

Report of the Assistant Director Corporate Services to a Hearing before the Bradford Area Licensing Panel to be held on 20 April 2009

Q

Subject:

Application for Variation of a Premises Licence for the Albion, 2 Green End, Clayton, Bradford

Summary statement:

Application for variation to extend permitted hours for the sale of alcohol and the provision of regulated entertainment.

Suzan Hemingway
Assistant Director Corporate Services (City Solicitor)

Portfolio:

Corporate

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

Improvement Committee Area:

**Corporate Improvement Committee
Safer and Stronger Communities**



2006-2007
Improving Rural Services
Empowering Communities



INVESTOR IN PEOPLE

Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



Ward: Clayton & Fairweather Green

1. Summary

1.1 The applicant

Punch Taverns PLC. A copy of the application is included at Appendix 1.

1.2 The Premises

Albion, 2 Green End, Clayton, Bradford.

1.3 Designated Premises Supervisor

Derek Hudson.

1.4 Current Licence

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

Sale/supply of alcohol & Provision of regulated entertainment (performance of live music & playing of recorded music)

Sunday to Wednesday:	10.00 to 23.00
Thursday:	10.00 to 23.30
Friday & Saturday:	10.00 to midnight
New Years Eve:	10.00 hours until the start of permitted hours the following day.
	10.00 to 01.00 into the morning following on Friday and Saturday of every statutory Bank Holiday weekend.
	10.00 to 00.00 into the morning following on Sunday of every statutory Bank Holiday weekend.
	10.00 to 23.00 into the morning following on Monday of every statutory Bank Holiday weekend
	10.00 to 00.30 into the morning following on Thursday of Easter Bank Holiday weekend

The Premises Licence is attached at Appendix 2.

1.5 Variation Application

The variation application has been submitted to extend permitted hours for the sale of alcohol & provision of regulated entertainment.

Friday & Saturday:	10.00 to 02.00
--------------------	----------------

1.6 Steps proposed by the applicant to address the Licensing Objectives

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

As per existing premises licence.

b) Public Safety will be achieved by;

As per existing premises licence.

- c) Prevention of public nuisance will be achieved by;

As per existing premises licence.

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

As per existing premises licence.

- e) General – all four licensing objectives

As per existing premises licence.

2. Relevant Representations Received

2.1 Responsible Authorities

Environmental Health – A memo has been received from the Environmental Health Officer who has concerns regarding noise nuisance from regulated entertainment and noise generated by patrons smoking outside or leaving the premises late at night.

A copy of the memo is attached at Appendix 3.

2.2 Interested Parties

Local residents – A petition and four letters of representation have been received from local residents on the grounds of an anticipated increase in noise and disturbance from regulated entertainment and noise and anti social behaviour from patrons leaving the premises late at night.

The petition and letters of representation are attached at Appendix 4.

Two letters in support of the application have also been received.

The letters are attached at Appendix 5.

3. Legal Appraisal

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

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) The protection of children from harm

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

- 3.3 Where it is decided it is necessary to depart from the statutory guidance or the Licensing Policy on the merits of a particular case; then special reasons justifying this must be given that can be sustained.
- 3.4 Only “relevant representations” by or expressly on behalf of a defined “interested party” or “responsible authority” can be taken into account. In order to be “relevant” a representation must fairly relate to achieving a licensing objective. If it does not, it must be discounted.
- 3.5 Any licensing conditions that Members may propose attaching must also relate to achieving one of the licensing objectives; be tailored to the actual premises and style of licensable activity; must be reasonably achievable by the applicant and in his/her control.

4. Statement of Policy Issues

- 4.1 The following parts of the Licensing Policy are of particular importance; Part 4 (Prevention of Crime and Disorder) and Part 6 (Prevention of Public Nuisance).
- 4.2 The Annexes to the Policy sets out various types of model condition that could be considered. Those in Annex A and Annex C 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 25 February 2009. In the interests of economy this document has been sent to Members of the Panel only. A public inspection copy is available in Committee Secretariat, Room 112, City Hall, Bradford or on www.bradford.gov.uk).
2. Premises Licence.
3. Memo from Environmental Health.
4. Petition and letters of representation.
5. Letters in support

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 Punch Taverns PLC

(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/PRA0213
-------------------------	------------

Part 1 – Premises Details

<i>Postal address of premises or, if none, ordnance survey map reference or description</i>			
Albion 2 Green End Clayton			
OUR REFERENCE: JJ/27844/700945/JGC			
Post town	BRADFORD	Post code	BD14 6BB

Telephone number at premises (if any)	01274 880334
Non-domestic rateable value of premises	£11,600.00

21 FEB 2009

Part 2 – Applicant details

Daytime contact telephone number		01283 501600	
E-mail address (optional)			
Current postal address if different from premises address		Jubilee House Second Avenue	
Post Town	BURTON UPON TRENT	Postcode	DE14 2WF

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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

To change the hours for all existing licensable activities to

Sunday to Wednesday 10.00 to 23.00

Thursday 10.00 to 23.30

Friday and Saturday 10.00 to 02.00 the following morning.

Plus 30 minutes 'drinking up' time following the last permitted sale of alcohol.

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 type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input 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 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"/> |

<u>Provision of late night refreshment</u> (if ticking yes, fill in box L)	<input type="checkbox"/>
----------------------------------------------------------------------------	--------------------------

<u>Sale by retail of alcohol</u> (if ticking yes, fill in box M)	<input checked="" type="checkbox"/>
------------------------------------------------------------------	-------------------------------------

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)			<u>Will the exhibition of films 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					
Thur			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment 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					
Thur			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (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	<u>Please give further details here</u> (please read guidance note 3)		
Mon	10.00	23.00			
Tue	10.00	23.00			
Wed	10.00	23.00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur	10.00	23.30			
Fri	10.00	2.00			
Sat	10.00	2.00	<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) as per the existing premises licence		
Sun	10.00	23.00			

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	Please give further details here (please read guidance note 3)		
Mon	10.00	23.00			
Tue	10.00	23.00			
			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed	10.00	23.00			
Thur	10.00	23.30			
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) as per the existing premises licence		
Fri	10.00	2.00			
Sat	10.00	2.00			
Sun	10.00	23.00			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance 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 the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (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>		
			<u>Will the facilities for making music be 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			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)		
Thur					
Fri			<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)		
Sat					
Sun					

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	Will the entertainment facility be indoors or outdoors or both – please tick (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)			<u>Will the provision of late night refreshment 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 the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

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"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	10.00	23.00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Tue	10.00	23.00			
Wed	10.00	23.00			
Thur	10.00	23.30	<u>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</u> (please read guidance note 5) as per the existing premises licence		
Fri	10.00	2.00			
Sat	10.00	2.00			
Sun	10.00	23.00			

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>AWP machine</p> <p>Cigarette machine</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)
Day	Start	Finish	
Mon	10.00	23.30	
Tue	10.00	23.30	
Wed	10.00	23.30	
			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) As per existing licence
Thur	10.00	0.00	
Fri	10.00	2.30	
Sat	10.00	2.30	
Sun	10.00	23.30	

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

Please tick yes

- ☒ I have enclosed the premises licence
- ☐ I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P Describe 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)

As per existing premises licence

b) The prevention of crime and disorder

As per existing premises licence

c) Public safety

As per existing premises licence

d) *The prevention of public nuisance*

As per existing premises licence

e) *The protection of children from harm*

As per existing premises 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	<i>Fred & Wawan</i>
Date	24 February 2009
Capacity	Solicitors to applicant

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)

Ford & Warren Solicitors
Westgate Point
Westgate

Our Ref JJ/27844/700945/JGC

Post town	LEEDS	Post code	LS1 2AX
Telephone number (if any)	0113 243 6601		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) clientmail@forwarn.com			

hs

City of Bradford Metropolitan District Council

www.bradford.gov.uk

Licensing Act 2003 Premises Licence

BD/PRA0213

Part 1 - Premises Details

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

Albion Inn

2 Green End, Clayton, Bradford, West Yorkshire, BD14 6BB.

Telephone 01274 880334

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Sunday to Wednesday	10:00am	11:00pm
	Thursday	10:00am	11:30pm
	Friday and Saturday	10:00am	Midnight
	Non Standard Timings:		
	10:00 to 01:00 into the morning following on Friday and Saturday of every statutory Bank Holiday weekend.		
	Non Standard Timings:		
	10:00 to 00:00 into the morning following on Sunday of every statutory Bank Holiday weekend.		
	Non Standard Timings:		
	10:00 to 23:00 into the morning following on Monday of every statutory Bank Holiday weekend.		
	Non Standard Timings:		
F. Playing of recorded music (Indoors)	10:00 to 00:30 into the morning following on Thursday of Easter Bank Holiday weekend.		
	New Years Eve		
	10:00 hours until the start of permitted hours the following day.		
	Sunday to Wednesday	10:00am	11:00pm
	Thursday	10:00am	11:30pm
	Friday and Saturday	10:00am	Midnight
	Non Standard Timings:		
	10:00 to 01:00 into the morning following on Friday and Saturday of every statutory Bank Holiday weekend.		
	Non Standard Timings:		
	10:00 to 00:00 into the morning following on Sunday of every statutory Bank Holiday weekend.		
M. The sale by retail of alcohol for consumption ON and OFF the premises	Non Standard Timings:		
	10:00 to 23:00 into the morning following on Monday of every statutory Bank Holiday weekend.		
	Non Standard Timings:		
	10:00 to 00:30 into the morning following on Thursday of Easter Bank Holiday weekend.		
	New Years Eve		
	10:00 hours until the start of permitted hours the following day.		
	Sunday to Wednesday	10:00am	11:00pm
	Thursday	10:00am	11:30pm

Licensing Act 2003

Premises Licence

BD/PRA0213

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON and OFF the premises continued ...	Friday and Saturday	10:00am	Midnight
	Non Standard Timings:		
	10:00 to 01:00 into the morning following on Friday and Saturday of every statutory Bank Holiday weekend.		
	Non Standard Timings:		
	10:00 to 00:00 into the morning following on Sunday of every statutory Bank Holiday weekend.		
	Non Standard Timings:		
	10:00 to 23:00 into the morning following on Monday of every statutory Bank Holiday weekend.		
	Non Standard Timings:		
	10:00 to 00:30 into the morning following on Thursday of Easter Bank Holiday weekend.		
	New Years Eve		
	10:00 hours until the start of permitted hours the following day.		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Sunday to Wednesday	10:00am	11:30pm
Thursday	10:00am	Midnight
Friday and Saturday	10:00am	12:30am
Non Standard Timings:		
10:00 to 01:30 into the morning following on Friday and Saturday of every statutory Bank Holiday weekend.		
10:00 to 00:30 into the morning following on Sunday of every statutory Bank Holiday weekend.		
10:00 to 23:30 into the morning following on Monday of every statutory Bank Holiday weekend.		
10:00 to 01:00 into the morning following on Thursday of Easter Bank Holiday weekend.		
New Years Eve		
10:00 hours until the start of permitted hours the following day.		

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

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

Part 2

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

Punch Taverns PLC Jubilee House, Second Avenue, Burton Upon Trent, Staffordshire, DE14 2WF.
Telephone 01283 501600

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

Punch Taverns PLC 0375264

Licensing Act 2003

Premises Licence

BD/PRA0213

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

Derek HUDSON

17 Bentfield Cottages, Clayton, Bradford, West Yorkshire, BD14 6DL.
Telephone 01274 414913

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

Licence No. BD/PER2371

Issued by Bradford

ANNEXES

Annex 1 - Mandatory Conditions

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

Embedded Conditions

3. None of the restrictions on permitted hours prohibit:
 - a. During the first twenty minutes after the above 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:

Original Issue Date: 20/06/2005

(Annual Fee Date under Statutory Instrument 2005 No. 79 - Licensing Act 2003 (Fees) Regulations 2005)

Licensing Act 2003

Premises Licence

BD/PRA0213

ANNEXES continued

4. All existing external security lighting shall be maintained in good working order and used where appropriate at all times the premises remain open to the public.
5. The Licensee will ensure close liaison with other local licensees in the area and will co-operate with any local "Pub Watch" schemes or similar schemes being promoted by West Yorkshire Police or other local Licensees.
6. All staff (including temporary staff) employed shall be adequately trained in good customer safety, customer care, compliance with the law and child protection issues.
7. The Licensee shall maintain working arrangements with local taxi/private hire operators and take reasonable steps to communicate this to patrons in order to ensure orderly booking, arrival and departure of customers in such vehicles.
8. The existing panic button positioned behind the bar area shall be maintained in good working order at all times during licensable activities.

Public Safety:

9. All emergency lighting, illuminated fire exit signs, fire fighting equipment and first aid facilities shall be maintained in good working order and all staff (including temporary staff) adequately trained in their use and about the evacuation procedures.

The Prevention of Public Nuisance:

10. Removal of refuse and emptying of bottle bins within the curtilage of the licensed premises shall not take place between the hours of 21.00 and 07.00.
11. Notices shall be displayed in prominent positions near exits reminding patrons to leave in a quiet and orderly manner.

The Protection of Children from Harm:

12. The Licensee and staff must ensure that children under 18 years of age vacate the premises by 20.00 hours.
13. Children accompanied by a parent or guardian shall only be allowed in seated areas within the premises and shall not be allowed access to the bar area; cigarette machines; or amusement with prizes machines.
14. The Licensee shall enforce an efficient recognised "proof of age policy" at all times and ensure appropriate staffing training in its operation.
15. No regulated entertainment of an adult or sexual nature shall be provided at any time in the licensed premises.

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

16. Revised plans of the premises identifying all fire fighting equipment, detection equipment and emergency lighting are submitted to the Licensing Authority and West Yorkshire Fire Service and are approved in writing by the Licensing Authority prior to the variation being implemented.

Licensing Act 2003

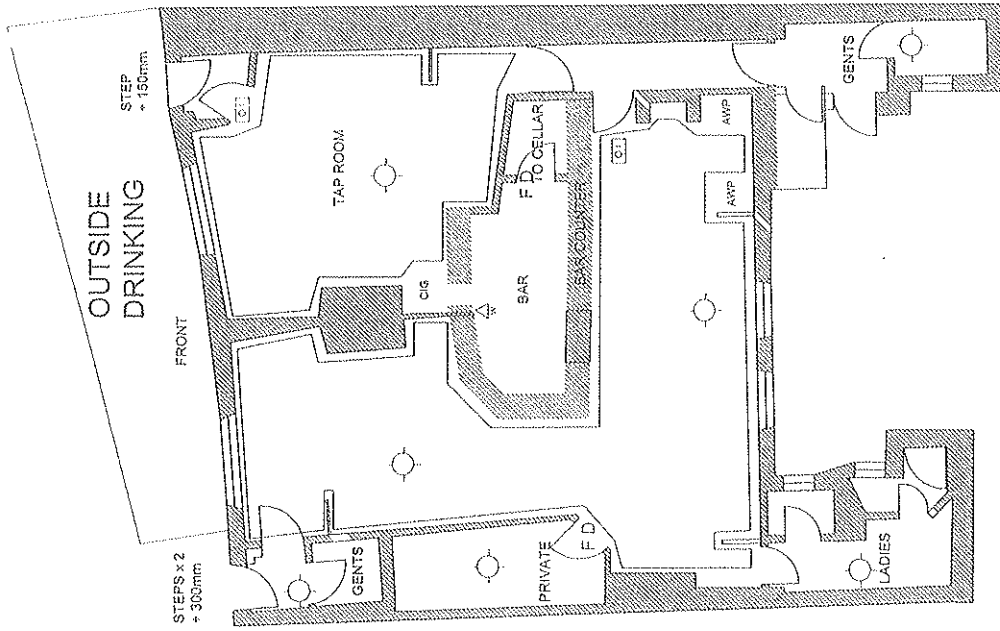
Premises Licence

BD/PRA0213

ANNEXES continued...

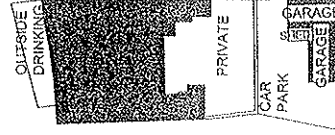
17. Effective precautions are to be taken to ensure noise from regulated entertainment is inaudible at the nearest noise sensitive premises after 23.00 hours.
18. Signs are to be displayed at the public exits to the premises requesting patrons to be quiet upon leaving.
19. Outdoor seating areas are to be cleared of customers no later than 23.20 hours.

F:\DEV\TEMPLATE\LIC.STD\LICENCE CONDITIONS\ALBION INN, CLAYTON - BD/PRA0213



KEY

- ⊙ SMOKE DETECTOR
- ⊙ WATER EXTINGUISHER
- △ FIRE EXTINGUISHER
- △ F = FOAM
- DP = DRY POWDER
- CO2 = CARBON DIOXIDE
- ⬢ ILLUMINATED EXIT SIGN [01]
- ⬢ ILLUMINATED 'EXIT' SIGN WITH DIRECTIONAL ARROW [01]
- C/G CIGARETTE VENDING MACHINE
- AWP FRUIT MACHINE
- Sale and consumption of alcohol
- consumption of alcohol
- FD FIRE DOOR
- ⊙ EMERGENCY LIGHTING



LOCATION PLAN
SCALE 1:500

EXISTING GROUND FLOOR PLAN

ROMANS

Surveyors

4 KING STREET LANE, WINNERS, BIRMINGHAM, B41
 TELEPHONE 0121 938 6699
 25 THE AVENUE, SOUTHAMPTON, HAMPSHIRE, SO17 7XN,
 TELEPHONE 02380 680110
 84 HEATH ROAD, WIMBORNE, DORSET, DT1 4BW,
 TELEPHONE 01949 490000
 EMAIL ROMANS@ROMANS.CO.UK
 WWW.ROMANS.CO.UK

Punch Taverns

PROJECT TITLE
 THE ALBION, TOWN STREET, CLAYTON,
 BRADFORD, WEST YORKSHIRE

DRAWING TITLE		SCALE
Existing Floor Plans		1:100
DATE		28 OCTOBER 2004
DRAWN	CHECKED	BY
ALR		700945
THE ROMANS GROUP INCORPORATED COMMERCIAL SURVEYORS ARCHITECTURAL LAND & NEW HOMES FLOOR LIFT LETTINGS RESIDENTIAL RECREATION		
OUTLET NO.		700945
		ISO 9001

Memo

To: Licensing Team
City Hall
Bradford
BD1

Department of Environment and
Neighbourhoods

Environmental Health
Environmental Protection
Town Hall
Kirkgate
Shipley
BD18 3EJ

From: J. Howarth

Date: 18 March 2009

Tel: (01274) 437044
Fax: (01274) 532767
Email: jeanette.howarth@bradford.gov.uk

**Licensing Act 2003
Application for a Variation to the Premises Licence
Albion, 2, Green End, Clayton, Bradford, BD14 6BB**

I have serious concerns about the application to vary the licensing conditions attached to the current premises licence.

The premises have a history of noise complaints relating to the playing of amplified music and Abatement Notices have been served on previous designated premises supervisors.

Additionally, we have no control over noise generated from customers smoking outside of the premises or leaving the premises at closing times and there are likely to be complaints from the occupiers of these premises.

Regards

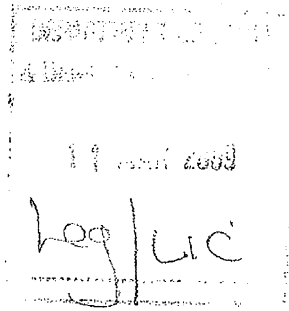


Jeanette Howarth
Environmental Health Officer
Pollution Team

LICEN
11
LIC



APPENDIX 4



Green End
Clayton
Bradford
West Yorkshire
BD14 6BA

Bradford Metropolitan Council
Legal Services
City Hall
Bradford
BD1 1HY

11 MAR 2009

9th March 2009

Please accept this letter as my formal objection to proposals submitted by Punch Taverns which is shown in the window of The Albion Pub.

I object to the request for extended hours, it is noisy enough now with normal hours either with people coming out of the pub late at night, taxis or quite often music is blaring out at all hours especially at a weekend.

I am not against people enjoying themselves but I dread to think what it would be like if they were allowed to open until two in the morning.

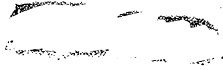
I live alone with my 5 year old daughter and do not want her subjected to disturbed nights because of the noises outside, I also have elderly parents who live a few doors away, they are both in their 80's, they often complain now what a bad night they have had because of the noise from the Albion across the road.

If their request was passed in their favour, it would not be just local people taking advantage, there would more than likely be people from outside the village using the facility, yet more taxis pulling up, pipping horns, a lot of drunken "good nights" and door slamming, yet another disturbed night.

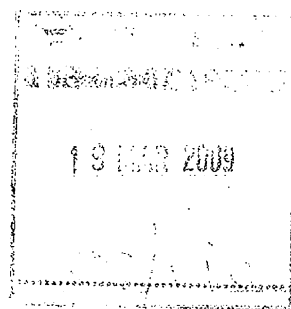
I myself have to get up at 5.15a.m for work and have to get my daughter up at 6.15a.m therefore we both need an undisturbed night sleep. Many other people also have to be up early to go to work and if this was allowed to go ahead it would disrupt many peoples' lives.

Once again I am not against people enjoying themselves, but I do object to it being on my doorstep at 2a.m.

Yours sincerely

A handwritten signature, possibly reading "John Smith", in dark ink.

Green End
Clayton
Bradford
BD14 6BA



Bradford Metropolitan Council
Legal Services
City Hall
Bradford
BD1 1HY

19 03 09

With regards to

Objection to plan to extend opening times
of Albion Public House, Green End, Clayton.

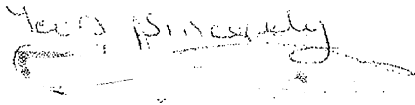
We are a small village with residents of young and old and our concerns are the noise which can result in violence and abuse caused by excess alcohol. There are groups of people outside the front of the pub which can be intimidating to others passing when people are intoxicated and shouting. There are doors banging from taxis horns pipping, we have found bottles and glasses left in ones own gardens plants have been uprooted people are disturbed by the noise and cannot sleep.

The police and the licencing department have been contacted on numerous occasions regarding noise and after hour drinking ending in result of police contacting myself on the 14 March 09. They informed me they had entered the premises of Albion Public House at 12.45am and found it still to be open and people being served with alcohol.

The police informed the landlord that he was in Breach of his Licence and was given a warning. All this is with the hours now, we just know things will be far worse if they are allowed to have extended hours.

I am in liaison with the police over this matter and are awaiting their results from the licensing department.

We hope that you look into this matter with some depth and consider the residents of Clayton with some feeling.

Yours sincerely


19 MAR 2001

TENTER HILL

CLAYTON

BRADFORD

Leg / Lic

23.3.2009

Dear / Madam

I am writing to strongly object to the application for the extension of licencing hours put forward by the landlord of the Albion Pub at Green End CLAYTON BRADFORD.

I live in one of the cottages at the back of the Albion Pub. It can become very noisy at times so much that a few years ago I had to move because of this and moved to the front bedroom.

We have young children and retire people living on Tenter Hill the last thing they want is to be disturbed late at night by noisy and the possibility of a large number of people coming into the village to take advantage of late night drinking which could cause problem for everybody living around the Albion. I hope that the licencing committee will take my objection into consideration when they decided about extensional the licencing hours at the Albion Pub.

Yours sincerely

24 MAR 2009

Bradford Metropolitan Council
Legal Services
City Hall
Bradford
BD1 1 HY

3 March 2009

Green End
Clayton
Bradford
BD14 6BA

12
2009
Hog/hic

Dear Sirs,

OBJECTION: VARIATION TO PREMISES LICENCE

I am writing to register my formal objection to proposals submitted by Punch Taverns PLC, advertised in the window of The Albion Pub on the 25th of February 2009.

This is specifically relating to detailed plans to extend the opening hours.

My principal objection is based on a fear of an increase in alcohol-inspired violence and related anti social behaviour.

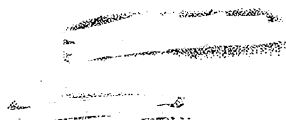
In addition, the proximity of the Albion pub to local residents' properties, including my own, is such that we regularly suffer from the disturbance and nuisance caused by drunkards.

My property is opposite the Albion Public House and the distance between is as little as 12 metres. My car has been severely vandalised on two occasions by patrons of the Albion Public House.

I understood the risk of such incidents when I originally purchased my house about 6 years ago but to allow an increased in the licensed opening hours would severely increase the risk of such incidents happening on a more and more frequent basis.

If people want to drink during the hours proposed they clearly have other options such as visiting the various bars and clubs in the Bradford City Centre and away from residential areas.

Yours faithfully,



RECEIVED
- 6 MAR 2009

Bradford Metropolitan Council
Legal Services
City Hall
Bradford
BD1 1 HY

19 MAR 2009

Green End
Clayton
Bradford
BD14 6BA

17.03.09.

Dear Sir,

OBJECTION: VARIATION TO PREMISES LICENCE

I am writing to register my formal objection to proposals submitted by Punch Taverns PLC,) which appeared in the window of The Albion Pub on the 25th of February 2009.

This is specifically relating to detailed plans to extend the opening hours.

My principal objection is based on a fear of an increase in alcohol-inspired violence and related anti social behaviour, which according to press reports, is shared by a significant number of police officers around the country.

In addition, the proximity of the Albion pub to local residents' properties is such that we regularly suffer from the disturbance and nuisance caused by drinkers and revellers leaving the premises late into the night or from extremely loud music blaring out into the streets. There must also be a risk of increased noise from taxis (papping horns, doors slamming etc) as local public transport ceases well before the intended closing times. Surely this is something that the local authority would also be concerned about.

If people want to drink during the hours proposed they clearly have other options: ranging from buying it in or visiting the multitude of pubs and bars in the Bradford city centre, which are generally much better equipped to cope with the demands of extended drinking hours; are purposely located away from main residential areas; and if an unfortunate incident should occur, are more accessible to the police.


We all have to work, many of us having to get up at 5 / 6 o'clock in the morning 7 days a week, so you can appreciate everybody living within close proximity would be affected.

I can assure you that many of the local residents I have spoken agree with the above.

- Please see attached list of local residents who also object.

On a final and perhaps wider point, in your deliberations, I trust that you will give serious consideration to the impact that applications such as these could have on our Human Rights, specifically, Article 8.

Yours sincerely,



Local Residents who object to the proposed longer opening hours:

[illegible]

The Albion Clayton

Local Residents who OBJECT to the proposed longer opening hours:

[illegible]

APPENDIX 5

March 12, 2009

Green end
Clayton
Bradford
West Yorkshire

Bradford Metropolitan District Council,
Licensing Authority at:
Bradford Metropolitan District Council
Legal Services,
City Hall Bradford
BD1 1HY

Dear Sir or Madam:

I would Like to support the application for the extended licence at the Albion in Clayton it's time that we could have a late drink on Friday & Saturday without having to trail down town most of the community I have spoken to think the same. I live opposite the Albion and we have not had any trouble and the noise as been kept to a minimum the passed 12 months since Derek and Julie took over.

Sincerely,



25 MAR 2009

.....

Green End
Clayton
Bradford
West Yorkshire

Licensing Authority
Bradford Metropolitan Council
Legal Services City Hall
BD1 1HY

I have been asked to sign a petition trying to stop a late licence at the Albion in Clayton I refused on the grounds that I think it would be a good thing to be able to drink late on a Friday and Saturday in our local community pub, I live very close to the Albion and have no objections at all Derek and Julie have worked hard to make the Albion a reasonable and safe place to go all my family and friends think the same.

Yours truly,



25 MAR 2006