

Report of the Assistant Director Corporate Services to a Hearing before the Keighley/Shipley Area Licensing Panel to be held on 17 November 2010

C

Subject:

Application for a Premises Licence for the Acorn Inn, The Green, Eldwick, Bingley.

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

Portfolio:

Corporate

Improvement Committee Area:

Corporate Improvement Committee
Safer and Stronger Communities



INVESTORS
IN PEOPLE



2009-2010
Positive engagement
of older people
2006-2007
Improving Rural Services:
Empowering Communities



BRADFORD
METROPOLITAN DISTRICT COUNCIL

Ward: Bingley

1. **Summary**

1.1 **The applicant**

Enterprise Inns PLC. A copy of the application is included at Appendix 1.

1.2 **The Premises**

Acorn Inn, The Green, Eldwick, Bingley.

The premise was previously licensed but the Premises Licence was cancelled when the Premises Licence Holder was made bankrupt.

1.3 **Designated Premises Supervisor**

Tracey Lorraine Burley

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

Hours of licensable activities:

Sale of alcohol

Monday to Saturday: 10.00 to 02.00

Sunday: 12.00 to 22.30

New Years Eve: 10.00 hours until the start of permitted hours the following day.

Provision of regulated entertainment

Live music (Indoors & Outdoors)

Thursday & Friday: 20.00 to 00.00

New Years Eve (Indoor): 20.00 to 02.00

New Years Eve (Outdoor): 20.00 to 00.00

Non Standard Timings: 20.00 to 22.00 on the Friday, Saturday, Sunday and Monday of each Bank Holiday weekend (Outdoor).

Recorded Music (Indoors)

Monday to Friday: 10.00 to 00.00

Saturday: 10.00 to 01.00

Sunday: 12.00 to 23.00

Hours the premises proposed to be open:

Monday to Saturday: 10.00 to 02.30

Sunday: 12.00 to 23.00

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;

The Licensee shall at all times maintain a "zero tolerance" policy with regard to illegal drugs, including appropriate staff training in detection and prevention.

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

The Licensee will co-operate with any local "Pub Watch" schemes or similar schemes being promoted by West Yorkshire Police or other local Licensees.

New customers shall not be admitted to the premises after 23.00.

b) Public Safety will be achieved by;

The emergency lighting at the premises shall be maintained in good working order.

All first aid facilities, currently held at the premises, shall be maintained in good working order and all staff (including temporary staff) adequately trained in their use.

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.

All outward opening exit doors and all windows are to be kept closed when regulated entertainment is taking place.

The Licensee shall ensure that the external areas of the premises are kept clear of litter and refuse.

The Licensee shall ensure that security and other external lighting used are maintained in such a position so as to avoid light pollution to nearby residents.

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

No regulated entertainment of an adult or sexual nature shall be provided at any time in the licensed premises.

All gaming machines shall be positioned so that they are within sight of the bar servery.

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

Children under 16 years old shall only be allowed access into the premises when accompanied by an adult.

e) General – all four licensing objectives

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

A Personal Licence holder shall be present on the premises when licensable activities are taking place.

Any 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.

2. Relevant Representations Received

2.1 Responsible Authorities

Environmental Health - In order to address the Public Nuisance objective, the Environmental Health Officer has requested that consideration is given to restricting the sale of alcohol until midnight on Monday to Saturday.

The representation is attached at Appendix 2.

2.2 Interested Parties

Local Residents – 18 letters of representation have been received on the grounds of anticipated noise and disturbance from regulated entertainment both indoor and outdoor, and noise, disturbance and anti-social behaviour from patrons leaving the premises late at night. Concern is also raised about pint glasses being left on resident’s property.

The letters of representation are attached at Appendix 3.

3. Legal Appraisal

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

- a) the prevention of crime and disorder
- b) public safety
- c) the prevention of public nuisance

d) the protection of children from harm

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

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

3.4 Only "relevant representations" by or expressly on behalf of a defined "interested party" or "responsible authority" can be taken into account. In order to be "relevant" a representation must fairly relate to achieving a licensing objective. If it does not, it must be discounted.

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

4. **Statement of Policy Issues**

4.1 The following part of the Licensing Policy is of particular importance; Part 4 (prevention of Crime & 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.

7.2 **Community safety implications**

There are no apparent community safety implications.

7.3 **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 September 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).
2. Representation from Environmental Health.
3. Letters of representation.

11. **Background documents**

Application form, plan etc

Insert name and address
of relevant licensing
authority and its
reference number
(optional)

City of Bradford Metropolitan District
Council
City Hall
BRADFORD

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.

X/We Enterprise Inns Plc
(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 **X/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		LICENSING UNIT 28 SEP 2010 LEG/LIC
Acorn Inn The Green Eldwick		
Post town Bingley	Post code BD16 3AW	

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 17,600.00

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)

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

Surname First names

Please tick **Yes**

I am 18 years old or over

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick **Yes**

I am 18 years old or over

**Current postal
address
if different from
premises address**

Post Town

Postcode

Daytime contact telephone number

**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 Enterprise Inns Plc
Address 3 Monkspath Hall Road Shirley Solihull B90 4SJ
Registered number (where applicable) 2562808
Description of applicant (for example partnership, company, unincorporated association etc) Company
Telephone number (if any) 0121 733 7700
E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
A	S	A	P				

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

Day		Month		Year			

If 5,000 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)

1. To permit the supply of alcohol from 1000 to 0200 the following day on Mondays to Saturdays inclusive and between noon and 2230 on Sundays.
2. To permit the playing of recorded music from 1000 to 2400 on Mondays to Fridays inclusive, from 1000 to 0100 the following day on Saturdays and from noon to 2300 on Sundays.
3. To permit live music on Thursdays and Saturdays from 2000 to 2400
4. To permit live music on New Years Eve from 2000 to midnight (outside) and until 0200 inside.
5. To permit live music outside on the Fridays, Saturdays, Sundays and Mondays of Bank Holiday weekends from 2000 to 2200
6. To permit 30 minutes drinking up time.

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

Please tick Yes

Provision of regulated entertainment

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances 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)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

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

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of 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)		
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed			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)		
Thur					
Fri					
Sat					
Sun					

C

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

D

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

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	✓
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	2000	2400			
Fri	2000	2400	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) New Years Eve (indoor) 2000 - 0200 New Years Eve (outdoor) 2000 - 2400 Friday, Saturday, Sunday, Monday of Bank Holiday weekends 2000 - 2200 (outdoor)		
Sat					
Sun					

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	1000	2400	Please give further details here (please read guidance note 3)	Both	
Tue	1000	2400			
Wed	1000	2400	State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	1000	2400			
Fri	1000	2400	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) New Years Eve 1000 to start permitted hours on New Years Day.		
Sat	1000	0100			
Sun	1200	2300			

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	
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 entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Mon					Outdoors
Tue			Both		
Wed			Please give further details here (please read guidance note 3)		
Thur					
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for the entertainment of 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)		

Provision of facilities for making music Standard days 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			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

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		
			Outdoors		
			Both		
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Thur					
Fri			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					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here (please read guidance note 3)</u>		
Wed			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 4)</u>		
Thur					
Fri					
Sat			<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 (please read guidance note 5)</u>		
Sun					

L

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

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption please tick ✓ (please read guidance note 7)	On the premises	
				Off the premises	
				Both	✓
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	1000	0200			
Tue	1000	0200			
Wed	1000	0200			
Thur	1000	0200			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	1000	0200	New Years Eve - from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.		
Sat	1000	0200			
Sun	1200	2230			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor	
Name	TRACEY LORRAINE BURLEY
Address	11 ALWYN CLOSE LEIGH
Postcode	WN7 3NN
Personal Licence number (if known)	PL 0384
Issuing licensing authority (if known)	WIGAN MBC

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 timings (please read guidance note 6)			<u>State any seasonal variation</u> (please read guidance note 4)
Day	Start	Finish	
Mon	1000	0230	<p><u>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>New Years Eve - from 1000 until start of permitted hours the following day.</p>
Tue	1000	0230	
Wed	1000	0230	
Thur	1000	0230	
Fri	1000	0230	
Sat	1000	0230	
Sun	1200	2300	

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)

SEE ATTACHED

b) The prevention of crime and disorder

SEE ATTACHED

c) Public safety

SEE ATTACHED

d) The prevention of public nuisance

SEE ATTACHED

e) The protection of children from harm

SEE ATTACHED

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 Gosschalks

Date 27TH September 2010

Capacity Solicitors for and on behalf of the applicants

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

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Gosschalks Queens Gardens, Hull	
Post town	Post code HU1 3DZ
Telephone number (if any) 01482 324252	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) janet_braithwaite@gosschalks.co.uk	

GENERAL - all four licensing objectives;-

1. The Licensee shall ensure that adequate supervision of the premises is maintained at all times during the carrying out of licensable activities and that any staff are trained in ensuring compliance with the licensing objectives at all times.
2. A personal licence holder shall be present on the premises when licensable activities are taking place.
3. Any 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.
4. The licensee shall at all times maintain a zero tolerance policy with regard to illegal drugs, including appropriate staff training in detection and prevention.
5. All existing external and internal security lighting shall be maintained in good working order and used, where appropriate, at all times the premises remain open to the public.
6. The licensee will co-operate with any local pub watch schemes or similar schemes being promoted by West Yorkshire Police or other local licensees.
7. New customers shall not be admitted to the premises after 23.00.
8. The emergency lighting at the premises shall be maintained in good working order.
9. All first aid facilities, currently held at the premises, shall be maintained in good working order and all staff (including temporary staff) adequately trained in their use.
10. Notices shall be displayed in prominent positions near exits reminding patrons to leave in a quiet and orderly manner
11. All outward opening exit doors and all windows are to be kept closed when regulated entertainment is taking place.
12. The licensee shall ensure that the external areas of the premises are kept clear of litter and refuse.
13. The licensee shall ensure that security and other external lighting used are maintained in such a position to as to avoid light pollution to nearby residents.
14. No regulated entertainment of an adult or sexual nature shall be provided at any time in the licensed premises.
15. All gaming machines shall be positioned so that they are within sight of the bar servery

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

17. Children under 16 years of age shall only be allowed access into the premises when accompanied by an adult.

Memo

Department of Environment and Neighbourhoods

To: **Tracy McLuckie**
Licensing Team
City Hall
Bradford

Environmental Protection
Pollution Team
6th Floor, Jacobs Well, Bradford
West Yorkshire, BD1 5RW

Date: 14 October 2010

From: Ian Farmer
Tel: (01274) 434903
Fax: (01274) 740839
Our Ref: 282330/IDF
Your Ref:

Email: ep.admin@bradford.gov.uk
Memo 3 - IDF

APPLICATION FOR LICENCE ACORN INN, THE GREEN, ELDWICK, BINGLEY, WEST YORKSHIRE, BD16 3AW

Having considered the above, it is noted that the application is made on identical operating hours and conditions as the previous licence (which lapsed due to bankruptcy). However, given that a new company has taken over ownership, I would like to make the following comments:

In respect of outdoor entertainment, I wrote to the Licensing Team in December 2007 expressing concerns about potential nuisance arising from such activities; this resulted in the restrictions which are currently in place. To the best of my knowledge and having scrutinised our records, there have not been any recent complaints about outdoor related events. I have no grounds at present to request that this be altered.

With regard to the proposed hours of opening for sale of alcohol (Monday – Saturday 10.00 to 02.00 hours) despite there being the same as before under the previous Licensee's regime, it has been noted that these were not previously utilised to their full potential. This being the case, I share the concerns of the immediate neighbours who have made representations about the potential for significant disturbance from patrons leaving the premises in the early hours of the morning were the pub to radically alter its way of operating.

I would request, therefore, that consideration be given to restricting the sale of alcohol to midnight, Monday to Saturday, to preserve the amenity of immediate neighbours.



APP 3

GLEN WAY,
ELDWICK,
BINGLEY,
BD16 3HF.

Bradford M.P.C. - Licensing Team,
City Hall,
Centenary Square,
BRADFORD
BD1 1HY.

12th October 2010.

LICENSING UNIT

14 OCT 2010

LEG/LIC/

ACORN, THE GREEN, ELDWICK, BD16 3AW.

Following receipt of a copy of recent applications for 'Premises grant' from yourselves, my wife and I wish to make strong representations to object to the proposed licensing for live music outdoors at the above-mentioned premises.

Any music played outdoors at the Acorn can clearly be heard inside our bungalow and the application shows no thought for those residents nearby. This is principally a quiet residential area and music played outdoors at any time would be entirely inappropriate.

I would mention that, in August 2007, we had cause to complain at the level of noise from a group playing outside the Acorn and my letter of 27th of that month to the licensing team refers. (Your response dated 3rd September 2007 is under the reference L&C/LIC/MM).

2.

We trust that common sense will prevail and that the application will be altered to meet our legitimate concerns.

Yours faithfully,

C.C. JOHN PENNINGTON





**Pennygate, Eldwick, Bingley, West Yorkshire, BD16 3BN
01274**

Bradford M D C – Licensing Team
City Hall
Centenary Square
Bradford
BD1 1HY

11th October 2010

Dear Sir

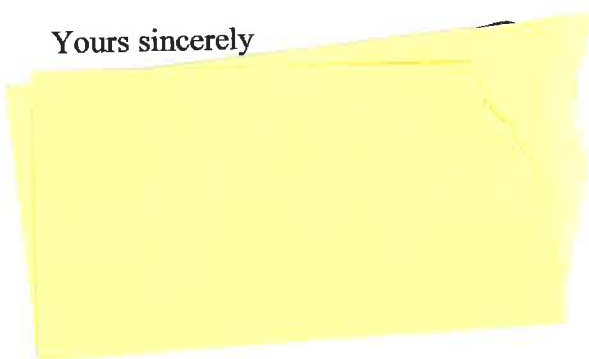
Re: New licence for Acorn Public House, Eldwick

Due to the recent application for extended licensing hours including the playing of music until late, I must object in the strongest way. The Acorn is situated in a confined valley and any noisy guests at the pub can be heard hundreds of yards away never mind live music outside. In the past, when there has been a special event with live music every word that is sung can be heard in our garden over 250 yards away. In addition to noise pollution in a rural/residential area it would be totally inappropriate to have a public house of this type in this area. The roads leading to Beck Bottom are inadequate trying to cater for normal traffic usage without encouraging youths (no doubt in noisy cars from out of the area) late at night. There are enough accidents on the network of country lanes surrounding Eldwick and a public house catering for the younger market would be inviting more.

Parking at The Acorn is limited and inevitably this would lead to on road parking causing congestion, disruption to nearby residents and the possibility of more accidents.

The granting of this licence would be ludicrous and must be vigorously opposed.

Yours sincerely



Pennygate
Eldwick
Bingley
BD16 3BN

Bradford MDC – Licensing Team
City Hall
Centenary Square
Bradford
BD1 1HY

11th October 2010

For the attention of John Pennington

Dear Sir

Re: The Acorn Public House, Eldwick

Could you please register our total disapproval of the application for an extended drinks licence for the above public house? Eldwick (and especially Eldwick Beck Bottom) is a select residential area and a young persons public house would be totally out of keeping with the area. There would inevitably be rowdiness (both people and cars) in a confined valley where noise travels which would be totally unacceptable. The road junction of The Green is narrow and dangerous with Spring Lane junction almost opposite.

To contemplate outside, live music in this environment is beyond belief and we hope that this application is totally rejected.

Yours sincerely



LICENSING UNIT
13 OCT 2010
LEG/LIC

Bradford MDC Licensing Team

City Hall

Bradford BD1 1HY

Copy to:-

Mr John Pennington

West Riddlesden Hall

Keighley BD20 5BU

Mr & Mrs .

, Glen Way

Eldwick, Bingley

BD16 3HF

11 Oct 2010

Re Premises Grant 30/9/2010 Acorn The Green Eldwick – Enterprise Inns

Dear Sirs

We must object most strongly to some of the terms of the application which Enterprise Inns have put before you.

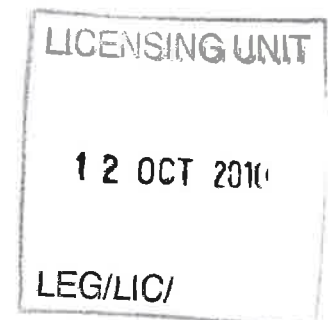
In particular we refer to the "Regulated Entertainment (Live Music, Indoors and Outdoors)". The premises are far too small for any live music to take place indoors which leaves the "Outdoor" aspect.

This is a quiet residential area set in lovely countryside – not a city centre, on top of which the premises are in the middle of a beautiful preservation area, a status which was granted last year after many years of hard work by local residents.

We feel that, if you were to grant this application, (which we pray you will not), it is a move that would reflect very badly on the area and cause many hours of misery to the people who at the moment enjoy the peace of living in such an area.

Please let common sense prevail and save the peace of the village of Eldwick.

Yours sincerely



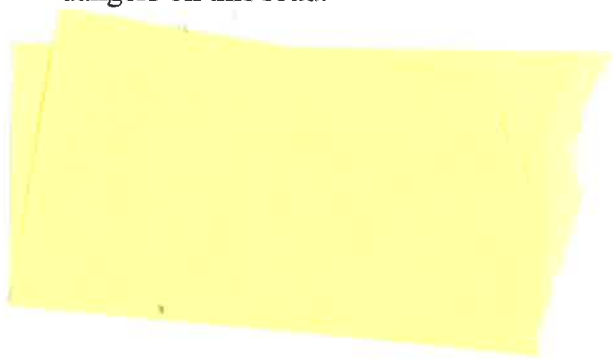
Melanie McGurk

From: Licensing Team
Sent: 04 October 2010 13:28
To: Melanie McGurk
Subject: FW: Objection to Licensing application

another one

From: [mailto:]
Sent: 04 October 2010 10:25
To: Licensing Team
Subject: Objection to Licensing application

We wish to object in the strongest possible terms to the proposed alteration to the opening hours of the Acorn Public House in Eldwick. Opening a pub until 2 *am* on a regular basis is not suitable for a small rural community. As near neighbours we are concerned about the potential for increased levels of noise and antisocial behaviour in the early hours of the morning. In addition, the road junction between the Green and Otley Road has already seen a number of serious road traffic accidents and increasing the usage of this junction will only add to the already clear and present dangers on this road.



Melanie McGurk

From: Licensing Team
Sent: 19 October 2010 10:10
To: Melanie McGurk
Subject: FW: Objections to premises grant for Acorn.

-----Original Message-----

From: [mailto:]
Sent: 18 October 2010 18:08
To: Licensing Team
Subject: Objections to premises grant for Acorn.

We wish to express our objections to the proposed planning permission for the Acorn, The Green, Eldwick, BD16 3AW/ Enterprise Inns.

We are very concerned about the proposed granting of the provision of sale of alcohol on Monday to Saturday up to 2a.m. We are concerned that this will attract undesirable people in an area which generally has a very peaceful environment. It would raise the risk of unruly behaviour and criminal activities. This would create an increased risk to public safety in the area. As a result we would have great concerns for our children and family. There are several families nearby with young children.

As well as the sale of alcohol until the early hour of the morning, we are also concerned about loud music and entertainment until midnight. Unfortunately, the sound around the Acorn is generally amplified naturally and travels far. This is even more apparent in the quiet of the evening. It is quite possible to hear people's conversation outside the Acorn for several hundred yards during the quiet of the night. The noise that would be generated by music and entertainment during the hours proposed would be very disturbing for young children, the elderly and the infirm. It is also extremely annoying for those people who cannot get to sleep (due to the noise) and have to get up early next day to go to work or for other reasons.

Therefore, we respectfully ask you to protect and preserve the peace and calm of our community as well as its safety when considering the application regarding the Acorn/Enterprise Inns.

Yours sincerely,

(Eldwick)

Spring Lane
Eldwick
Bingley BD16 3AS
12 OCTOBER 2010.

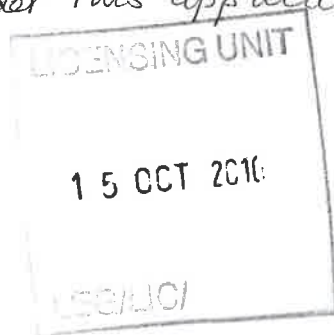
Dear Sirs,

REF. License Application THE ACORN, THE GREEN
ELDWICK BD16 3AN.

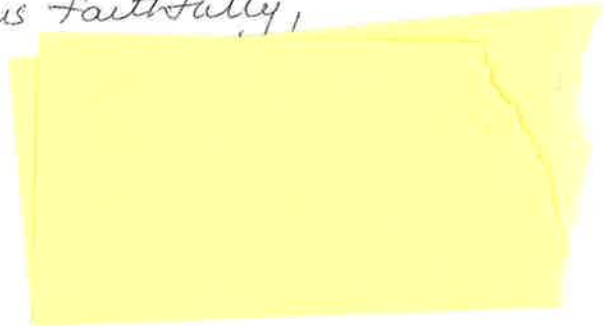
We strongly object to the playing of loud music out-of-doors at any time. We are appalled at the thought of being disturbed by live music late at night.

The Acorn is situated in a conservation area and this application for out-door music is totally inappropriate.

It is a worrying thought that the house we paid more for because of its quiet and peaceful location could be devalued if this application was granted. I trust that common sense will prevail when you consider this application.



Yours faithfully,



Okley Rd

Eldwick

BD16 3EP

Dear Sir,

We feel we must strongly protest about the proposed music application at The Acorn - Eldwick as we feel 2.00 am is far too late for a residential area. We live at the bottom of Okley Rd and on previous music nights at the Acorn the music is very loud. ~~as~~ it comes up the back fields, it must be unbearable for the cottages in Eldwick Beck.

Hope you keep these points in view as you come to your decision, and think about the residents who like peace and quiet

Yours Faithfully

Spring Lane
Eldwick
Bingley BD16 3AS
12 OCTOBER 2010.

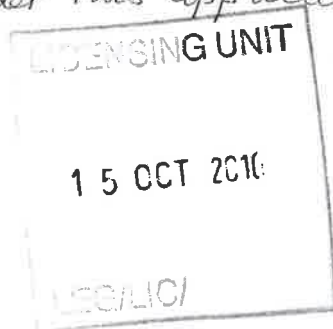
Dear Sirs,

REF. License Application THE ACORN, THE GREEN
ELDWICK BD16 3AW.

We strongly object to the playing of loud music out-of-doors at any time. We are appalled at the thought of being disturbed by live music late at night.

The Acorn is situated in a conservation area and this application for out-door music is totally inappropriate.

It is a worrying thought that the house we paid more for because of its quiet and peaceful location could be devalued if this application was granted. I trust that common sense will prevail when you consider this application.



Yours faithfully,



Melanie McGurk

From: Licensing Team
Sent: 11 October 2010 09:19
To: Melanie McGurk
Subject: FW: Acorn Pub Eldwick, licensing application


From: [mailto:
Sent: 08 October 2010 16:20
To: Licensing Team
Subject: Acorn Pub Eldwick, licensing application

I wish to object to the alterations to the opening hours and music license at the Acorn Pub in Eldwick.

The Acorn is a village pub in a quiet residential area. Music outside impinges on all houses in the area. In fact, at one nearby house to the pub the lady had to take her two young children to her mothers when music was played outside at night. Indoor music is ok, except in Summer months when windows are open.

Parking up The Green when busy causes disruption. Big agricultural vehicles from two farms at the end of The Green, are often impeded. Occasionally driveways are blocked and the grass verge badly cut up. The Green is very narrow for turning and in the last couple of years I have had my wooden fence broken three times and my stone gatepost badly damaged once.

Noise from people and vehicles late at night would disturb sleep in this quiet neighbourhood. Late night opening and music will attract a younger clientele and all the noise and disturbances that they bring. This has also been a quiet village pub, in the heart of a quiet residential area.



Please communicate via post rather than email.

Melanie McGurk

From: Licensing Team
Sent: 06 October 2010 08:46
To: Melanie McGurk
Subject: FW: Objection to licensing application - The Acorn, Eldwick

From: [mailto:l
Sent: 05 October 2010 16:00
To: Licensing Team
Subject: Objection to licensing application - The Acorn, Eldwick

I wish to object to the proposed alteration to the opening hours of the Acorn Inn in Eldwick.

Opening a pub until 2.00am is not suitable for a small rural village with residents very close by.

I live next door to the Acorn and have a 4 year old son, the noise and disruption in the early hours would be extremely stressful. I have also had regular problems in the past with people parking across my gate blocking access for myself and emergency services.

Please take these points into consideration.

Thank you



Melanie McGurk

From: Licensing Team
Sent: 26 October 2010 15:07
To: Melanie McGurk
Subject: FW: Premices Grant, Acorn, The Green, Eldwick BD16 3AW

From: [mailto:
Sent: 26 October 2010 14:11
To: Licensing Team
Cc: Cllr John Pennington
Subject: Premices Grant, Acorn, The Green, Eldwick BD16 3AW

Hello

I am writing to object to the Premices Grant for the Acord Pub, Eldwick, BD16 3AW.

I think that the sale of alcohol until 2am is too late in a small village as is the Regulated Entertainment (outdoors) beyond 9.30pm. It will be disruptive and cause extra noise and traffic in this quiet location. We live on the main road just round the corner from the Acorn and will no doubt be disturbed by people leaving in the early hours. In the past we have had pint glassess left on the bonnet of our car (parked in the drive) and feel that this type of behaviour may increase if people can drink for longer hours. Also when entertainment is held outdoors, it is easily heard from our home. The effects of the noise and traffic will make it difficult for my husband who works shifts, which include early starts on weekend days as well as through the week.

We welcome the Acorn opening again, but with normal opening hours (not until 2am) and outside entertainment finishing no later than 9.30pm.

Kind Regrds

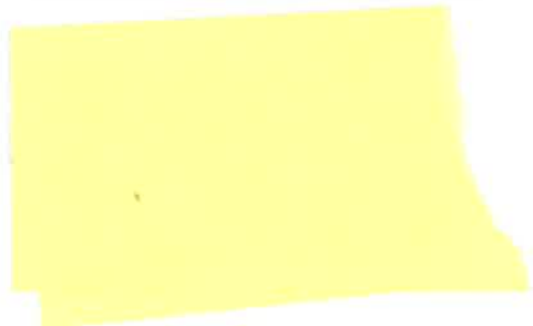


Melanie McGurk

From: Licensing Team
Sent: 18 October 2010 08:44
To: Melanie McGurk
Subject: FW: objection to licensing application

From: [mailto:melanie.mcgurk@nhs.uk]
Sent: 15 October 2010 12:09
To: Licensing Team
Subject: objection to licensing application

We understand a new application for the licence of The Acorn pub in Eldwick is currently underway, We are writing to strongly object to the aforementioned. We are concerned about the noise pollution, opening this pub till 2am on a regular basis will bring to this residential area, not to mention the noise of the outdoor music licence which will disrupt the neighbourhood. . We have currently been advised that we are being considered for this road being made into a conservation area, and we think these hours of opening are not suitable for this area. In addition, the road junction between the Green and Otley road is a regular hot spot for accidents and increasing the usage of this junction could add to the dangers of the road.



Melanie McGurk

From: Licensing Team
Sent: 06 October 2010 08:46
To: Melanie McGurk
Subject: FW: Objection to Licensing Application

-----Original Message-----

From: [mailto:
Sent: 05 October 2010 22:13
To: Licensing Team
Subject: Re: Objection to Licensing Application

Dear Sir/ Madam

Re: Objection to Licensing Application

We wish to contest rigorously the recent application by Enterprise Inns to alter the opening hours of the Acorn Inn, The Green, Eldwick.

Eldwick is a rural conurbation and for a Country Inn to be allowed to open until 2am, hours better suited to a Town Centre Night Club is to say the very least irresponsible.

Living in close proximity we are concerned also about the increase in noise and strong possibility of antisocial behaviour during the early hours of the morning.

The current car park does not at present provide sufficient parking and to attract even more vehicles will create further congestion for local residents.

The road junction where The Green meets Otley Road is a particularly dangerous one, having already seen a number of serious accidents. To increase the use of this junction will cause even more danger for motorists and pedestrians.

In conclusion we can only assume Enterprise Inns reason to increase the opening hours is to enable them to justify an excessive rental return on their property.

Yours faithfully

Melanie McGurk

From: Licensing Team
Sent: 11 October 2010 09:15
To: Melanie McGurk
Subject: FW: extended opening hours The Acorn, Eldwick

From: [mailto:]
Sent: 10 October 2010 19:54
To: Licensing Team
Subject: extended opening hours The Acorn, Eldwick

I would like to register my objection to the application for extended opening hours at the Acorn Inn, Eldwick until 2.00am.

This is a rural area and i own the property immediately next door to the Acorn. We have already had problems with parking in the past and feel this would be exacerbated. The noise would be disruptive to what is a quiet community and may attract the wrong clientele. This may also lead to potential drink driving problems on Otley Road which has already seen alot of nasty accidents and a couple of deaths in the past.



LYNDALE ROAD ELDWICK BINGLEY WEST YORKSHIRE BD16 3HE
Telephone: Bradford (01274)

Licensing Team,
Bradford Metropolitan District Council,
Legal and Democratic Services,
Room 402, City Hall,
Bradford,
BD1 1HY

18th October 2010

Dear Sir/ Madam,

Application for Premises Grant, The Acorn, The Green, Eldwick, Bingley
BD16 3AW Enterprise Inns. Variation/New Application Details

We would like to record our objections to the variation / new application submitted for the Acorn by Enterprise Inns.

Whilst there has long been Licensed premises at The Acorn the proposed extension of the hours for Saturday – Monday (10.00-0200); the proposed availability of Recorded Music (indoor only) Monday-Friday 10.00. - 0000; Saturday until 01.00; Live Music indoors and outdoors Thursday and Friday until 0000); Friday, Saturday, Sunday and Monday of all bank holiday weekends, New Year's Eve until 0000 (outdoors) would significantly increase the public nuisance for residents in the area of the Acorn.

1. Later drinking hours are likely to mean later intrusive noisiness from drinkers and revellers leaving the premises and either walking home in the area or being driven home.
2. Music played outside at any time is likely to disturb the peace and tranquillity of a residential and conservation area.
3. Music played outside at any time will increase public nuisance and add considerably to noise pollution in the residential area in which the Acorn is located.
4. We are not convinced that live music indoors can be contained and so an extension of the hours during which indoor music can be played is likely to add to the nuisance which may already result from the terms of the present license.

20 OCT 2010

501101

5. Increase in the hours during which alcohol can be consumed is in our view likely to encourage petty crime and disorderly conduct in the area in which the Acorn is situated, thereby placing further demands on police resources which are likely to be considerably curtailed in the future.

Yours faithfully,





Spring Lane,
Eldwick.
Bingley.
BD16 3AS
23/10/10

Dear Sirs,
re Acorn Inn, Eldwick

I wish to object very strongly to the granting of a licence for outdoor entertainment at the above premises.

This is a quiet are of Eldwick in which I have lived all my life (90 years), and the inn is now in a Conservation Area.

I regard any outside entertainment (i.e. music) as an intrusion and a public nuisance, not only to me but to other residents in this area.

Yours sincerely.

Bradford MDC Licensing Team



Melanie McGurk

From: Licensing Team
Sent: 11 October 2010 09:15
To: Melanie McGurk
Subject: FW: Acorn Public House The Green Eldwick BD16 3AW Licence application

From: [mailto:]
Sent: 10 October 2010 20:52
To: Licensing Team
Subject: Acorn Public House The Green Eldwick BD16 3AW Licence application

We write to lodge an objection to the proposed opening hours and the proposed use of entertainment and recorded and live music at the above property on the grounds that these proposals would cause a public nuisance.

The Acorn has been a traditional public house with hours of licence to match. The proposal to extend the hours of operation if allowed would create additional disturbance to a number of nearby residential properties with the consequence of preventing normal sleep for adults and children.

Any hours of licence at the above property should reflect the amenity cost to neighbouring and nearby homes and not solely the economic argument to justify an enhanced rent for the benefit of the freeholder.

The proposal to seek an entertainment licence is inappropriate for a village location as this will impact on neighbouring and nearby properties. Those of us who live near the Acorn have first hand experience of entertainment events over the last few years and music noise cannot be contained within the property as doors and windows open. An entertainment proposal for regular daily, weekly or monthly events is inappropriate for a village property.

The Acorn has the potential to be a thriving village pub if its cost base is contained without the need to resort to hours and usage that are a detriment to the local population and thereby a public nuisance.

