

## 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 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:

Parveen Akhtar

City Solicitor

Agenda Contact: Claire Tomenson

Phone: 01274 432457

E-Mail: [claire.tomenson@bradford.gov.uk](mailto:claire.tomenson@bradford.gov.uk)

### To:



## 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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## **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.**

**L**

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### **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.**

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John Major  
Assistant Director  
Waste, Fleet & Transport Services

**Portfolio:**

**Neighbourhoods & Community Safety**

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

**Overview & Scrutiny Area:**

**Corporate**



## 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

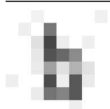
### 2.5 Steps proposed by the applicant to address the Licensing Objectives

- 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.



- 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



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.

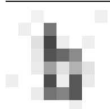
**4.2** Should the applicant or any other party to the hearing feel aggrieved at any decision with regard to the licence or to any conditions or restrictions attached by Members they may appeal to the Magistrates Court.

#### **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.



**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  
www.bradford.gov.uk

MAIL PRINT  
05 DEC 2016 11:02:00  
SCAN STORE

Licensing Team, Argus Chambers, Hall Ings, Bradford, BD1 1HX

**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 black 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.

We TAA Enterprises Ltd.  
(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  
35 OAK LAKE,

Post town BRADFORD. Post code BD9 4QB.

Telephone number at premises (if any) 01274 490020.

Non domestic rateable value of premises £ 18,000.00.

**Part 2 – Applicant Details**

Please state whether you are applying for a Premises Licence as:

- Please tick as appropriate
- a) an individual or individuals\*  please complete section (A)
  - b) a person other than an individual\*
    - i. as a limited company  please complete section (B)
    - ii. as a partnership  please complete section (B)
    - iii. as an unincorporated association or  please complete section (B)
    - iv. Other (for example a statutory corporation)  please complete section (B)
  - c) a recognised club  please complete section (B)
  - d) a charity  please complete section (B)
  - e) the proprietor of an educational establishment  please complete section (B)
  - f) a health service body  please complete section (B)
  - g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)

g) 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 16 years old or over

Current postal address if different from premises address

Post Town  Postcode

Daytime contact telephone number

Email address (optional)

**SECOND INDIVIDUAL APPLICANT (if applicable)**

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

Surname  First names

I am 18 years old or over  Please tick yes

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 case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	TAA Enterprises Ltd.
Address	35. DALL Lane. Bendon. B99 4QB.
Registered number (where applicable)	9357151.
Description of applicant (for example, partnership, company, unincorporated association etc.)	Limited Company.
Telephone number (if any)	01274 490020.
E-mail address (optional)	Emahmood@hotmail.co.uk.

**Part 3 - Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
29	11	2016

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

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)

Provision of regulated entertainment

Please tick any that apply

- 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) performance 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 late night refreshment (if ticking yes, fill in box I)

✓

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

In all cases complete boxes K, L, and M

**A**

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
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 a film 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 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**

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

**D**

<b>Boxing or wrestling entertainment</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</b>	Indoors	
<b>Day</b>	<b>Start</b>	<b>Finish</b>		Outdoors	
			Both		
Mon			<b>Please give further details here (please read guidance note 3)</b>		
Tue					
Wed			<b>State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 4)</b>		
Thur					
Fri			<b>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)</b>		
Sat					
Sun					



**E**

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur						
Fri				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						
Sun						

**F**

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			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					
Sun					

**G**

Performance 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	
				Both	
Mon			Please give further details here (please read guidance note 3)		
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	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
					<input checked="" type="checkbox"/>
Mon	00.00 23.00	02.00 00.00	Please give further details here (please read guidance note 3) We will only supply wine 16 Accommodation of the night. Our premises are fully CCTV.		
Tue	00.00 23.00	02.00 00.00			
Wed	00.00 23.00	02.00 00.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	00.00 23.00	02.00 00.00			
Fri	00.00 23.00	02.00 00.00	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)		
Sat	00.00 23.00	02.00 00.00			
Sun	00.00 23.00	02.00 00.00			

**J**

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon			State any seasonal variations for the sale of alcohol (please read guidance note 4)		
Tue					
Wed					
Thur			Non standard timings. Where you intend to use the premises for the sale of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 5)		
Fri					
Sat					
Sun					

**State the name and details of the individual whom you wish to specify on the licence as premises supervisor**

**Name**

**Address**

**Postcode**

**Personal licence number (if known)**

**Issuing licensing authority (if known)**

**K**

**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)**

**M**

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)

We Have A CCTV System Fitted,

b) The prevention of crime and disorder

Our Premises Are Well Lit, We Have CCTV  
Outside To Take Area That We Communicate With.

c) Public safety

Our Premises Have Emergency Exits.  
We Have Fire Exits.  
We Have Full First Aid Provisions on Site.  
We Have Suitable Access.

d) The prevention of public nuisance

We Regularly Pick up Litter Around Our Premises.  
We Have no Alcohol/Drugs Area Outside Our Premises.  
We Do Not Use Loud Music After 8pm.  
We Have Notices Outside Our Premises To Limit Alcohol.

e) The protection of children from harm

Our Policy Is Not To Serve Alcohol After 9pm  
Unless They Are Accompanied By An Adult.

L

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	09.00	02.00	<p>None</p>	
	23.00	00.00		
Tue	00.00	02.00		
	23.00	00.00		
Wed	00.00	02.00		
	23.00	00.00		
Thur	00.00	02.00		<p>Non standard timings. Where you intend to open 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 6)</p>
	23.00	00.00		
Fri	00.00	02.00		
	23.00	00.00		
Sat	00.00	02.00		
	23.00	00.00		
Sun	00.00	02.00		<p>None</p>
	23.00	00.00		

Please tick to indicate agreement

- 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

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 6 ON THE STANDARD SCALE, UNDER SECTION 168 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	Director.

For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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)	
Amar Khan. 35 Oakdale.	
Post town	Basildon.
Post code	801 408.
Telephone number (if any)	01274 490020.
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	





205906

Appendix 2

City of Bradford MDC

www.bradford.gov.uk

# Memo

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

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

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**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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