

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



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL

Application for the review of a premises licence or club premises certificate 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 Da XXXX **Sands**

Apply for the review of a premises licence under section 51 of the licensing Act 2003 for the premises describe in part 1 below.

Part 1 – Premises details

Treehouse Bar and kitchen,
Oak Street,
Haworth,

Post town:
Keighley.

Post code:
BD22 8NW

Name of premises licence holder:
Tree house Bars limited.

Number of premises licence:
LIC 072124

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible Authority.



2) a responsible authority



3) a member of the club to which this application relates



(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

☒

Mrs

☐

Miss

☐

Ms

☐

Other title

(for example, Rev)

Surname

Sands

First names

Da

I am 18 years old or over

Please tick ✓ yes

☒

**Current postal
Address:**

■ Oak Street,
Haworth,

Post town

Keighley

Post Code

BD22 8NW

Daytime contact telephone number

**E-mail address
(optional)**

■@Gmail.Com

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address:

Britannia House,
3rd Floor Argus Chambers,
Bradford,
BD1 1HX

Telephone number (if any)
01274 432240

E-mail address (optional)
licensing@bradford.gov.uk

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

☐
☐
☒
☐

Please state the ground(s) for review (please read guidance note 2)

Currently the Treehouse Bar is operating on an historic licence from Chaplin's bistro and needs to be brought to current times as the public nuisance suffered is unbearable and detrimental to the surrounding residential area.

Since Chaplin's the entrance on the North Elevation has been considerably widened and is usually open due the venues car-park being used to seat 76 guests! Twelve, six seat benches and one four seat.

The fire exit door on the east elevation of Chaplin's has also doubled in size and is classed as disabled access but is often left open and used as a normal secondary entrance/exit. Allowing noise to spill out and promoting groups of people out onto the residential street. Taxi drop off.

West elevation/Balcony originally had windows and no balcony which now has two doorways one a bi-fold door over quadrupling in size and again are both often open. All of the above are not only larger but are glazed which are failing to contain the noise as much as before so how can they operate on the same licence?

Chaplin's were also granted a small smoking shelter along their north elevation (2016) however there is now a structure in the opposite side of the car park we have been told is a smoking shelter however there appears to be no planning and does not comply as a smoking shelter as is more than 50% enclosed. There is comfortable seating along with three heaters which promote this space being used as more of a function room all hours, preferred even ahead of the balcony if the weather isn't permitting as it often is not. This is effectively on our street being the opposite end of the car park at the furthest point from the venue, I can visually see the many using it let alone hear them. The layout of the structure actually promoting noise travel/nuisance down Oak Street and beyond. (pictures attached) Three sides roofed. As well as promoting intoxicated potentially antisocial people/behaviour along the street as there is no segregation/barrier between what is Treehouse car park "Seating" and the street or other premises.

Two of the previous Cellar windows have also been turned into glazed doorways again often open to a second small terrace and even closed do not contain the noise as the windows did for Chaplin's. This Cellar is also now a sports bar/function room not a cellar/storage so again how can the licence not have been reviewed with the sheer capacity maximised to its absolute limits. On the granted plans this area is storage and kitchen not another bar? So how is this licensed or allowed to go ahead? And all these additional guests/capacity yet the car park is still not enforced as car park?

This is all not to mention the fact that although Chaplin's had the licence they were operating as a restaurant/eatery well within its limits. As Treehouse is stated to be in the plans a 'Restaurant with parking' but we feel is being ran as more of a bar that serves food. With them being quoted stating "Cranking up the volume from 10pm till closing". (evidence attached)

Why such a late licence? Why so long after food has been served, on a residential street? Why so inconsiderate?

Chaplin's had its modest smoking shelter but Treehouse with its Balcony and car-park used as seating adds up to over 100 additional guest capacity just in its outside areas! On a residential street! Inside also holds a lot more than previous with the cellar storage now a bar and 'nest' snug on the 1st floor neither of which appear on the plans? The balcony is only to seat 30 but appears to seat more, the construction of the balcony meant (according to plans) that they would demolish the attached single storey flat roofed building which they have not. Resulting in even more un-planned so not licence reviewed floor space so potentially even more customers to beyond planned capacity creating more disturbance, nuisance to the street with sheer noise, traffic, footfall, crowds. Not to mention the demolition of the outbuilding provided much needed parking for the uplift in floor-space due to the planned Balcony, not to mention unplanned cellar Bar & 1st floor "nest".

Kitchen extraction, extremely disappointing it does not exit into the venues car park or West elevation towards other businesses and the main road where more pollution is, Why? Just because it isn't aesthetically pleasing? "Oh stick it into the residential street, it'll ruin our image otherwise" Inconsiderate.

It is also of an industrial size, is this really necessary? Related to the pizza oven? It is also often not turned off until 2300 (with proof) or very near closing times (has been left on 24hrs in the past). Despite food being finished at 2100. When asked the venue explained the 'potwash' was still using the kitchen. So the kitchen was still in shutdown phase. This is too late and too loud for a residential street.

In the plans Oak Street is referred to as having 4 Storey dwellings however largely the buildings are under-dwellings so are in fact 2 x 2 storey dwellings. Instantly doubling the amount of residents first considered for any planning or licensing. With some of the lower underdwellings now entirely consumed with a view and noise from the industrial sized extractor unit placed on the East elevation, the nearest elevation!

The lack of Car park provided (despite being planned for) has resulted in chaos in traffic & parking on Oak Street and is a real public nuisance, ruining public amenity. Vehicles entering Treehouse car park to realise it is full of seating struggling to turn around and often having to reverse the length of the street. This is not only dangerous for the street with children playing and elderly residents with a reversing car having less visibility. The vehicles engines are also more laboured (loud) having to reverse the whole street because Treehouse have not provided the planned car park. (Evidence provided)

This has also ruined resident's chance of parking outside their property whilst it may be a normal council street without designated parking this is causing public nuisance and demoralising residents. This leads to public nuisances because arguments are arising. People are leaving the venue at 0020, 2320, 0120. Slamming doors, starting engines at antisocial hours and being antisocial themselves if intoxicated. Whilst I appreciate Treehouse cannot be responsible once they have left the venue, them not using their car-park as planned is causing public nuisance & is detrimental to the neighbourhood, also in antisocial hours due to their late licence and operating more as a bar.

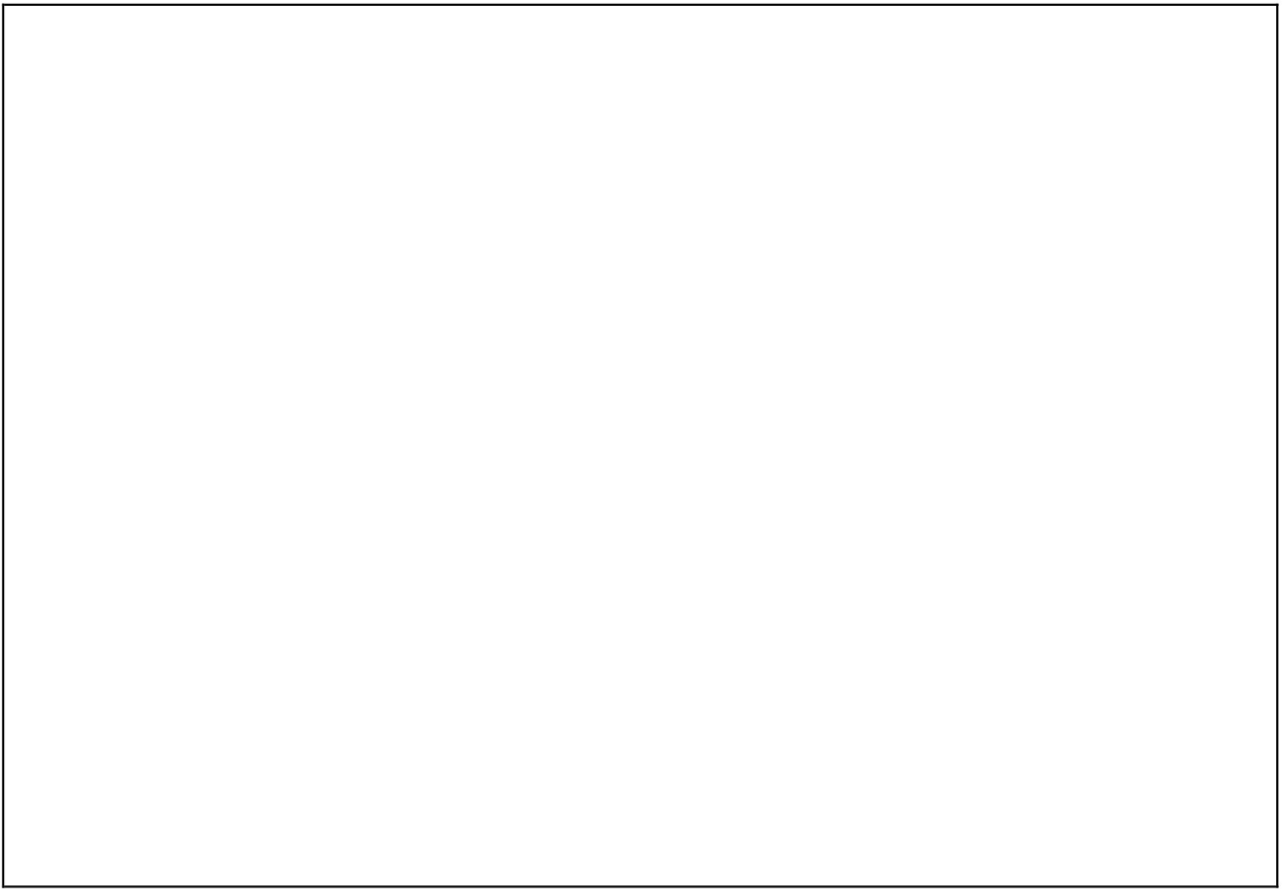
Waste Bins, Bin store and a vehicle have been damaged and a vehicle has been urinated on with witnesses witnessing the intoxicated groups coming from Treehouse. I believe there to be more incidents which should come to light during this review.

Stores and waste materials from the Treehouse have been left on the adjacent engineers land in street view for over two weeks. (evidence provided)

Currently the premises closes late or even early hours of the next day with the staff then leaving roughly an hour later and are often heard exiting down the residential street despite having another option. Also the lack of car park means they are parked all along the nearby streets again slamming doors, engines starting, talking all in antisocial hours.

During construction Treehouse owners unlawfully removed trees from along the stream which I believe was acknowledged & dealt with at the time but these trees and foliage actually helped contain and absorb the noise generated. Trees/foliage which was present when the original Chaplin's licence was put in place and any acoustic reports, again solidifying why a review of the licensing needs to be made.

Also worth mentioning is the lay of the land and surrounding buildings, situated in the very bottom of the steep valley and nearby tall buildings noise really does travel and believe this should be taken into consideration when considering a bars licence here on a residential street in the Village of Haworth. Simply unfair. Inconsiderate.



Please provide as much information as possible to support the application

- Sunday 25th July, music still loud at 00:10. People still leaving the venue.
- Wednesday 28th July, group of 6 in the smoking shelter at 10:03 shouting, swearing, and chanting.
- Thursday 5th August, white helmet Motorcyclist aggressively riding up and down the street because he had been asked to leave Treehouse Bar.
- Saturday 7th August, a function in the smoking area with balloons. Went on till later than 1030. Told it was a 'Hen do' by Bar manager. (despite previously told such gatherings weren't allowed to the Venue, also resulting in a limousine partially stuck on the street.)
- Saturday 7th August, staff leaving at 0120 shouting and laughing with each other. Before getting to their vehicles parked along residential street, slamming of vehicle doors, engines at 0130. (made less if they were just parked in Treehouse carpark?)
- Saturday 14th August, a function with balloons in the smoking shelter till late (seemingly till complaints), patrons never got moved inside. Unfortunately no clear picture but is same time/date as balcony not being used photo.
- Saturday 14th August, nobody using the balcony. Everyone in the car park/ timber function room 'smoking shelter'. Picture attached. (balcony is not dog friendly, no smoking, no shelter – car park preferred)
- Sunday 22nd August, Party in the Car park 1300 onwards. Live DJ playing Recorded music. No music to be played outside in their licence. Video file uploaded and picture. Bar Owners and manager present. No licence for this.
- Nuisance Noise diaries have been completed by some residents.

To summarise the restaurant seems to be run as more of a bar than restaurant with parking which is seriously effecting the amenity and wellbeing of residents of the local neighbourhood. Music, crowds, antisocial behaviour, smashed glasses, No parking due to no car park provided, intoxicated people leaving at antisocial hours equalling antisocial behaviour, damage to property.

We would like a review of the licence, ideally resulting in the car park being used as a car park. Serving hours to be nearer the times of food serving. Food Serving to finish at 2100 so the extractor is switched off by 2200, average time residents attempt to sleep.

The venue currently closes at 0020 but needs to close well within the same day, as the staff then leave roughly an hour later 0120 and unfortunately we hear it all. Nobody deserves a bar on a residential street there is enough main road & commercial areas.

The car-park cannot be cordoned off due to the adjacent engineers business and public access snicket so don't believe glass drinks should be allowed in the car park, or alcohol consumption at all due to it being a smoking area and car park.

Smoking shelter used as seating means guests smoke on the street away from the seating resulting in litter and potentially smashed glass not to mention noise.

No live or recorded music to be played outside.

Treehouse original plan was rejected due to various reasons but largely because the uptake in capacity/floor space was not right for the area nor did it have adequate off street parking. The

approved second plans takes into consideration a 25sqm uplift (balcony). Approved as RESTAURANT WITH PARKING. 5 spaces in the car park, 2.5 due to demolition of outbuilding. Apparently, although in the plans this is not a guideline to be demolished or a car park, which is morally wrong but despite that Treehouse is not only not doing that they are not having a car park at all.

Since the original rejected plans for a 634sqm venue which were thankfully rejected and the proposed 25sqm uplift approved (Balcony), creating a 406sqm venue. The owners have since then outrageously achieved a massive uplift in unplanned un-accounted for operational capacity by

- Turning their cellar into a bar.
- Creating 1st floor snug “nest”
- Using their car park to seat 76 patrons.

Returning them back nearer to their rejected 634sqm venue but without the approval and infrastructure required. Where is the disabled parking for example let alone Parking. Plans state 250 person capacity before the mentioned unplanned uplift. Where do they park? Not to mention the noise these hundreds of people generate?

In the original plans a TRO ‘Traffic regulation order’ was suggested if it was to go ahead. They have achieved near the rejected plans so where is the TRO? £12k. For correct road markings, signage, parking restrictions in the local area?

Nothing. Total disregard for the local neighbourhood. Residents told they’d have to apply for a permit in the car park or pay for signage themselves. Why, because Treehouse refuse to have a planned car park to earn more revenue. So staff & customers can park outside residents houses instead?

They just want to “have their cake and eat it” without helping the local neighbourhood they have disrupted so much. They need to be brought in line with other new decent local venues/eatery’s. Bronte Hotel closes at 2200 after food, clearly in a residential area. Or ‘The Cloth Store’, ‘Industry Barista’, Tap ‘n’ Tonic. .
Be A Restaurant with parking.

Have you made an application for review relating to the premises before

Please tick ✓ yes
☐

If yes please state the date of that application

| Day | Month | Year |
|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**



Signature

Daniel Sands

.....

Date **01/09/21**

.....

Capacity

.....

| | |
|---|------------------------------|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) [REDACTED] Oak Street, Haworth. | |
| Post town: Keighley | Post Code BD22 8NW |
| Telephone number: [REDACTED] | |
| If you would prefer us to correspond with you using an e-mail address your e-mail address: [REDACTED]@Gmail.Com - Preferred contact. | |

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



