



**Department of Place
Licensing Team**

3rd Argus Chambers, Hall Ings
Bradford, West Yorkshire
BD1 1HX

Senior Licensing Officer
Department of Place
Licensing Team
Argus Chambers
Bradford
BD1 1HX

Tel: (01274) 432240
My Ref: LIC/MMcF
E-Mail: mary.mcfadden@bradford.gov.uk

Date: 4 October 2018

Dear Madam

REPRESENTATION – REVIEW OF MILL HEY BREW HAUS, MILL HEY, HAWORTH.

I am a Licensing Enforcement Officer employed by Bradford Council. One aspect of my role is to ensure licensed premises within the Bradford District are run properly and in compliance with relevant legislation.

In August 2015, Mr Neil Tomlinson became the Premises Licence Holder for the Mill Hey Brew Haus (previously known as The Royal Oak). In September 2016, Mr Tomlinson applied to also be the Designated Premises Supervisor for the premises. Mr Tomlinson is responsible for the day to day running of the premises and also for any issues which arise relating to the premises.

On or around 18 November 2016 a complaint was received regarding loud music allegedly coming from the premises at 12.45am. On 22 November 2016 I spoke to Mr Tomlinson about the complaint and he said that he took any complaints seriously and would look into what had happened.

I followed this up with an advice letter regarding the allegation of noise and trading beyond permitted hours. (Exhibit MMcF1) On 24 November 2016 I received an email from Mr Tomlinson stating that he had addressed all the points I raised in my letter. (Exhibit MMcF2)

On 11 July 2017 an email was received by the Licensing Team alleging noise from customers at the premises and trading beyond permitted hours. An advice letter was sent to Mr Tomlinson on 28 July 2017 (Exhibit MMcF3) informing him of the complaint against the premises and providing him with the appropriate advice.



On 3 April 2018 I was advised by Jeanette Howarth, Environmental Health Officer, that there had been a further complaint regarding loud music and noise from customers over the previous Easter weekend. I contacted Mr Tomlinson regarding the complaint. Mr Tomlinson said he would look into the complaint and advised me on 16 April 2018 he had been advised the complaint related to a group of tourists who had been drinking at the premises. I sent an advice letter regarding the matter. (Exhibit MMcF4)

A further complaint was received in May 2018 following the Haworth 1940s event regarding loud music from the premises and from customers attending and also from people congregating in the general area.

The Live Music Act 2012 was implemented on 1 October 2012. This Act provides that, under certain circumstances, any licence conditions relating to regulated entertainment cannot be enforced during the period 08.00 – 23.00 at premises which are licensed for the sale of alcohol. This can also include beer gardens.

Given the numerous complaints regarding noise since November 2016, I support the imposition of the additional conditions requested by Environmental Health and also the dis-application of the exemption of the Live Music Act 2012. This would mean that all conditions relating to public nuisance would apply to the premises at all times.

Yours faithfully



Mrs M McFadden
Licensing Enforcement Officer

EY 11/11/17 MMCF

City of Bradford MDC

www.bradford.gov.uk

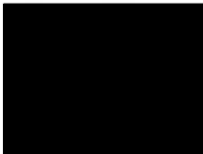
**Environmental & Regulatory Services
Licensing Team**

3rd Floor Argus Chambers, Hall Ings,
Bradford, West Yorkshire
BD1 1HX

Tel: (01274) 432535
My Ref: LIC/072892/MMcF
Your Ref: [ref]
E-Mail: mary.mcfadden@bradford.gov.uk

Date: 22 November 2016

Neil Tomlinson



Dear Sir

**RE: LICENSING ACT 2003
PREMISES LICENCE – 072892
ROYAL OAK, MILL HEY, HAWORTH**

A complaint has been received from a local resident in respect of the above premises. The complainant alleges that you are trading beyond your permitted hours and that music from the premises is excessively loud until the early hours of the morning on a Friday and Saturday night.

I draw your attention to the permitted hours on your licence:

Sale of alcohol and Playing of Live or Recorded Music:

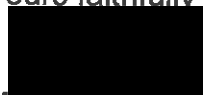
Mon to Sunday 09.00 to 00.00

Any of the above activities beyond your permitted hours would be illegal without a Temporary Event Notice or a Full variation of your Premises Licence.

You must ensure that the above issue is addressed in order to avoid enforcement action being taken. To continue would be a breach of the Licensing Act 2003 and may make you liable to prosecution. I would also advise you that inspections of the premises will be undertaken in the near future.

If you wish to discuss this further or require any assistance, please contact me on the above telephone number

Yours faithfully



Mrs M McFadden
Licensing Enforcement Officer

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EXHIBIT 17 WMTF2

INCOMING EMAIL

From: Mary McFadden
To: Mary McFadden
Date: 24/11/2016 13:13:24
Subject: FW: Royal Oak, Mill Hey, Haworth, BD22 8NQ

From: Mary McFadden
Sent: 24 November 2016 09:46
To: 'Neil Tomlinson'
Subject: RE: Royal Oak, Mill Hey, Haworth, BD22 8NQ

Hi Neil

Thank you for your email and your prompt attention to the matters raised.

I confirm that these arrangements are acceptable and should help to ensure that there is no further cause for complaints.

Kind Regards

Mary

From: Neil Tomlinson [mailto:████████████████████]
Sent: 23 November 2016 17:47
To: Mary McFadden
Subject: Royal Oak, Mill Hey, Haworth, BD22 8NQ
Importance: High

Hi Mary,

Many thanks for your letter,

All points in your letter have been addressed with immediate effect.

1. Last orders will now be called at 11.45pm.
2. Door Supervisors will be employed at week ends to ensure all customers vacate the premise in good time and leave as quietly as possible.
3. When live music is played, regular sound checks will be carried out through out the evening.

Hope the above is acceptable to you.

Best regards

Neil
Neil Tomlinson

Mob ██████████

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EXHIBIT WMC 3

**Department of Place
Licensing Team**

Mr Neil Tomlinson
Mill Hey Brew House
2 Mill Hey
Haworth
Keighley
BD22 8NQ

Argus Chambers, Hall Ings
Bradford, West Yorkshire
BD1 1HX

Tel: (01274) 432240
My Ref: LIC/[ref]
Your Ref: [ref]
E-Mail: licensing@bradford.gov.uk

Date: 28 July 2017

Dear Sir

**LICENSING ACT 2003 - PREMISES LICENCE
Mill Hey Brew House, 2 Mill Hey, Haworth**

I write to advise that complaints are being received regarding noise and nuisance from music at your premises and possible breaches of your licence conditions, specifically the opening of windows and doors after 22.00 hours

You must ensure that all licence conditions and permitted hours are adhered to in order to avoid enforcement action being taken. You should be aware that any continuing noise nuisance could result in your licence being reviewed by the Licensing Authority.

Please also note your premises licence states 'Royal Oak'. You are required to apply for a change of details if any particulars of your licence change. I have attached a change of details form for your use.

If you wish to discuss this matter further or require any assistance, I can be contacted on the above telephone number.

Yours faithfully

Mrs T McLuckie
Licensing & Local Land Charges Manager

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**Department of Place
Licensing Team**

3rd Argus Chambers, Hall Ings
Bradford, West Yorkshire
BD1 1HX

Mr Neil Tomlinson



Tel: (01274) 432535
My Ref: LIC/MMcF
Your Ref: [ref]
E-Mail: mary.mcfadden@bradford.gov.uk

Date: 16 April 2018

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Dear Sir

**RE: LICENSING ACT 2003
PREMISES LICENCE – 072892
MILL HEY BREW HOUSE, HAWORTH**

I have received a complaint from a local resident regarding loud music from the premises at 2am on Thursday 29 March 2018 and also from customers shouting and screaming outside the premises as they were leaving, which caused a disturbance in the complainant's home.

I must remind you that you are only licensed for the sale of alcohol and the provision of regulated entertainment on a Thursday until midnight.

I would also like to draw your attention to the following conditions on your licence:

Annex 2 – Conditions Consistent with Operating Schedule

Public Safety

2. Staff shall be trained in efficient methods for ensuring customers leave the premises in a quiet and orderly fashion.

The Prevention Of Public Nuisance

3. All outward opening exit doors and all windows are to be kept closed after 22.00 hours.



You must ensure that the above issue is addressed in order to avoid enforcement action being taken. To continue would be a breach of the Licensing Act 2003 and may make you liable to prosecution. I would also advise you that inspections of the premises will be undertaken in the near future.

If you wish to discuss this further or require any assistance, please contact me on the above telephone number

Yours faithfully

Mrs M McFadden
Licensing Enforcement Officer

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