

Fire/workplace risk assessment.

Fire alarm/fire extinguishers/smoke detectors tested regularly.

Emergency lights tested regularly.

**d) The prevention of public nuisance**

There shall be placed at all exits from the premises prominent, clear and legible notices that can be easily read by the public requiring customers to leave the premises quickly and the area quietly.

The DPS or their representative shall conduct regular assessments of the noise coming from the premises when regulated entertainment takes place and shall take steps to reduce the level of noise where it is likely to disturb neighbours.

No external loudspeakers.

Supply of telephone numbers for taxi companies available for customers to use.

Refuse, including bottles shall not be removed from the building for disposal between the hours of 22.00hrs & 07.00hrs

**e) The protection of children from harm**

Premises to have house rules relating to children and to be the responsibility of the DPS. Challenge 21 scheme in place.

The scheme shall require any person who appears to be under the age of 21 years to produce a recognised photographic proof of age card .


**Please tick yes**

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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

**Part 4 – Signatures** (please read guidance note 10)

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

Signature	
Date	27/7/10
Capacity	KIRSTY STAGG - AGENT

**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.**

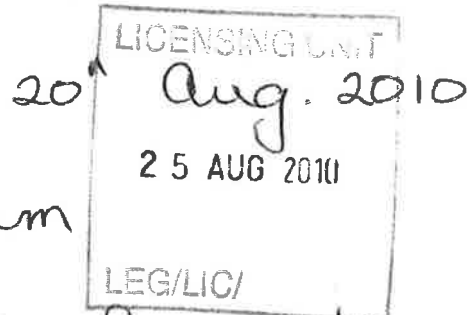
Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)</b>			
INNCOURT 65 MAPPLEWELL CRESCENT GREAT SANKEY			
<b>Post town</b>	WARRINGTON	<b>Post code</b>	WA5 1UU
<b>Telephone number (if any)</b>	01925 724932		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>			
kirsty@inncourt.com			

### Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be 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 to 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.

Bradford Rd  
Saidbeds  
Keighley  
BD. 20, 5LX



Dear Madam

Thank you for replying  
to my letter.  
I have spoken to  
the applicant he  
originally told the  
Locals it was to  
be a mostly coffee/  
soft drink estab.  
So it came as a  
shock to find out  
he was applying for  
a lic. 11am. 1.00am.

I take the points you mention on board.

No. 3. P. public nuisance people are never quiet~~s~~ when they have been drinking banging doors etc in a residential area it is not acceptable.

No. 1. P. Crime & disorder  
y Octagon is to have a daily late lic. when the pubs close, people wanting to carry on drinking will head to Octagon.

Sandbeds is mostly populated by the seventy plus, the majority of the housing is bungalows where people have retired to.

Please consider the residents carefully when making your decision.

Thank you.

(Mrs)

4 Heaton Avenue  
Sandbeds  
Keighley  
West Yorkshire  
BD20 5NQ

22 - 08 - 10

Licensing Department  
Bfd MDC  
Room 402  
City Hall  
Bradford  
BD1 1HY

24 AUG 2010

Dear Sir/Madam

Re Voltex Electronics, Octagon House, Bradford Road, Sandbeds, Keighley. BD20 5LY  
- application for change of use to include sale of alcohol Monday to Sunday 11am to  
1am with regulated entertainment and refreshments

I object to the above changes of use on the grounds that this would cause a nuisance  
late at night when customers would be arriving or leaving the premises and that this  
would adversely affect the quality of life of the mainly elderly occupants of this peaceful  
residential area

Yours faithfully

## LICENSING UNIT

4/8/10.

MR &amp; MRS.

- 9 AUG 2010

MOUNT PLEASANT

SANDBEDS KEIGHLEY

RE:- JOHN W. PENNINGTON

BD20-5NE.

On Reading the Keighley News last Week Dated 29-7-10, on noticing that Mr Pennington has gone ahead and applied for a permit for the Sale of Alcohol for new premises namely the Octagon, I would like to point out on a visit from Mr Pennington up our street, plus distributing his intentions the intake or selling of alcohol was not on the Agenda So the information he made us all to believe was False.

As they already is 2 licensed public houses within short walking distance of each other we see no further need of a 3rd, not to mention most of the streets on Sandbeds are bungalows with residents of the more mature age groups and we would like to keep our neighbourhood peaceful and quiet like we have come accustomed to.

Yours Sincerely,



3 8 - 2010.

Re LICENSING APPLICATION FOR  
THE OCTAGON, OCTAGON HOUSE BRADFORD  
ROAD. SANDBEDS, KEIGHLEY BD 20 5LY.  
I SEE IN 'THE KEIGHLEY NEWS' THAT THE  
ABOVE. APPLICATION IS BEING MADE BY  
MR JOHN PENNINGTON. FOR THE SALE OF  
ALCOHOL ON THE PREMISES. SUN TO MON  
11.00 HRS TO 01.00 HRS. - 14 HOURS DAILY.

I DO NOT SEE THE NEED FOR THIS AS  
THERE ARE 2 OTHER LICENSED PREMISES  
A STONES THROW EITHER SIDE OF THE  
PROPERTY.

MR PENNINGTON DID VISIT THE  
HOUSEHOLDERS LOCALLY AND GAVE OUT  
LEAFLETS OUTLINING HIS PLANS FOR  
WHAT SEEMED TO BE A COMMUNITY  
CENTRE, CATERING FOR JUMBLE SALES,  
FLGA MARKETS. DANCING CLASSES, CRAFT  
FAIRS AND A LOT OF CHILDRENS ACTIVITIES.  
HE STATED. (I QUOTE) 'IT WILL HAVE A 'WORLD  
FIRST' NON ALCOHOLIC BAR STOCKED WITH  
EXCITING ALTERNATIVE DRINKS. PLUS TEA, COFFEE  
CHOCOLATE AND FREE CHILLED WATER. AND ALSO

SAID. WE ARE NOT APPLYING FOR  
'DRINKING ESTABLISHMENT' OR 'NIGHT CLUB'  
I BELIEVE TO ALLOW THE SALE OF ALCOHOL  
FOR 14 HOURS DAILY IT WOULD BECOME  
'A DRINKING ESTABLISHMENT.'

THEREFORE I OBJECT TO THIS  
APPLICATION.

THIS AREA IS POPULATED BY MOSTLY  
RETIRED, ELDERLY PEOPLE ENJOYING OUR  
RETIREMENT IN A NICE PEACEFUL AREA.  
I AM SURE THE OCTAGON CAN BE USED  
IN A MORE CONGENIAL MANNER.

YOURS FAITHFULLY.

(MRS)

ENC. COPIES OF LEAFLETS PROVIDED BY  
MR PENNINGTON TO LOCAL RESIDENTS.  
PLEASE EXCUSE THIS HANDWRITTEN  
LETTER. MY PRINTER PACKED UP AFTER  
DOING THE COPIES. AND MY HANDWRITING  
IS ALMOST ILLIGIBLE DUE TO ARTHRITIS.

**Voltex Electronics, Octagon House,  
Bradford Road, Sandbeds, Keighley BD20 5LY.**

*Mrs Wedmid*

**OUTLINE PROPOSALS**

John and Josie Pennington who have lived locally in Riddlesden for 10 years now wish to buy the Octagon building to cater for the **30 plus age range and Family Groups**. The building had been sold to a group from the Black Majority Churches Network but the sale fell through.

**PLEASE SEE 'PREMISES HISTORY' LISTED OVERLEAF.**

The building already has permitted use for public gatherings but further permission is needed to cover food and drink on the premises and music, concerts and dance.

**We are NOT applying for 'Drinking Establishment' or 'Nightclub'**

We are acutely aware of the need for neighbour comfort, consideration and quality of life and have an unblemished 25 year record of managing similar establishments. The venue will be open for functions and community use with a significant percentage of custom from local residents providing somewhere interesting to go to and enjoy.

**PLEASE SEE 'PROPOSED USES' DETAILED OVERLEAF.**

**EMPLOYMENT:** The business will create 1 full time and 8 part time jobs suitable for local residents, full training will be given, no previous experience needed.

**PARKING:** Regulations require that more car parking be provided but is it also sensible to avoid street parking along the now de-trunked A650 Bradford Road even though it is free of any parking restrictions. Some smaller trees at the back of the premises will be lost but all those along the roadside will remain and be augmented by shrubbery to give additional cover. There will not be any floodlighting as the existing street lighting is adequate, nor will there be any neon illumination to signage on the building. Disabled parking will be more than adequately catered for.

**PUBLIC TRANSPORT:** The Transdev Shuttle 662 passes every 10 minutes in each direction together with the 760 727 728 729 services making the location one of the best served areas in the Metro district. Up to 40 cycle racks provided on site will encourage people to use the each way dedicated cycle route along the A650, part of the Airedale Cycle Way.

**Continued.....**

**PREMISES:** Will have a 'world first' non alcoholic bar stocked with exciting alternative drinks, juices even draught products, tea, fair-trade coffee and chocolate and free chilled water. There will not be any anti-social delivery hours or noise and the premises will be covered by CCTV. Door supervision by qualified council registered personnel whilst the premises are open will be maintained and car park supervision will ensure that people arrive and leave seamlessly with minimum noise. The Owners direct contact number and details will be available for residents use at any time.

We hope that this detail clarifies our intentions and lays to rest any mis-perceptions that you may have. Please feel free to contact us if you have any doubts, we are happy to visit you to discuss personally, thank you for reading,

Yours faithfully,

A handwritten signature in black ink, appearing to read 'John Pennington', written over a horizontal line.

Home: 01535 692251

Mobile: 07836 261557

E-mail: [john@thepenningtons.co.uk](mailto:john@thepenningtons.co.uk)

West Riddlesden Hall,  
Scott Lane,  
Riddlesden,  
Keighley  
BD20 5BU.

## PROPOSED USES.

There is a need to connect with the young.

Saturday Mornings 9am – 12 noon	<b>Performing Arts Kidz Club</b> Music, singing, acting, circus skills, dance, ballroom, line, and dance fusion.	4 – 15years £4 per session
	9-10am 4/6yrs	10-11am 7/10yrs
		11-Noon 10/15yrs
Saturday Afternoons 2pm - 4pm	<b>Junior Street Dance</b> <b>Adult Street Dance</b>	8 - 15years 16 plus £4-50 per session
School Holidays	<b>Fun4Kids out of School Club</b>	TBC

Tuesday Evenings 6pm – 10pm	<b>Teen-Seen 'Youth Club' Disco</b>  Soft drinks only, no high 'E' number content or high energy drinks. CRB checked male and female supervisors. Local police / PCSO's to attend able to give friendly confidential advise on relationships, health, drugs and alcohol etc.	12 - 17years £3 admission
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There will be a member run, member access only Teen-Seen website.  
NB. 5 – 10 year olds automatically qualify for half price bus travel extended to 16years  
with a Metro Card.

### For the over 30's and Families.

Quality theatre style entertainment to which families are encouraged by special reduced  
price 'FAMILY TICKETS' (two adults, two children) making a great affordable night  
out for less than the cost of a babysitter.

Equal representation will be given to non-alcoholic drinks, tea, fair-trade coffee  
and chocolate, as well as alcoholic refreshments.

2 <sup>nd</sup> and last Thursdays 7pm – 10pm	<b>Rock &amp; Roll + Modern Jive Classes</b> by qualified teachers	£5 Admission Family Ticket £15
1 <sup>st</sup> Saturday each mth. 8pm – 12midnight No admittance after 10	<b>Rock &amp; Roll Social Dance</b> All ages,. Families welcome Improvers, Intermediate and Advance Dancers. Practise what you have learnt during the weekday classes.	£7-50 Admin Family Ticket £20

## PROPOSED USES Continued...

4<sup>th</sup> Friday  
each month  
7pm- 12pm

**Family Line Dance Social**

Beginners Class 7-8pm Social Dance 8-12pm  
Price includes tuition, you do not need to bring a partner, just follow the person in front, all ages.  
Invite friends to see what you have learnt, watch from the balcony or even join-in !

£7-50 Admission  
Family Ticket £20  
(2 adults + 2 child)

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Every Wednesday  
7pm – 11pm

**Beginner's Ballroom Classes**

Qualified teachers registered with the International Dance Teachers Association.

£6-50  
Family Ticket £15

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Beginners Class 7-8pm Intermediate Class 8-9pm Social Dance 9.30-11pm

Price includes lite supper during 30minute break  
You do not need to bring a partner – just some comfortable well fitting shoes with smooth soles (not rubber).

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4<sup>th</sup> Saturday  
each month  
8pm – 12pm  
No admittance after 10

**Saturday Dance Social**

Ballroom, Latin, Modern Sequence  
Rock & Roll, Party and Disco  
all ages welcome.

£7 single  
£12 couple  
Family Ticket £20

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Practise session from 7.30pm Social Dance 8pm – 12 midnight  
Good sound quality, music at the correct 'tempo' played at conversation level so you can enjoy the music and the dance.  
Gain confidence with others after learning steps at regular weekly classes.

Let us not forget the over 50's (we are!)

Every Wednesday  
2pm – 5pm

**Tea Dance**

with a resident DJ who understands the need for correct tempo, flow, arrangement and volume level.

£3-50  
cream scone with strawberry jam & a cuppa  
INCLUDED

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Ballroom, Sequence, a little bit of Latin a mixture to suit all tastes and styles  
TANGO BARN DANCE CHA CHA FOXTROT WALTZ QUICKSTEP

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Every Thursday  
9am – 3.30pm

**The Octagon  
Indoor Craft and Flea Market**

Early bird admission £1  
before 11am  
50p after.

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Up to 40 indoor stalls, £12 includes 6ft. table and power point, ring to book.  
Community groups and charities welcome. Tea/coffee refreshments available throughout.

## **PROPOSED USES Continued...**

Selected Saturdays  
8pm – 12midnight

**Charity Event Evening (CEE)**

Times and Admission  
to suit charity

and

2<sup>nd</sup> Friday  
every month

It is proposed to allow the premises  
**FREE OF CHARGE**

to registered local charities for their own fund raising events.

In this way The Octagon will benefit from Patrons who will see what it has to offer, receive bar takings without overhead cost and obtain good press coverage.

We are happy to help fund raising organisations with suggestions and guidance.

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The Octagon is also available at other times for :

FASHION SHOWS    AMATEUR DRAMATICS (Rehearsals and Productions)

VOCAL UNIONS    BRASS BAND (Competitions and Concerts)

ARTS & CRAFT EVENTS (Classes)    CHARITY JUMBLE SALES

FITNESS WORKSHOPS    MARTIAL ARTS (Courses and Competitions)

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CONFERENCES    BUSINESS EXHIBITIONS    TRAINING SEMINARS

ROTARY MEETINGS    CHARITY QUIZ NIGHTS even a POLLING STATION

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## **PREMISES HISTORY.**

2007 OCT	Property placed on the market FOR SALE through Hayfield Robinson, Keighley.
2008 JUNE	Re advertised by Eddisons Commercial, Bradford, for sale or TO LET.
2009 JULY	Property sold to the Church of God of Prophecy, part of the Black Majority Churches Network, subject to change of use being granted.
2009 OCT	Change of Use granted by BMDC from light industrial to D1. public gatherings for religious purposes and non residential training and education.
With an impending sale Voltex Electronics vacated their premises selling what machinery they could, scrapping the remainder and issuing staff with redundancy notices.	
2010 JAN	PREMISES VACANT within days the purchaser gave back word.
2010 MAY	Sale agreed to John and Josie Pennington.

**The property has been for sale on the open market for over 30 months.**