

Report of the Assistant Director Environmental Health & Regulatory Services to the meeting of the Bradford Area Licensing Panel to be held on 31 August 2011.

C

Subject:

Application for a Premises Licence for the Fleece Inn, 452 Allerton Road, Allerton, Bradford.

Summary statement:

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

John Major
Assistant Director
Environmental & Regulatory Services

Portfolio:

Environment & Waste Management

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

Overview & Scrutiny Area:

**Environment & Waste Management
Safer & Stronger Communities**



1. SUMMARY

The application is for the grant of a Premises Licence for the sale of alcohol and provision of regulated entertainment and late night refreshment.

2. BACKGROUND

2.1 The applicants

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

2.2 The Premises

Fleece Inn, 452 Allerton Road, Allerton, Bradford.

The premise was previously licensed but the Premises Licence was cancelled when the company holding the licence went into liquidation.

The hours applied for in this application reflect the permitted hours under the previous licence.

2.3 Designated Premises Supervisor

Alexander Canning

2.4 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 of alcohol for consumption on or off the premises
- Provision of Regulated Entertainment
- Provision of Late Night Refreshment (from 23.00 hours)

Hours of licensable activities:

Monday to Sunday: 10.00 to 00.30

A further additional hour to those stated above every Christmas Eve, Christmas Day & Boxing Day.

A further additional hour to those stated above every Bank Holiday weekend including the Thursday before Easter Bank Holiday.

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

2.4 Steps proposed by the applicant to address the Licensing Objectives

The steps proposed by the applicant to address the Licensing Objectives are attached at Appendix 2.

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

Please refer to Appendix 2

- b) Public safety will be achieved by;

Please refer to Appendix 2

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

Please refer to Appendix 2

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

Please refer to Appendix 2

- e) General – all four licensing objectives

Please refer to Appendix 2

2.5 Relevant Representations Received

Responsible Authorities

Environmental Health - In order to address the Public Nuisance objective, the Environmental Health Officer has requested that the following conditions are placed on the Licence;

Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment at the premise shall not be audible at the nearest noise sensitive premises.

All external doors and windows to the licensed premises where regulated entertainment is being provided shall remain closed during the course of the entertainment other than for normal access and egress.

The applicant has agreed to the conditions being placed on the Licence.

However, further noise nuisance complaints have been received by Environmental Health, in respect of Temporary Event Notices submitted by the proposed Designated Premises Supervisor, Mr Alexander Canning, for 28 July 2011, 30 July 2011 and 31 July 2011. The Environmental Health Officer is concerned that the Department is still receiving complaints despite the above conditions being agreed and questions whether this is lip service to ensure the Licence is approved.

The representation is attached at Appendix 3.

Interested Parties

Local Residents – Two letters of representation have been received from local residents on the grounds of noise and disturbance from regulated entertainment and from patrons using the outdoor area and leaving the premises late at night. Residents also have concerns regarding anti-social behaviour and empty cans,

bottles and other litter being discarded in the area.

The representations are attached at Appendix 4.

3. OVERVIEW AND SCRUTINY COMMITTEE CONSIDERATION

Not applicable.

4. OTHER CONSIDERATIONS

Legal Appraisal

4.1 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

4.2 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.

4.3 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.

4.4 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.

4.5 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.

Statement of Policy Issues

4.6 The following parts of the Licensing Policy are of particular importance; Part 4 (prevention of crime and disorder), Part 6 (prevention of public nuisance) and Part 7 (protection of children from harm)

4.7 The Annexes to the Policy sets out various types of model condition that could be considered.

5. OPTIONS

5.1 Members may:

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

6. FINANCIAL & RESOURCE APPRAISAL

There are no apparent finance or resource implications.

7. RISK MANAGEMENT

There are no apparent risk management implications.

8. LEGAL APPRAISAL

Referred to in part 4 of this report.

9. OTHER IMPLICATIONS

9.1 EQUAL RIGHTS

There are no apparent equal rights implications.

9.2 SUSTAINABILITY IMPLICATIONS

There are no apparent sustainability implications.

9.3 GREENHOUSE GAS EMISSIONS IMPACTS

There are no apparent sustainability implications.

9.4 COMMUNITY SAFETY IMPLICATIONS

When determining the application the Licensing Authority is required to pay due regard to the licensing objectives referred to in 4.1 of this report.

9.5 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.

9.6 TRADE UNION

Not applicable

9.7 WARD IMPLICATIONS

Ward Councillors have been notified of receipt of the application.

10. NOT FOR PUBLICATION DOCUMENTS

None.

11. RECOMMENDATIONS

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

12. APPENDICES

1. Application form received 15 July 2011.
2. Steps proposed by the applicant to address the licensing objectives.
3. Representation from Environmental Health
4. Letters of Representation.

13. BACKGROUND DOCUMENTS

Application form, plan etc.

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

LICENSING DEPT
BRADFORD MDC

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We 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 I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
FLEECE INN 452 ALLERTON ROAD ALLERTON	
Post town BRADFORD	Post code BD15 7DY

Telephone number at premises (if any)

--

Non-domestic rateable value of premises

£	LICENSING UNIT	19,900.00
---	----------------	-----------

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- a) an individual or individuals*
- b) a person other than an individual*
 - i. as a limited company
 - ii. as a partnership
 - iii. as an unincorporated association or
 - iv. other (for example a statutory corporation)
- c) a recognised club
- d) a charity
- e) the proprietor of an educational establishment

Please tick ✓ **Yes**

- please complete section (A)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)
- please complete section (B)

15 JUL 2011
LEG/LIC/

- 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 in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England 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				

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)

These are existing public house premises situate at Allerton Road. The premises will offer the following licensable activities; supply of alcohol, provision of regulated entertainment (indoor sporting events, live and recorded music), the provision of entertainment facilities for making music and dancing and late night refreshment

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:

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

B

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

C

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	10.00	00.30	State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue	10.00	00.30	
Wed	10.00	00.30	
Thur	10.00	00.30	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	10.00	00.30	
Sat	10.00	00.30	These hours will be extended by an additional hour on Maundy Thursday, Xmas eve, Xmas day, Boxing day, Fridays, Saturdays, Sundays & Mondays of bank holiday weekends, and New Years Eve - 10.00 until the started of permitted hours the following day.
Sun	10.00	00.30	

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)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed					
Thur			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Fri					
Sat			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)		
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	x
Day				Outdoors	
Day	Start	Finish		Both	
Mon	10.00	00.30	Please give further details here (please read guidance note 3)		
Tue	10.00	00.30			
Wed	10.00	00.30	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	10.00	00.30			
Fri	10.00	00.30	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	10.00	00.30	These hours will be extended by an additional hour on Maundy Thursday, Xmas eve, Xmas day, Boxing day, Fridays, Saturdays, Sundays & Mondays of bank holiday weekends, and		
Sun	10.00	00.30	New Years Eve - 10.00 until the started of permitted hours the following day.		

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	x
Day				Outdoors	
Day	Start	Finish		Both	
Mon	10.00	00.30	Please give further details here (please read guidance note 3)		
Tue	10.00	00.30			
Wed	10.00	00.30	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	10.00	00.30			
Fri	10.00	00.30	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)		
Sat	10.00	00.30	These hours will be extended by an additional hour on Maundy Thursday, Xmas eve, Xmas day, Boxing day, Fridays, Saturdays, Sundays & Mondays of bank holiday weekends, and		
Sun	10.00	00.30	New Years Eve - 10.00 until the started of permitted hours the following day.		

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 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				Please give further details here (please read guidance note 3)	Outdoors
Tue			Both		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
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>				
			Will the facilities for making music be indoors or outdoors or both - please tick ✓ (please read guidance note 2)	<table border="1"> <tr> <td>Indoors</td> <td>x</td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors	x	Outdoors
Indoors	x						
Outdoors							
Both							
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)				
Mon	10.00	00.30					
Tue	10.00	00.30					
Wed	10.00	00.30					
Thur	10.00	00.30					
Fri	10.00	00.30					
Sat	10.00	00.30					
Sun	10.00	00.30	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)				
			<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)				
			These hours will be extended by an additional hour on Maundy Thursday, Xmas eve, Xmas day, Boxing day, Fridays, Saturdays, Sundays & Mondays of bank holiday weekends, and New Years Eve - 10.00 until the started of permitted hours the following day.				

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)				
			<table border="1"> <tr> <td>Indoors</td> <td>x</td> </tr> <tr> <td>Outdoors</td> <td></td> </tr> <tr> <td>Both</td> <td></td> </tr> </table>	Indoors	x	Outdoors	
Indoors	x						
Outdoors							
Both							
Day	Start	Finish	<u>Please give a description of the facilities for dancing you will be providing</u>				
Mon	10.00	00.30					
Tue	10.00	00.30					
Wed	10.00	00.30					
Thur	10.00	00.30					
Fri	10.00	00.30					
Sat	10.00	00.30					
Sun	10.00	00.30	<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)				
			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)				
			These hours will be extended by an additional hour on Maundy Thursday, Xmas eve, Xmas day, Boxing day, Fridays, Saturdays, Sundays & Mondays of bank holiday weekends, and New Years Eve - 10.00 until the started of permitted hours the following day.				

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)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 2)	Indoors	
Mon				Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			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)		
Fri					
Sat			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)		
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 <input checked="" type="checkbox"/> (please read guidance note 2)	
Day	Start	Finish	Indoors	x
Mon	23.00	00.30	Outdoors	
			Both	
Tue	23.00	00.30	Please give further details here (please read guidance note 3)	
Wed	23.00	00.30		
Thur	23.00	00.30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Fri	23.00	00.30		
Sat	23.00	00.30	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)	
Sun	23.00	00.30		
			These hours will be extended by an additional hour on Maundy Thursday, Xmas eve, Xmas day, Boxing day, Fridays, Saturdays, Sundays & Mondays of bank holiday weekends, and New Years Eve - 10.00 until the started of permitted hours the following day.	

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				
				Off the premises				
				Both	x			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	10.00	00.30						
Tue	10.00	00.30						
Wed	10.00	00.30						
Thur	10.00	00.30						
Fri	10.00	00.30						
Sat	10.00	00.30						
Sun	10.00	00.30						
						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)		
						These hours will be extended by an additional hour on Maundy Thursday, Xmas eve, Xmas day, Boxing day, Fridays, Saturdays, Sundays & Mondays of bank holiday weekends, and		
			New Years Eve - 10.00 until the started of permitted hours the following day.					

State the name and details of the individual whom you wish to specify on the licence as premises supervisor	
Name	ALEXANDER CANNING
Address	452 Allerton Road Allerton Bradford BD15 7DY
Postcode	BD13 3QX
Personal Licence number (if known)	BD/PER2773
Issuing licensing authority (if known)	BRADFORD COUNCIL

N

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

NONE

O

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	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) These hours will be extended by an additional hour on Maundy Thursday, Xmas eve, Xmas day, Boxing day, Fridays, Saturdays, Sundays & Mondays of bank holiday weekends, and New Years Eve - 10.00 until the started of permitted hours the following day.
Mon	10.00	01.30	
Tue	10.00	01.30	
Wed	10.00	01.30	
Thur	10.00	01.30	
Fri	10.00	01.30	
Sat	10.00	01.30	
Sun	10.00	01.30	

P Describe the steps you intend to take to promote the four licensing objectives:

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

please see attached

b) The prevention of crime and disorder

please see attached

c) Public safety

please see attached

d) The prevention of public nuisance

please see attached

e) The protection of children from harm

please 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 14 JULY 2011

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 Solicitors
Queens Gardens
Hull
East Yorkshire

Post town

Post code HU1 3DZ

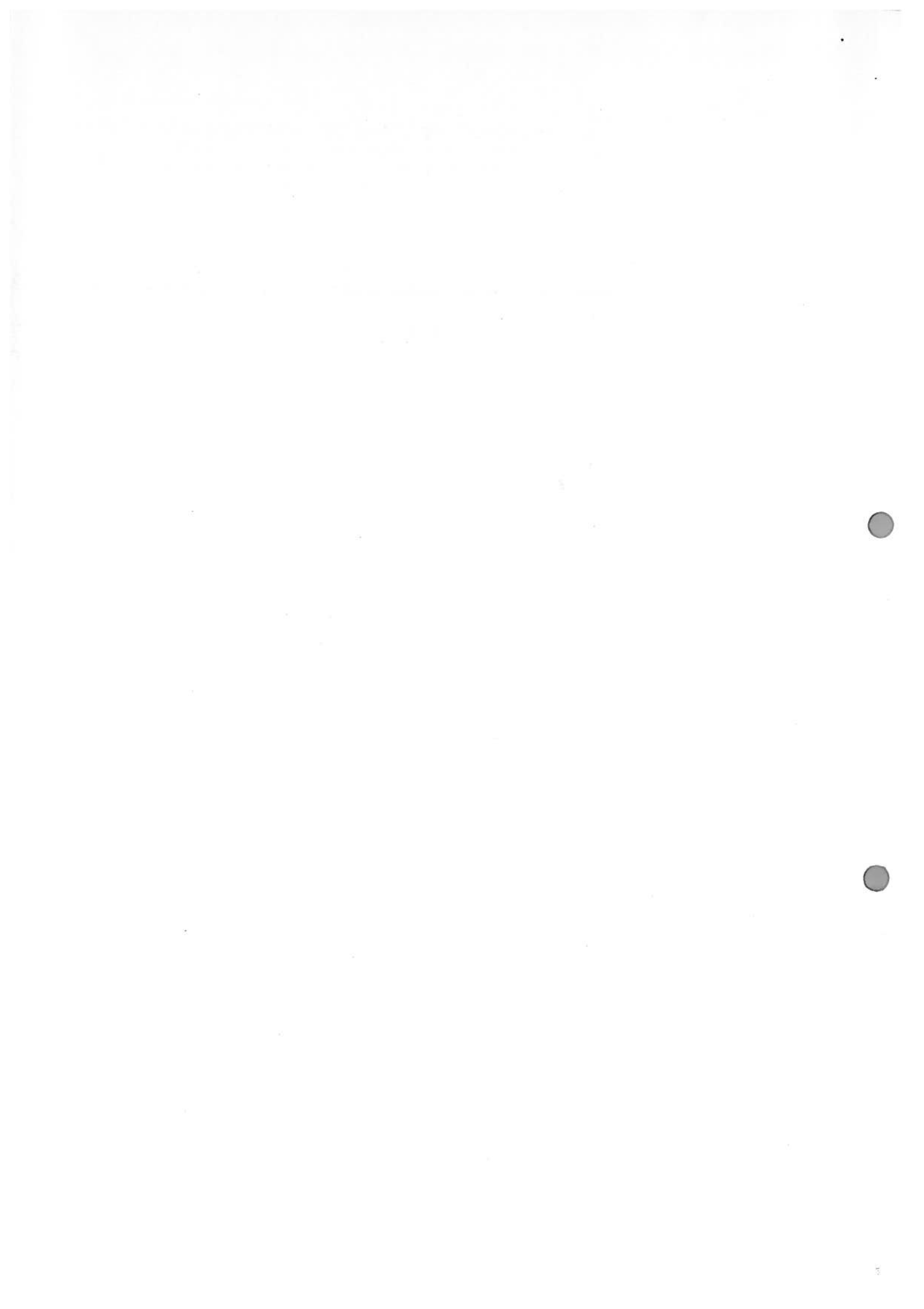
Telephone number (if any) 01482 324252

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

janet_braithwaite@gosschalks.co.uk

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



FLEECE, ALLERTON ROAD ALLERTON BRADFORD

P. Describe the steps you intend to take to promote the four licensing objectives

Licensing objectives;-

1. Staff shall be trained on the requirements of the Licensing Act 2003 with regard to the licensing objectives when they are recruited
2. The DPS shall at all times maintain a "zero tolerance" policy with regard to illegal drugs (including appropriate staff training in detection and prevent) and shall co-operate with the West Yorkshire Police's Drugs Watch initiative or any similar scheme
3. The existing 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 responsible authority on request.
4. All staff shall be trained in appropriate circumstances ways to refuse custom eg to those appearing to be already drunk or underage.
5. The DPS shall take all steps within its control (including establishment of effective staff briefing and other procedures) to ensure that the capacity limit of 100 persons is not exceeded.
6. All emergency lighting; 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 for the premises.
7. Existing flooring shall be maintained and replaced where necessary in order to prevent any slipping or tripping hazards.
8. Access and egress doors into and out of the premises shall be kept clear and free from obstruction at all times.
9. The DP shall ensure that security and other external lighting used are maintained in such a position so as to avoid light pollution to nearby residents.
10. The DPS shall ensure that the external areas of the premises are kept clear of litter and refuse.
11. The DPS 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
12. Staff shall be trained in efficient methods for ensuring customers leave the premises in a quiet and orderly fashion.

13. The DPS shall enforce a recognised and effective proof of age policy in the premises in order to ensure unaccompanied under aged children are not allowed access when alcohol sales are taking place in the premises.
14. No regulated entertainment of an adult or sexual nature shall be provided at any time in the licensed premises.
15. All gaming machines must be positioned so that they are within sight of the bar servery.
16. The consumption of alcohol in the external areas of the licensed premises shall not be allowed after 23.30.
17. All outward opening doors and windows are to be kept closed after 22.00 when regulated entertainment is taking place
18. Notices shall be displayed in prominent positions near exits reminding patrons to leave in quiet and orderly manner
19. The DPS shall patrol the area outside the premises during the periods of entertainment to ensure that noise is not audible at the nearest noise sensitive premises.

Melanie McGurk

From: Jeanette Howarth
Sent: 11 August 2011 15:58
To: Melanie McGurk
Cc: Tracy McLuckie; Scott Hardy
Subject: Re: Premises Licence Application - 452, Allerton Road, Bradford, BD15 7DY

Good Afternoon Melanie/Tracy/Scott,

I am emailing you in connection with the above premises and the application for a Premises Licence. I sent a Memo to you on 18th July 2011 with recommendations for Conditions relating to noise & the Prevention of Public Nuisance and these were agreed/accepted by the applicant. As you are aware, TENs for the Premises have been submitted to the Council over the past few weekends and since my previous Memo was sent to you. I made reference to a complaint I had received in my Memo and I had also written to Mr Alexander Canning on 12th July 2011 to make him aware of the allegations

Unfortunately, the recent 'TENs' have resulted in a further 2 complaints (3 in total) to this Department about noise, shouting and swearing by patrons stood outside the premises, fighting and loud music. One of the complainants wrote to us today however, she expressed her concerns about coming forward with her full name, address and telephone number as she feels intimidated as she says she is an elderly local resident. She requested that we do something about it as it's ridiculous that they are playing amplified music til after 12:30am and causing a disturbance to local residents.

It was also alleged by one of my complainants that Thursday 28th July 2011 was bad with general comings and goings from the pub and that they had a quiz night and the voice was being amplified and clearly audible in the home of the client. The Friday night wasn't too bad, but Saturday 30th July 2011 was problematic with the music commencing at around 5pm and it continued until 01:15 hours the following morning. Sunday 31st the music was on and clearly audible in their home from 18:30 - 21:30 hours.

I am concerned that we are still receiving complaints from local residents despite an agreement by the applicant to my conditions relating to noise and I question whether this is lip service to ensure the Licence is approved.

It would appear there is some history of complaints about loud music from the premises and I wrote to the current DPS Mr Alexander Canning on 1st June 2010 following a previous complaint. He was then served with an Abatement Notice under Section 80 of the Environmental Protection Act 1990 by my colleague Aliah Syed on 6th August 2010. The Notice related to a statutory nuisance arising from amplified music and entertainment at the Fleece and was witnessed by a Council Officer.

It would appear that the notice resulted in a reduction in the noise however, it appears to have increased once again. I would question whether Mr Canning is an appropriate/responsible person to have as a Designated Premises Supervisor under the circumstances. I would ask that the application for the Premises Licence is put before a Licensing Panel and they can then make a decision on whether more robust conditions are required or whether a reduction in the hours of operation is necessary to ensure that local residents are not being disturbed as a result of noise and anti-social behaviour associated with the pub.

I am more than happy to attend a licensing hearing to make my concerns known to the Panel of Councillors.

Regards

Jeanette Howarth
Environmental Health Officer
Bradford MDC
Pollution Team
01274 433963

Environmental and Regulatory Services
Licensing Team
Bradford Metropolitan District Council
Jacobs Well
Bradford
BD1 5RW

Mr.
, Upper Ferndown Green
Allerton
Bradford
BD15 7EE

22/11/2011

Sir/Madam

I understand that Enterprise Inns Plc. have applied for a Premises Licence between the hours of 10.00 to 00.30hrs Monday to Sunday with music, dancing and late night refreshments between 23.00 and 00.30 for the Fleece Inn, 452 Allerton Road BD15 7DY.

I have lived in the locality for over forty years and it is only in the past few years that problems with noise nuisance and other problems have occurred and increased.

At times we have had

1. People urinating against walls and fences,
2. Vomiting and spitting on pavements.
3. Cans bottles and empty glasses (mostly broken) cigarette packets/ cigarette stubs discarded on footpaths grass verges and in gardens.
4. Cars parked on footpaths, across access gates, drives and on grass verges,
5. Car doors being slammed at all times of the day and night.
6. People shouting to each other, arguing, fighting and using foul and indecent language.

This happens mainly at weekends 11.00pm to midnight which is unacceptable at the moment, but if the licence was granted until 00.30 Monday to Sunday this would move this anti-social behaviour to nearer 01.00/01.30am and could occur every night.

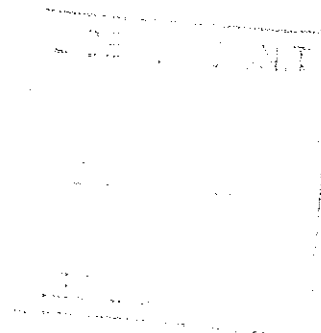
On numerous occasions over the last few years loud amplified music including Karaoke has been played until the early hours of the morning from both The Fleece Inn and The Prince of Wales Public House which are almost opposite each other, this has been regularly reported to the Licensing Department of Bradford Metropolitan District Council and on occasions to the Police, some action has been taken by them.

It must be pointed out that this is a residential area and not a town centre/city or country location where late night drinking would be more acceptable.

Many of the customers of both public houses are there to enjoy a quiet drink and not to cause problems but it must also be noted that The Fleece has at times attracted a certain element who behave in anti-social ways. To allow this licence would encourage more anti-social customers to frequent these premises therefore increasing the problem.

Refusing the late licence would not change the problems we are facing at this moment but would help us to get a reasonable nights sleep.

Yours Sincerely



12-4-11.

LICENSING TEAM
BRADFORD.

ALLERTON ROAD
BRADFORD
BD15 7DY
WEST YORKS.

Dear Sirs Madam,

In connection with the request to licence the premises known as 'THE FLEECE' public house at 452 Allerton Road Bradford BD15 7DY. I and my neighbours are very concerned, as the noise from the public house goes on into the early hours of morning i.e. 3-15 am. Then we have the noise from people leaving the premises, Taxi noise people swearing, shouting fighting. These noises also come from the back of the premises and the front. The main noise is Saturday Sunday, sometimes today from early afternoons till early mornings.

The Department of Health and Neighbourhood Environment have been ~~not~~ involved in connection with these complaints, which have had an environmental noise effect on our weaker lives. We have to object strongly to this licence being granted.

Thank you
Yours Faithfully

