**City of Bradford MDC** 

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# Agenda for a meeting of the Bradford District Licensing Panel to be held on Wednesday, 25 January 2017 at 10.00 am in Committee Room 4 - City Hall, Bradford

Members of the Committee – Councillors

| LABOUR            | THE INDEPENDENTS |
|-------------------|------------------|
| M Slater<br>Engel | Hawkesworth      |

#### Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.

#### From:

To:

Parveen Akhtar City Solicitor Agenda Contact: Claire Tomenson Phone: 01274 432457 E-Mail: claire.tomenson@bradford.gov.uk





### A. PROCEDURAL ITEMS

#### 1. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

Notes:

- (1) Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (2) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.
- (3) Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.
- (4) Officers must disclose interests in accordance with Council Standing Order 44.

#### 2. INSPECTION OF REPORTS AND BACKGROUND PAPERS

(Access to Information Procedure Rules - Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic Director or Assistant Director whose name is shown on the front page of the report.





If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Claire Tomenson - 01274 432457)

#### **B. BUSINESS ITEMS**

#### 3. MAHMOODS, 35 OAK LANE, BRADFORD

1 - 22

The Assistant Director, Waste, Fleet and Transport Services, will present a report (**Document "L"**) that outlines an application for a new premises licence for the provision of late night refreshment.

Members are invited to consider the information and documents referred to in Document "L" and, after hearing individuals, bodies or businesses, determine the related application.

(Melanie McGurk - 01274 431873)

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER





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# Agenda Item 3/



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## Report of the Assistant Director Waste, Fleet & Transport Services to the meeting of the Bradford District Licensing Panel to be held on 25 January 2017.

Subject:

Application for a Premises Licence for Mahmoods, 35 Oak Lane, Bradford, BD9 4QB

#### Summary statement:

Application for a new premises licence for the provision of late night refreshment.

John Major Assistant Director Waste, Fleet & Transport Services

**Portfolio:** 

Neighbourhoods & Community Safety

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

**Overview & Scrutiny Area:** 

Corporate



City of Bradford Metropolitan District Council



Report to the Licensing Panel

Ward: Manningham

#### 1. SUMMARY

The application is for the grant of a Premises Licence for the provision of late night refreshment.

#### 2. BACKGROUND

#### 2.1 The applicant

TAA Enterprises Ltd. A copy of the application is included at Appendix 1.

#### 2.2 The Premises

Mahmoods, 35 Oak Lane, Bradford, BD9 4QB

#### 2.3 Designated Premises Supervisor

Not required.

#### 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:-

• Provision of late night refreshment

Hours of licensable activities:

Monday to Sunday: 23.00 to 02.00

#### 2.5 Steps proposed by the applicant to address the Licensing Objectives

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

Our premises are well lit, we have other outlets in the area that we communicate with.

b) Public safety will be achieved by;

Our premises have emergency lighting. We have fire exits. We have full first aid provisions on site. We have seating arrangements.



City of Bradford Metropolitan District Council



c) Prevention of public nuisance will be achieved by;

We regularly pick up litter around our premises. We have no loading/unloading arrangements late night. We do not use external areas after 08.00 pm. We have notices advising our customers to leave quietly.

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

Our policy is not to serve under 16's after 09.00 pm unless they are accompanied by an adult.

e) General – all four licensing objectives

We have a CCTV system fitted.

#### 2.6 Relevant Representations Received

#### **Responsible Authorities**

#### **Environmental Health**

In order to address the prevention of public nuisance objective, the Environmental Health Officer has requested that Members consider the complaints of noise nuisance which have been brought to the Officer's attention, such as customers slamming doors, shouting outside residential properties, vehicular activity and general disturbance late at night and in the early hours of the morning.

The Officer has also noted that the premise has been operating in contravention of the planning permission and without the benefit of a premises licence, which is required for sales of hot food or drink made between 23.00 and 05.00 hours.

The representation is attached at Appendix 2.

#### 3. OTHER CONSIDERATIONS

#### 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 Home Office under Section 182 of the Licensing Act 2003. Regard must also be taken of the



City of Bradford Metropolitan District Council



Report to the Licensing Panel

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" 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.

#### Statement of Policy Issues

- **3.6** The following parts of the Licensing Policy are of particular importance; Part 6 (prevention of public nuisance).
- **3.7** The Annexes to the Policy sets out various types of model condition that could be considered.

#### 4. OPTIONS

- 4.1 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.
- **4.2** 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.

#### 5. FINANCIAL & RESOURCE APPRAISAL

There are no apparent finance or resource implications.

#### 6. RISK MANAGEMENT AND GOVERNANCE ISSUES

There are no apparent risk management and governance implications.





#### 7. LEGAL APPRAISAL

Referred to in part 3 of this report.

#### 8. OTHER IMPLICATIONS

#### 8.1 EQUALITY & DIVERSITY

The Council has to comply with the public sector equality duty in S.149 Equality Act 2010.

#### 8.2 SUSTAINABILITY IMPLICATIONS

There are no apparent sustainability implications.

#### 8.3 GREENHOUSE GAS EMISSIONS IMPACTS

There are no apparent implications.

#### 8.4 COMMUNITY SAFETY IMPLICATIONS

When determining the application the Licensing Authority is required to pay due regard to the licensing objectives referred to in 3.1 of this report.

#### 8.5 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.

#### 8.6 TRADE UNION

Not applicable.

#### 8.7 WARD IMPLICATIONS

Ward Councillors have been notified of receipt of the application.





Report to the Licensing Panel

#### 9. NOT FOR PUBLICATION DOCUMENTS

None.

#### 10. **RECOMMENDATIONS**

Members are invited to consider the information and documents referred to in this report and, after hearing individuals, bodies or businesses, determine the related application(s).:

#### 11. APPENDICES

- 1. Application form received 5 December 2016.
- 2. Representation from Environmental Health.

#### 12. BACKGROUND DOCUMENTS

Application form, plan etc.





205906 Appendix 1 City of Bradford MDC PRINT www.bradford.gov.uk 05050000000000 MAIL Lidensing Team, Argus Chambers, Hall Ings, Bredford, BD1 1HX . pplication for a premises licence to be granted under the Licensing Act 2003 SCAN (8) 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 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. INVO TAA ENTERPOSES LTg. (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 two 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 35 DAVE LANE. Post town Post code Basabara. Bog 408 Telephone number at premises (If any) 490020. 01274 Non domestic rateable value of premises £ B,000 . -0. Part 2 - Applicant Details Please state whether you are applying for a Premises Licence es: e tick as appropriate an individual or individuals\* plause complete section (A) b) a person other than an individual\* I. as a limited company please complete section (B) ii. as a partnership rection (B) ili. as an unincorporated association or please complete section (B) iv. Other (for example a statutory corporation) ise complete section (3) c) a recognised club please complete section (8) d) a charity se complete section (B) e) the proprietor of an educational establishment please complete section (B) f) a health service body please complete section (B) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent a) please complete section (B) hospital 9

| •  | <ul> <li>a person who is registered under Chapter 2 of part 1 of the</li> <li>a. Health and Social Care Act 2008 in respect of the carrying<br/>on of a regulated activity (within the meaning of that Part)<br/>in an independent hospital in England</li> </ul> |
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| į. | h) the chief officer of police of a police force in England and Weles   |
| •  | If you are applying as a person described in (a) or (b) please confirm:   |
| 5  | <ul> <li>I am carrying on or proposing to carry on a business which involves the use of the pramises<br/>for licensable activities; or</li> </ul>   |
|    | am making the application pursuant to a     Statutory function; or     A function discharged by virtue of Her Majesty's prerogative   |
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| A               |                         |              | 1/ (8)  |                                       |         |
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| l timbg         | ard days<br>Is (please  | 10.00        | Will the performance of a pizy take place<br>indoors or outdoors or both - please tick<br>(please read guidance note 2) | Indoors                               |         |
| guidai<br>Day   | Start                   | i)<br>Finish | 4   | Outdoors                              |         |
|                 | SUNT                    |              |   | Both                                  |         |
| Mon             | L                       | ļ            | Plasso give further details here (please read   | guidance note 3)                      | 1       |
| Tue             | <u> </u>                |              | 4   | . J                                   |         |
| rue             |                         | ŀ            |   | / .                                   |         |
| Wed             |                         | <u>†</u>     | State any seasonal variations for performing  | nintia rises essit addama             | -       |
|                 |                         |              | note 4)   |                                       | 1       |
| Thur            |                         |              |   |                                       |         |
| ,               |                         |              |   | <u> </u>                              |         |
| Fri             | ·                       |              | Non standard timings. Where you intend to<br>performance of plays at different times to the                             | ore listed in the selows on           | ]       |
| Sat             | <u> </u>                |              | the left, please list (please read guidance plote   | usies in the column of<br>5)          |         |
| -0-6%           |                         | <u> </u>     |   |                                       |         |
| Sun             | ·                       | <u> </u>     | · · /·  |                                       |         |
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|                 |                         |              |   |                                       | 3       |
| B               |                         |              |   |                                       |         |
| Films<br>Standa | ard days a              | and          | Will the achibition of a films take place<br>Indeors or outdoors or both - place tick                                   | Indeors                               |         |
| ýming<br>ovider | s (piease<br>1ce note 6 | icean<br>(i  | (please read guidance note 2)   | Outdoors                              | 1       |
| Day             | Start                   | Finish       | 1 /   | Both                                  | w.      |
| Non             |                         | <u> </u>     | Please give further dytails here (please read   |                                       |         |
| 10001           |                         |              | License Bure Journal statistic their (bessic) (655)   | Gridence note 3)                      |         |
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| Wed             |                         |              | State any excepted variations for the exhibit guidance note ()  | ion of films (please mad              | 1       |
| _               |                         | ļ            | guidantes rado 4)   | 5. <sup>15</sup>                      |         |
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|                 | - ·                     | 1 F          | exhibition of films at different times to those<br>left, playse list (playse road guidance note 5)                      | listed in the column on the           | 82<br>  |
| Sut             |                         |              | and had a the francis Level Grightich Logo 2)   |                                       |         |
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|                 |                         |              | 80 W  | 13                                    |         |
|                 |                         |              |   |                                       |         |
|                 |                         | 1.1          |   |                                       |         |

| Indoor sporting events '<br>Standard days and<br>timings (please read<br>guidance note 6)  |  |                   | Please give further details (please read guidance note 3)  |   |  |  |  |
|--|--|-------------------|--|---|--|--|--|
| Day  | Start  | Finish            |  |   |  |  |  |
| Mon  |  |                   | ·  | a 11 de 1   |  |  |  |
| l'un   |  |                   | State any seasonal variations for indoor spor<br>guidance note 4)  | rting events (please read   |  |  |  |
| Wed  |  |                   | а <sup>18</sup> .  | 8 3   |  |  |  |
|  |  | ·                 |  | N.  |  |  |  |
| Thur   |  |                   | ×  |   |  |  |  |
| Fri -  |  |                   | Non standard timings. Where you intend to a sporting svents at different times to those the  | use the premises for Indoo  |  |  |  |
|  |  |                   | place list. (place read guidance note 5)   | Red in the column on the la   |  |  |  |
| Sat  |  |                   |  | 10 <sup>12</sup>  |  |  |  |
| P  |  | ļ                 | -  |   |  |  |  |
| Sun  |  | <b> </b>          |  |   |  |  |  |
| entert   | g or unu<br>aloment<br>ard days :              |                   | Will the boxing or wrestling entertainment<br>take place indoors or outdoors or both –<br>planae tick (planae rand autonoc pute 2)   | Indoors   |  |  |  |
| Boxin<br>entert<br>Stand<br>timing   |  | and<br>read       | Will the boxing or wrestling entertainment<br>take place indoors or outdoors or both —<br>plasse tick (place read guidance note 2)   | indoors<br>Outdoors   |  |  |  |
| Boxin<br>entert<br>Stand<br>timing   | and days :<br>s (please                        | and<br>read       | take place indoors or outdoors or both -   |   |  |  |  |
| Boxin<br>enteri<br>Stand<br>timing<br>guklar   | alnment<br>ard days<br>s (please<br>nos note ( | and<br>read<br>3) | take place indoors or outdoors or both -   | Outdoors<br>Both  |  |  |  |
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| Boxin<br>enteri<br>Stand<br>timing<br>guida<br>guida<br>Day<br>Nion                        | alnment<br>ard days<br>s (please<br>nos note ( | and<br>read<br>3) | take place indoors or outdoors or both<br>please tick (please read guidance note 2)<br>Places give further details here (please read (   | Outdoors<br>Both<br>guidance note 3)  |  |  |  |
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| Boxin<br>enteri<br>Stand<br>timing<br>guida<br>guida<br>Day<br>Nion                        | alnment<br>ard days<br>s (please<br>nos note ( | and<br>read<br>3) | take place indoors or outdoors or both<br>plase tick (place read guidance note 2)<br>Places give further details here (place read (<br>State any seasonal variations for the bodge   | Outdoors<br>Both<br>guidance note 3)  |  |  |  |
| Bodin<br>enteri<br>Stand<br>timing<br>guklai<br>Day<br>Nion<br>Tixe                        | alnment<br>ard days<br>s (please<br>nos note ( | and<br>read<br>3) | take place indoors or outdoors or both<br>plase tick (place read guidance note 2)<br>Places give further details here (place read )<br>State any assessed variations for the boxing<br>(place read guidance note 4)  | Outdoors<br>Both<br>guidance note 3)<br>or wrestling entwitnimment  |  |  |  |
| Boxlin<br>entert<br>Stand<br>tiroing<br>guidai<br>Day<br>Nion<br>Tue<br>Wed<br>Thur<br>Fri | alnment<br>ard days<br>s (please<br>nos note ( | and<br>read<br>3) | <ul> <li>take place indoors or outdoors or both<br/>please tick (please read guidance note 2)</li> <li>Places give further details here (please read places read places read guidance note 4)</li> <li>State any seasonal variations for the boxing (please read guidance note 4)</li> <li>Non standard thologs. Where you intend to or wreating entertainment at different times</li> </ul> | Outdoors<br>Both<br>guidance note 3)<br>or wrestling entwisinment   |  |  |  |
| Boxin<br>enteri<br>Stand<br>timing<br>guklai<br>Day<br>Non<br>Tale<br>Wed                  | alnment<br>ard days<br>s (please<br>nos note ( | and<br>read<br>3) | take place indoors or outdoors or both<br>plase tick (place read guidance note 2)<br>Places give further details here (place read )<br>State any assessed variations for the boxing<br>(place read guidance note 4)  | Outdoors<br>Both<br>guidance note 3)<br>or wrestling entwisinment   |  |  |  |
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Page 12

|                   | rd days a                        |            | Will the performance of live music take<br>place indoors or outdoors or both - plasse  | Indeers   | l |
|-------------------|----------------------------------|------------|--|---|---|
| timings<br>guidan | ; (please<br>ca note 6           | read<br>i) | Nck (please read guidance note 2)  | Qutdoors  | ļ |
| Day               | Start                            | Finlah     |  | Both  |   |
| Mon               |                                  |            | Please give further details here (please read g  | uldance note 3)   |   |
| Tue               |                                  |            |  | -   |   |
| Wed               |                                  |            | State any seasonal variations for the perform<br>read guidance note 4)   | ance of five music (please                                | Ì |
| Thur              |                                  |            | -  |   |   |
| Fri               |                                  | · ·        | Non standard timings. Where you intand to performance of live music at different times to on the left, please list.          | use the premises for the<br>to those listed in the column |   |
| Sat               |                                  |            | (Please read guidance note 5)  | 2   |   |
| Sun               |                                  |            | -  |   | 2 |
| F                 |                                  |            | 20   |   |   |
| Standa            | ded mus<br>and days<br>s (please | and        | Will the playing of recorded music take<br>place indoors or outdoors or both – place<br>tick (clease read publicance note 2) | indoors   |   |
|                   | ice note (                       |            |  | Outdoors  |   |
| Day               | Start                            | Finish     |  | Both  |   |
| Mon               |                                  |            | Plante give further details here (please read  | guidance note 3)  |   |
| Tue               |                                  |            |  | æ   | ľ |
| Wed               |                                  |            | State any easernal variations for the playing<br>read guidance note 4)   | of recorded music (please                                 |   |
| Thur              |                                  |            |  | · · · ·   |   |
| Fri               |                                  |            | Non standard timings. Where you intend to<br>playing of recorded music at different times                                    | to those listed in the column 👔 👘 📊                       |   |
| Sat               |                                  | <u> </u> . | on the left, please list. (please read guidance  | note 5)   |   |
|                   |                                  |            | 1  |   |   |
| Sun               | •                                |            |  |   |   |
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| Performance of dance<br>Standard days and<br>limings (please read<br>guidance note 6)                          |  | end<br>read                            | Will the performance of dance take place<br>Indoors or outdoors or both – plaze tick<br>(plaze read guidance note 2)   | Indoons<br>Outdoors  |  |  |  |
|--|--|--|--|--|--|--|--|
| Day  | Start  | Finish                                 | · · · · · · · · · · · · · · · · · · ·  | Both   |  |  |  |
| llon   |  |  | Please give further details here (please read g  | Jidance note 3)  |  |  |  |
| ĩue  |  | ļ                                      |  |  |  |  |  |
| Wed  |  |  | State any seasonal variations for the performa<br>guidance note 4)   | a any seasonal variations for the performance of dance (please read<br>ance note 4)                                    |  |  |  |
| Thur   |  |  |  |  |  |  |  |
| Fri  |  |  | Non standard timings. Where you intend to up<br>performance of dence at different times to the<br>the left, please list. (please read guidance note  | ose listed in th   | es for the<br>le column on                   |  |  |
| Sat  |  |  | " The sent presses her (presse less Summing the  | <i></i>  | ÷.   |  |  |
| Sun  |  |  |  |  | 2  |  |  |
| descr<br>failting<br>(g)   |  | • that<br>{e}, (f} or                  | Please give a description of the type of enter   |  | will be provis                               |  |  |
| Anyth<br>descr<br>failing<br>(g)<br>Stand<br>timing  | iotion to  | that<br>(e), (f) or<br>and<br>e read   | Pisase give a description of the type of anian<br>Will this entertainment take place indoors or<br>outdoors or both - please tick ( ) (please<br read guidance nots 2)   |  | will be provid                               |  |  |
| Anyth<br>descr<br>failing<br>(g)<br>Stand<br>timing  | iption to<br>1 within<br>ard days<br>5 (please                     | that<br>(e), (f) or<br>and<br>e read   | Will this entertainment take place indoors or<br>outdoors or both - please tick (*) (please<br>read guidance nots 2)   | indoors<br>Outdoors<br>Both  |  |  |  |
| Anyth<br>descr<br>failing<br>(g)<br>Stand<br>timing<br>guida   | iption to<br>within<br>ard days<br>s (please<br>nce note           | • that<br>(e), (f) or<br>e need<br>(6) | Will this entertainment take place indoors or outdoors or both - please tick (-/) (please  | indoors<br>Outdoors<br>Both  |  |  |  |
| Anyth<br>descr<br>faliting<br>(g)<br>Stand<br>timing<br>guida<br>Day   | iption to<br>within<br>ard days<br>s (please<br>nce note           | • that<br>(e), (f) or<br>e need<br>(6) | Will this entertainment take place indoors or<br>outdoors or both - please tick (*) (please<br>read guidance nots 2)   | indoors<br>Outdoors<br>Both  |  |  |  |
| Anyth<br>descr<br>faliting<br>(g)<br>Stand<br>timing<br>guida<br>Day<br>Mon                                    | iption to<br>within<br>ard days<br>s (please<br>nce note           | • that<br>(e), (f) or<br>e need<br>(6) | Will this entertainment take place indoors or<br>outdoors or both - please tick (*) (please<br>read guidance nots 2)   | Indeors<br>Outdoors<br>Roth<br>Juidance note 3   | 3)   |  |  |
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| Standar<br>timings<br>guidanc   | rd days i<br>(please               | read            | Will the provision of late night refreshment<br>take place indeors or outdoors or both –<br>places tick (please read guidance note 2)   | Indoors<br>Outdoors   |                             | 2   |
|---|------------------------------------|-----------------|---|---|-----------------------------|-----|
| Day   | Start .                            | Finish          |   | Both  |                             |     |
|   | 20.00                              | 02.00           | Please give further details here (please read   | uidance note 3  | ) 11. 1.                    |     |
|   | 23,00                              | 00.00           |   | , Accamba   | nio (21) An Mad             | τ.  |
|   |                                    | 02.00           | Du Provises And fully CCTV  | 1   |                             | , ' |
|   | 3.00                               | 00.00           |   | ·   |                             |     |
|   |                                    | 02.00-          | State any seasonal variations for the provision<br>(please read guidance note 4)  | on of late night  | refreshment                 |     |
|   | 13.00                              | 00.00           |   | 8 n î   |                             |     |
|   |                                    | 02.00           | · ·   |   |                             |     |
|   |                                    |                 | Non-standard flort- 100   | <u> </u>  |                             |     |
| <u> </u>  | -                                  | 02.00           | Non standard timings. Where you intend to u<br>provision of late night refreshment at differen  | nt times to those   | es for the<br>listed in the |     |
|   |                                    | 07:00           | column on the left, please list. (please read g   | lidance note 5)   |                             |     |
|   |                                    | 02.00           |   |   |                             |     |
|   |                                    | 02.00           | a., x 6   |   |                             |     |
|   |                                    | 00.00           |   |   | ="                          | 29  |
|   |                                    |                 |   |   |                             |     |
| Standard<br>timings (   | d days a<br>(please :              | nd<br>Tead      | Will the supply of alcohol be for<br>consumption — please tick (please read<br>guidance note 7)   | On the premises<br>Off the  |                             |     |
| Supply of<br>Standard<br>timings (<br>guidance<br>Day S                         | d days a<br>(please :              | nd<br>Tead      | consumption - please tick (please read  | premises  |                             |     |
| Standerc<br>timings (<br>guidance   | d days a<br>(please :<br>e note 6) | nd<br>1880<br>) | consumption — please tick (please read<br>guidance note 7)  | premises<br>Off the<br>premises<br>Both   |                             |     |
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1 . State the name and details of the individual whom you wish to specify on the licence as premises supervisor 4 Name Address н. Postcode Personal ficence number (if known) ise a 1.... ٠. (a) issuing licensing authority (if known) 21 K Please highlight ony 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 guidence note 8) :17 ł 18 Ł .

M d to take to promote the four lic a) General - all four licensing objectives (b, c, d, e) (please read gu We Have A CCTV Station fitters, b) The prevention of crime and disorder Our Pumise And Will lit, We Have other Ostler's In The Anna There We Communicated With. c) Public safety Our Prindows Have Enchronici li Curchel. We Have fine Elits All Provisions of Stree. We AAN Scorel AnasCultury. ) The prevention of public nu De Rechtant Picte up liren Ansen Que hunders. We Rechtant Picte up liren Ansen Que hunders. We Hade als backel Hiloarde Amacuntos lace SiCher. We Do nor we stondal Ama's Aben 8 fm. We Have abrices Addres Our Corrain's To lease Querty Polici 1, Nor To Servi Unson Nos Afren 9/m Villess Twent Are Accompanies Br A. Aartz. 20

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| Stand    | ard days s<br>is (please | and -   | 10 Dec 2  | 1  |
| guida    | nce note 6               | i)      | 4 · · · · · · · · · · · · · · · · · · ·   | İ  |
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|          | 23.00                    | 00.00 - | y y   |    |
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| Thur     |                          | 02.00   | Non standard timings. Where you intend to open the premises to be<br>open to the public at different times from those listed in the column on | 1  |
|          |                          | 00.02   | the left, please list. (please read guidance note 5)  |    |
| Fri      |                          | 02.00   | 64  |    |
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|          | 25-00                    | 60.00-  |   |    |
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| Please tick ( | to indicate | agreement. |
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- 1 have made or enclosed payment of the fee
- I have enclosed the plan of the premises

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- 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 SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

#### Part 4 - Signatures (please read guidance note 10)

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

| Signature |        | •   |   |       |     |
|-----------|--------|-----|---|-------|-----|
| Date      | 29.11. | 16. |   |       |     |
| Capacity  | Diamo  | L.  | • | <br>1 | · · |

For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised egent. (please read guidence 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)

35 OALLANC.

| Post town Bagoboro.   |  | Post code | Bor | 408. |  |  |
|---|--|-----------|-----|------|--|--|
| Telephone number (If any)   |  | 10020     |     |      |  |  |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) |  |           |     |      |  |  |

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205906 APPendix 2 Memo

To: Licensing Team 3<sup>rd</sup> Floor Argus Chambers Bradford

# City of Bradford MDC

www.bradford.gov.uk

### **Department of Health and Wellbeing**

Environmental Health 5<sup>th</sup> Floor Britannia House Bradford BD1 1HX

From: Jeanette Howarth

Tel: (01274) 433963 Email: jeanette.howarth@bradford.gov.uk

Date: 21 December 2016

#### Licensing Act 2003 **Application for Premises Licence** Re: 35 Oak Lane, Bradford, BD9 4QB

I wish to object to the above application for a premises licence until 02:00 hours. It is crucial to first of all point out that the premises do not have Planning permission to be open until 02:00 hours.

An application was submitted in 2009 to vary condition 2 of planning permission 09/02875/FUL to extend the existing opening hours from midnight until 02:00 hours. The Council refused the application as it was deemed it would be detrimental to the amenities of local residents by way of noise, vehicular activity and general disturbance late at night and in the early hours of the morning.

I am aware that the premises have been operating in contravention of the above planning permission and complaints of noise have been received by Environmental Health. The issue of operating without a Premises Licence were also brought to the attention of Mr Mahmood in June 2016.

The premises are located exceptionally close to existing residential accommodation and the types of noise i.e. vehicular activity, customers slamming doors and shouting outside of residential properties have been brought to my attention. I have no enforcement powers to tackle this type of noise.

I would therefore advise that you consider this when making any decision on whether to grant the Premises Licence until 02:00 hours.

Regards

Jeanette Howarth **Environmental Health Officer** 







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