

Report of the Assistant Director Corporate Services to a Hearing before the Bradford Area Licensing Panel to be held on 23 September 2008

Subject:

Application for Variation of a Premises Licence for the Blue Pig, Fagley Road, Fagley, Bradford

Summary statement:

Application for variation to extend permitted hours for sale of alcohol and late night refreshment, include the provision of regulated entertainment, remove Conditions 3 & 4 from the Licence and include an outside drinking/smoking area.

Suzan Hemingway
Assistant Director Corporate Services (City Solicitor)

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

Portfolio:

Corporate

Improvement Committee Area:

**Corporate Improvement Committee
Safer and Stronger Communities**



2006-2007
Improving Rural Services
Empowering Communities



INVESTOR IN PEOPLE

Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



1. Summary

1.1 The applicant

John Barrie Cordingley. A copy of the application is included at Appendix 1.

1.2 The Premises

Blue Pig, Fagley Road, Fagley, Bradford

1.3 Designated Premises Supervisor

Jacqueline Bray

1.4 Current Licence

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

Sale/supply of alcohol & Provision of late night refreshment

Monday to Saturday:	10.00 to midnight
Sunday/Good Friday:	Noon to 23.30
Christmas Day:	Noon to 23.30
New Years Eve:	10.00 hours until the start of permitted hours the following day

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

1.5 Variation Application

The variation application has been submitted to extend permitted hours for the sale of alcohol & provision of late night refreshment, include the provision of regulated entertainment (exhibition of films, indoor sporting events, live music, recorded music & provision of facilities for making music), remove Conditions 3 & 4 from the Licence and include an outside drinking/smoking area.

Sunday to Thursday:	10.00 to midnight
Friday & Saturday:	10.00 to 01.00
Christmas Eve/Boxing Day:	10.00 to 01.00
New Years Eve:	10.00 hours until the start of permitted hours the following day

Premises opening hours & Provision of late night refreshment (from 23.00)

Sunday to Thursday:	10.00 to 00.30
Friday & Saturday:	10.00 to 01.30
Christmas Eve/Boxing Day:	10.00 to 01.30
New Years Eve:	10.00 hours until the start of permitted hours the following day

1.6 Steps proposed by the applicant to address the Licensing Objectives

- a) Prevention of crime and disorder will be achieved by;
Zero tolerance on drugs, violence or any form of anti-social behaviour or disorder to the local community.
Member of pubwatch.
CCTV, recordable.
No open bottles/containers to leave the premises.
Staff to be vigilant as customers depart the premises to ensure no problems occur.
- b) Public Safety will be achieved by;

Health & safety at work/fire procedures posters.
Accident book/first aid kit.
Fire/workplace risk assessments.
Fire alarm/smoke detectors/emergency lights. Fire extinguishers. All tested regularly.
All areas to be cleared of bottles/glasses on a regular basis and all exits/entrances to be kept clear at all times in case of an emergency.
- c) Prevention of public nuisance will be achieved by;

Noise levels will be checked on a regular basis to ensure no noise nuisance is caused by any neighbours.
Notices requesting customers leave quietly and respectful to any neighbours.
Staff vigilance at all times.
- d) Protection of children from harm will be achieved by;

The premises to have house rules relating to children and shall be the responsibility of the DPS.
Challenge 21 scheme to be in place.
Only recognised proof of age cards accepting passport, Portman group, uk photo id driving licence.
- e) General – all four licensing objectives

None.

2. Relevant Representations Received

2.1 Interested Parties

Local residents – A letter of representation has been received from a local resident on the grounds of an anticipated increase in noise and disturbance from regulated entertainment and noise and anti social behaviour from patrons using the external areas and leaving the premises late at night. Concern is also raised about broken glass and bottles not being cleared regularly.

The letter of representation is attached at Appendix 3.

3. **Legal Appraisal**

- 3.1 The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives:
- a) The prevention of crime and disorder
 - b) Public safety
 - c) The prevention of public nuisance
 - d) The protection of children from harm
- 3.2 The Council must also have regard to the guidance issued by the Department of Culture Media and Sport under Section 182 of the Licensing Act 2003. Regard must also be taken of the Council's statement of Licensing Policy for the District.
- 3.3 Where it is decided it is necessary to depart from the statutory guidance or the Licensing Policy on the merits of a particular case; then special reasons justifying this must be given that can be sustained.
- 3.4 Only "relevant representations" by or expressly on behalf of a defined "interested party" or "responsible authority" can be taken into account. In order to be "relevant" a representation must fairly relate to achieving a licensing objective. If it does not, it must be discounted.
- 3.5 Any licensing conditions that Members may propose attaching must also relate to achieving one of the licensing objectives; be tailored to the actual premises and style of licensable activity; must be reasonably achievable by the applicant and in his/her control.

4. **Statement of Policy Issues**

- 4.1 The following parts of the Licensing Policy are of particular importance; Part 6 (prevention of Public Nuisance).
- 4.2 The Annexes to the Policy sets out various types of model condition that could be considered. Those in Annex A; Annex B; Annex D and Annex E may have conditions that are of particular relevance.

5. **Legal Options**

- 5.1 Members may:
- (a) Vary the premises licence as applied for subject to any mandatory conditions and the precautions specified in the operating schedule submitted.
 - (b) Vary the premises licence in whole or in part subject to such additional conditions relating to achievement of the licensing objectives as members think fit; or
 - (c) Refuse to vary the premises licence.
- 5.2 Should the applicant or any other party to the hearing feel aggrieved at any decision with regard to the licence or to any conditions or restrictions attached by Members they may appeal to the Magistrates Court.

6. Financial and resource appraisal

6.1 There are no apparent finance or resource implications.

7. Other implications

7.1 Equal Rights

There are no apparent equal rights implications.

7.3 Community safety implications

There are no apparent community safety implications.

7.4 Human Rights Act

The following rights are applicable:

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

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

8. Not for publication documents

8.1 None

9. The Role of the Panel

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

10. Appendices

1. Application form received on 30 July 2008. 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. Operating schedule.
3. Letter of representation from a local resident.

11. **Background documents**

Application form, plan etc

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We JOHN BARRIE CORDINGLEY

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number BD/PRA0139
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description BLUE PIG FAGLEY ROAD FAGLEY			
Post town	BRADFORD	Post code	BD2 3QN

Telephone number at premises (if any)	0113 256 2738
Non-domestic rateable value of premises	£2

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post Town	Postcode

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day Month Year

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Please describe briefly the nature of the proposed variation (Please see guidance note 1)
TO AMEND THE CURRENT HOURS.
TO INCLUDE REGULATED ENTERTAINMENT TO THE LICENCE.
TO REMOVE CONDITIONS 3/4(EMBEDDED CONDITIONS) RE PERMITTED HOURS.
TO INCLUDE OUTSIDE DRINKING/SMOKING AREA.

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

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

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

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<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> (please read guidance note 5)		
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	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Recorded entertainment on large screen tv.		
Mon	10.00	00.00			
Tue	10.00	00.00	State any seasonal variations for the exhibition of films (please read guidance note 4) none		
Wed	10.00	00.00			
Thur	10.00	00.00	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) From the end of permitted hours on New Eve to the start of permitted hours on New Years Day. Xmas Eve/Boxing Day until 01.00hrs. Good Friday/Xmas Day to be classed as normal working hours		
Fri	10.00	01.00			
Sat	10.00	01.00			
Sun	10.00	00.00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3) To permit pub games that attract an audience either spontaneously or by advertisement.
Day	Start	Finish	
Mon	10.00	00.00	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4) none
Tue	10.00	00.00	
Wed	10.00	00.00	
Thur	10.00	00.00	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5) From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. Xmas Eve/Boxing Day until 01.00hrs. Good Friday/Xmas Day to be classed as normal working days.
Fri	10.00	01.00	
Sat	10.00	01.00	
Sun	10.00	00.00	

D

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

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	12.00	23.30	<u>Please give further details here</u> (please read guidance note 3) Live acoustics/amplified music and voice		
Tue	12.00	23.30			
Wed	12.00	23.30	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) none		
Thur	12.00	23.30			
Fri	12.00	00.00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) New Years Eve until 01.30hrs Xmas Eve/Boxing Day until 01.00hrs Xmas Day/Good Friday to be classed as normal working days.		
Sat	12.00	00.00			
Sun	12.00	23.30			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	10.00	00.00	<u>Please give further details here</u> (please read guidance note 3) To provide recorded music including karaoke if required.		
Tue	10.00	00.00			
Wed	10.00	00.00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) none		
Thur	10.00	00.00			
Fri	10.00	01.00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) From the end of permitted hours on New Eve to the start of permitted hours on New Years Day. Xmas Eve/Boxing Day until 01.00hrs Good Friday/Xmas Day to be classed as normal working day.		
Sat	10.00	01.00			
Sun	10.00	00.00			

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<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> (please read guidance note 5)		
Sun					

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u> Specified area & microphone.		
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)		
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	10.00	00.00			
Tue	10.00	00.00			
Wed	10.00	00.00			
Thur	10.00	00.00			
Fri	10.00	01.00			
Sat	10.00	01.00			
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) none		
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. Xmas Eve/Boxing Day until 01.00hrs. Good Friday/Xmas Day to be classed as normal working days.		
Sun	10.00	00.00			

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors <input type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
			<u>Please give a description of the facilities for dancing you will be providing</u>		
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</u> (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	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
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</u> (please read guidance note 5)		
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	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23.00	00.30	Please give further details here (please read guidance note 3) As previous		
Tue	23.00	00.30			
Wed	23.00	00.30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) none		
Thur	23.00	00.30			
Fri	23.00	01.30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) New Years Eve until 05.00hrs Xmas Eve/Boxing Day until 01.30hrs Good Friday & Xmas Day to be classed as normal working days.		
Sat	23.00	01.30			
Sun	23.00	00.30			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10.00	00.00	<p>none</p> <p>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)</p> <p>From the end of permitted hours on New Years Eve to the commencement of permitted hours on New Years Day</p> <p>Xmas Eve/Boxing Day until 01.00hrs</p> <p>Good Friday/Xmas Day to be classed as normal working days.</p>		
Tue	10.00	00.00			
Wed	10.00	00.00			
Thur	10.00	00.00			
Fri	10.00	01.00			
Sat	10.00	01.00			
Sun	10.00	00.00			

N

<p>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)</p> <p>As previous.</p>
--

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) as previous
Day	Start	Finish	
Mon	10.00	00.30	
Tue	10.00	00.30	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 (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 Xmas Eve/Boxing Day until 01.30 hrs Good Friday/Xmas Day to be classed as normal working days.
Wed	10.00	00.30	
Thur	10.00	00.30	
Fri	10.00	01.30	
Sat	10.00	01.30	
Sun	10.00	00.30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
 Annex 1 - Embedded Conditions 3 & 4

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

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

b) The prevention of crime and disorder

Zero tolerance on drugs, violence or any form of anti-social behaviour or disorder to the local community.

Member of pubwatch.

CCTV, recordable.

No open bottles/containers to leave the premises

Staff to be vigilant as customers depart the premises to ensure no problems occur.

c) Public safety

Health & safety at work/fire procedures posters.

Accident book/first aid kit.

Fire/workplace risk assessments.

Fire alarm/smoke detectors/emergency lights. Fire extinguishers. All tested regularly.

All areas to be cleared of bottles/glasses on a regular basis and all exits/entrances to be kept clear at all times in case of an emergency.

d) The prevention of public nuisance

Noise levels will be checked on a regular basis to ensure no noise nuisance is caused to any neighbours.

Notices requesting customers leave quietly and respectful to any neighbours.

Staff vigilance at all times.

e) The protection of children from harm

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

Only recognised proof of age cards accepted eg passport, portman group, uk photo id driving licence.


Please tick yes

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

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

Part 5 – Signatures (please read guidance note 10)

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

Signature	
Date	29/07/08
Capacity	KIRSTY STAGG - AGENT

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

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

INN COURT
65 MAPPLEWELL CRESCENT
GREAT SANKEY

Post town	WARRINGTON	Post code	WA5 1UU
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Telephone number (if any)	01925 724932
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If you would prefer us to correspond with you by e-mail your e-mail address (optional)
kirsty@inncourt.com

Annex 1 – Mandatory Conditions

1. No supply of alcohol may be made under the premises licence;-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Embedded Conditions

3. Alcohol shall not be sold or supplied on the premises beyond 23.00 hours Monday to Saturday and 22.30 hours Sunday, except to persons taking table meals at the premises for the consumption by such a person as ancillary to his meal.
4. None of the restrictions on permitted hours prohibit:
 - a. During the first twenty minutes after the permitted hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
 - b. Consumption of the alcohol on the premises or the taking of the sale or supply of alcohol to any person residing in the licensed premises;
 - c. The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 - d. The sale of alcohol to a trader or club for the purposes of the trade or club;
 - e. The sale or supply of alcohol to any canteen or mess, being a canteen in which the supply or sale of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's Naval, Military or Air Forces;
 - f. The taking of alcohol from the premises by a person residing there; or
 - g. The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
 - h. The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

Annex 2 – Conditions Consistent with Operating Schedule

All four Licensing Objectives:

None

The Prevention of Crime & Disorder:

None

Public Safety:

None

The Prevention of Public Nuisance:

None

The Protection of Children from Harm:

None

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

Not Applicable.

Interested Party Representation

I Wish to Object to the Following Application:

John Cordingley
Blue Pig Inn, Fagley, BRADFORD BD2 3QN

Application to vary an existing Premises Licence

Personal Details:

Mrs S Kershaw
The Lodge
Lower Fagley
Bradford
BD2 3QN

Representation Grounds:

Prevention of crime and disorder:

We have had people from the Blue Pig fighting outside the pub and outside my home. One of the customer's from the Blue Pig maliciously damaging my property to the sum of a £1,000.00 pounds which I have never been fully compensated for. A few nights ago a window got broken at the pub which resulted in lots of shouting and abusive language.

The outside car park area has recently been fenced off as a lot of motor vehicles use the car park to off-load their off-road bikes to use the Ravenscliff woods. The car park was also being used by prostitutes. The building exterior has been painted but this does not distract from the fact we are still experiencing problems and in the event of longer opening hours I can see there will be more disturbances.

There is a lot of broken glass and bottles which is not cleared away regularly. Not once has the applicant considered the impact these disturbances have had on his neighbours.

Prevention of public nuisance:

We have been tolerant of the noise so far and feel this cannot be allowed to continue. The proximity of my property is very close. I have to close all my windows and on an evening turn up the television to drown out the noise. This is not acceptable as my family and myself had disturbed nights especially over a weekend. We are up very early on a morning and work all week so the weekend is our time for relaxation. I have made numerous complaints to the authorities regarding noise (See attached). Longer hours would only exacerbate this problem and we do not feel the need to be longer than they are now.

What justification is there for the increased opening hours and what if any is the interests of the local community?

At leaving time, which is after 12 midnight at weekends, taxis blow their horns, and people shout. The front of the building is used by smokers and drinkers in the beer garden, which is till late on into the evening, mean that loud conversations can be heard. Because the building has no sound proofing and old windows, the music is really loud.

I understand there has never being a music licence, so we have endured this for the past 6 years.

I believe that serious questions should be addressed in considering this application.

How will the sound be kept to a minimum?

What type of entertainment is being allowed?

What is the purpose behind late night refreshments?

We have seen numerous DPS in this pub, will this continue?

What guarantees are we to have that someone else will not take over and do as they please as they have in the past eg: parties until 3.30am?

Protection of children from harm:

I would not call this a family friendly environment.

What type of entertainment will be on offer?

Will this be suitable for children?

Are children to be restricted at certain times in the evenings?

Public safety:

What risk assessment is in place and safety certificates in place?

When was the pub last inspected?

This public house is located down a lane and can only be accessed via Fagley Road. What are the transport implications of a late licence?

We have already had to call out the police on numerous occasions as it is, how many more times will we need to call the police if a late licence is given?

How much will this cost the police?

I believe that granting the late licence will have a detrimental effect on the local environment and cause further suffering for my family. I strongly object to this application.

Attached email contents from complaints made to authorities:

The BLUE PIG Public House
Lower Fagley
Bradford
BD2 3QN

Dear Sirs

I contacted the Police (REF 155) on 2 occasions last weekend at 1.00am and 2.20am. I rang to complain about the Rave music being played in the pub on Friday 14th March 8pm until Saturday 15th March, 3.30am. There were at least 10 cars parked in the car park after midnight and more kept arriving after 1.00am.

I reported all this to the Police and the officer I spoke to said they would pass on these details to your office.

I understand that they have a license to serve alcohol until 12.00am and have no music licence. The DPS is Christopher Wilmore.

More disturbances happened on Saturday evening where they had another party, and I have since heard that the landlord (name not known) was attacked over the head with a stool. I believe more parties will continue as they often have music playing at weekends.

The loud music from this event, kept me and my small child awake until 4am. This was very distressing and I do not want to have to put up with the same thing again over future weekends. This is not the first occasion. I don't think that it is acceptable.

We have tried to talk to the landlord about our concerns, however he did not seem particularly interested and gave us no assurance that the parties would not keep happening.

Would it be possible for you to contact me regarding this to let me know what action you can take?

I thank you for your consideration of this matter.

Kind regards,
Dear Ms Kershaw,

Thank you for your correspondence, I am sorry to hear you have been inconvenienced.

We will make the necessary enquiries and conduct licensed visits.

Regards,

Louise Gibson
PS5477
Eccleshill Neighbourhood Policing Team
Tel 01274 376168

To

18/03/2008 11:44 <licensingteam@bradford.gov.uk>
cc
<hanpt5@westyorkshire.pnn.police.uk>

Subject
FW: Noise and music Licence :

The BLUE PIG Public House

for copying me in regarding the Blue Pig, I have emailed Inspector Tom Horner at Pudsey Police station. I have a horrible feeling this is on the Bradford side of the boundary, not that this should stop concerted action.

Councillor Andrew Carter
Leader of the Council
Leader of the Conservative Group

18/03/2008 13:21

To <hanpt5@westyorkshire.pnn.police.uk>
cc <Andrew.Carter@leeds.gov.uk>
Subject BLUE PIG Public House

Licensing Act 2003
The Blue Pig, Fagley Road, Bradford

I acknowledge receipt of your e-mail sent on 18th March 2008, detailing your concerns regarding the above premises.

I will liaise with the appropriate authorities, namely the West Yorkshire Police and the Council's Environmental Health Department. An inspection of the premises will be carried out as soon as possible and I will inform you of the outcome once this has been undertaken.

If you require any information in the meantime, please contact Melanie McGurk, Senior Licensing Officer, or myself on 01274 432240.

Tracy McLuckie
Licensing and Local Land Charges Manager
City Hall, Bradford
01274 432209

Dear Madam
12/05/08

LICENSING ACT 2003 – PREMISES LICENCE
BLUE PIG, FAGLEY ROAD, FAGLEY, BRADFORD

I refer to your complaint detailing your concerns regarding the above premises. I can now advise that the premises have been inspected by Police Officers and a breach of Licence Conditions was found.

We are currently liaising with the Designated Premises Supervisor, Mr Wilmore, to ensure that any breaches are rectified without delay and further enforcement action will be undertaken if necessary.

If you continue to experience problems with the premises, please do not hesitate to contact me.

Yours Faithfully

Melanie McGurk
Senior Licensing Officer
City Hall, Bradford
01274 431873