

Requested to remain anonymous
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[REDACTED]
Sent:25 Jul 2021 16:37:24 +0100

To:Entertainment Licensing

Subject:Re summary review - Barley Mow, Lower Town Street, Bramley, Leeds, LS13 3EN

Dear Sir/Madam

I am writing in reference to the Summary review of premises licence for the above public house.

[REDACTED] and would like to register my concerns around the anti-social behaviour and noise disturbance arising from these premises being open.

1. Noise made by the customers of the pub is a particular problem at closing time and beyond and hasn't been limited to the weekend. Since lockdown restrictions were lifted this has been seven nights a week. Warm nights have made the issue more noticeable due to the need to open windows during the warm weather. Shouting, screaming, brawling in the street and surrounds. Cars screeching away from the pub after closing time etc.
2. The general noise experienced during opening hours from the front of the pub, as that seems to be where people congregate to smoke, and from the beer garden can be a bit of an issue as well.
3. The nature of this noise, particularly as point 1., leads us to believe that there has been a cohort of teenagers frequenting the premises and drinking alcohol. Whilst I have no proof, my belief is that some of these young people are under the age of eighteen.
4. The licensee has a responsibility, not only to their clientele, but also their neighbours and there does not seem to have been any effort made to address the very regular and frequent noise disturbance. Allowing their customers to become so intoxicated to cause a local nuisance is not responsible behaviour.
5. Since the pub reopened, the amount of broken glass and bottles has massively increased, both outside the pub itself and across the road outside the bookmakers and private residences. I have not seen anyone from the pub cleaning up this litter, rather there are local volunteers that have to do this. The previous landlords would regularly clear this up. This glass poses a risk to children, local residents and dog walkers.
6. My impression is that the owner/licensee has little regard for the law. Not only related to serving alcohol to underage drinkers and people that are already significantly inebriated, but I understand that the premises opened illegally during lockdown and were reported for that.
7. The events of the 25th June were shocking, not just because there was a serious assault, but because that assault took place right outside the pub and the victim was a young person under the age of eighteen.
8. The lack of respect for the law isn't restricted to the licencing - the building is Grade II listed and roofing works have been undertaken which don't appear to comply with the planning restrictions on such a building. I have searched the planning applications and am unable to find any application for this property since

2003. The replaced roofing materials are not in keeping with the building. Whilst I understand this is outside your remit, it serves to support the fact that the owner/licensee has no regard for the law or the local area.

In summary, I have no faith that the current licence holder is a fit and proper person to run a public house, and seems incapable of upholding the main objectives of the Licencing act 2003

- the prevention of crime and disorder,
- public safety,
- the prevention of public nuisance, and
- the protection of children from harm.

For clarity, the reason I hadn't reported these disturbances previously is purely because I wasn't aware of the process. Should the licensee retain their licence, I would not hesitate to report any antisocial behaviour that exceeds the norm from living so close to a public house in the future. I hope my views will be taken into consideration at the summary review. In view of the nature of my concerns I would like to ensure they remain anonymous.

[REDACTED]

[REDACTED]

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[REDACTED]
Sent: 2 Aug 2021 10:38:59 +0100

To: Entertainment Licensing

Subject: LICENSING ACT 2003 - SECTION 53A PUBLIC NOTICE OF APPLICATION FOR SUMMARY REVIEW OF PREMISES LICENCE Barley Mow, Lower Town Street, Bramley, Leeds, LS13 3EN

Dear Sirs

LICENSING ACT 2003 - SECTION 53A PUBLIC NOTICE OF APPLICATION FOR SUMMARY REVIEW OF PREMISES LICENCE Barley Mow, Lower Town Street, Bramley, Leeds, LS13 3EN

I refer to the above and would like to set down my representations under Public Nuisance in regard to the above licensed premises.

I am writing on behalf of myself and my husband, [REDACTED], who has also witnessed all of the following incidents.

[REDACTED]

The pub has obviously operated since well before we lived here, as it is a Listed Building and an iconic and historic building in Bramley, and we were well aware how close the pub was when we bought the house. However, in 1984 the Barley Mow was a brewery-owned local, a normal, friendly pub with a beer garden which welcomed children, and in fact in the late 80s an extension was built as a children's room, so it really was a family pub.

The pub then changed hands, from Bass-Charrington to Spirit Taverns and then to Mitchell & Butlers, and gradually turned into a pub which went out of its way to attract a younger clientele by holding weekly discos and providing TVs for sports coverage. After it became clear that the pub no longer appealed to the family market, and the customers it now attracted were more likely to (and did) cause trouble, Mitchell & Butlers sold it to a private equity company in about 2017. This company were not interested in reviving the pub and when it was no longer an asset to them, they closed it and put it up for sale in late 2018. It

remained empty and unsold, despite a valiant attempt by local people to buy it and use it as a community hub, until the present owner bought it in early 2020.

Of course, due to the pandemic and various lockdowns, the pub was not able to fully operate until April of this year. Prior to it reopening, I learned from a Facebook page associated with the pub (or a staff member) that they had acquired a 34ft TV screen for screening football matches in the beer garden (**see attached photo**).



This TV was duly installed in the beer garden and a timber sheltered area was built to protect the customers from the weather whilst watching the TV, which only exacerbated the shouting and foul language as the noise was diverted sideways and into our gardens.

I now set out the timeline of my complaints about noise from this TV, the patrons of the pub, and users of the car park, over the past 3 months as follows:

1. 30th April 2021 □ after the pub had been open for only 2 weeks, I contacted my local councillors () to advise that the licence conditions pertaining to the beer garden (i.e. to be closed at 23.00 Mon to Sat and 22.30 on Sundays) were being flouted, as people were still in there after midnight on more than one occasion . Cllr Ritchie took this up with Paul Rix of the Entertainment Licensing department.
2. 4th May 2021 □ I received an email from Paul Rix saying that the owner (Mrs Kelly Shaw) had advised him that the beer garden had been closing at 22.00, and he confirmed that due to legislative changes, it could be used from 08.00 to 23.00 as long as the sound was at background level (i.e. people would not have to shout to be heard above it).

3. 1st June 2021 I reported to Paul Rix that people had been in the beer garden at 00.25 on Sunday 30th May and also shouting in the car park at 23.30 on the Sunday night, [REDACTED]

4. 2nd June 2021 I emailed to Paul Rix to tell him that the TV screen had been left on after 22.30 on several occasions [REDACTED]

5. [REDACTED]

6. [REDACTED]

7. [REDACTED]

8. 23rd June 2021 at the end of my tether, I reported the loudness of the TV at 22.56 to the Noise Nuisance department online (ref W05439211746), [REDACTED] I have a recording on my phone of this noise, [REDACTED] (attached hereto **Voice 005**).

9. 26th June 2021 I reported fighting in the car park at 22.40 via the online form (ref W81631211771).

10. 2nd July 2021 I reported via the online form (ref W09255211836) that the TV was still on at 01.00, [REDACTED]
[REDACTED]

11. 9th July 2021 once again, I reported online that the TV was very loud and could be [REDACTED] even though there appeared to be nobody in the beer garden (ref W41241211900).

12. 10th July 2021 I reported again that the TV was still on at 01.00 (ref W78841211912) [REDACTED] I have video evidence of this on my phone.

13. 12th July 2021 I emailed Paul Rix to advise him that the TV had been left on and playing loudly until 01.00 on Saturday night/Sunday morning, and that the TV, which we had been told would only be used for the Euros and Leeds United games, had been on most days from lunchtime, [REDACTED] and provided him with the video/audio evidence and copies of my complaints to the Environmental Protection department.

14. [REDACTED] [REDACTED]
[REDACTED]
[REDACTED] It appeared that the car owner had left his radio on loud enough to be heard in the beer garden whilst he enjoyed a drink or two. It went on for at least 30 mins, and although I tried to contact the police by the non-emergency number to report this anti-social behaviour, I was unable to get through. [REDACTED]
[REDACTED] and asked them to speak to the person in the car park and get them to turn their radio off. A few minutes later the radio was turned off. However, later in the evening it happened again, presumably when the perpetrator returned to their car to drive off (incidentally, when it happened the second time, it

was met with loud cheers from the beer garden, presumably because they were enjoying the music (UB40's Greatest Hits!).

When I reported this to Paul Rix and he contacted the owner Mrs Shaw, she averred that she had no responsibility for what people did in the car park as it was a public one, and the person had probably left his car there and gone over the road to the bookmakers (for 30 mins, with the window open and the ignition on, in a pub car park??? I think NOT.

[REDACTED]

As you can see, we have had various serious problems of noise and anti-social behaviour from this pub over the past 3 months, much more than I ever experienced in the previous 30-odd years. Mrs Shaw seems to absolve herself from any responsibility for this noise,

[REDACTED]

[REDACTED]

The fact that the Barley Mow does not have a public telephone number with which to contact them makes it very hard to solve noise nuisance problems immediately, hence the number of complaints to the Environmental Health Department. However, judging by the responses received from Mrs Shaw, it would appear that such complaints would have been dealt with derisively in any case. My husband and I are not the only ones affected by this noise, and our neighbours have also complained to the Environmental Protection department, but most of them say that there's no point in taking it further because nothing will be done. I hope that their scepticism is unfounded.

[REDACTED]

she is the Licensee and the Designated Premises Supervisor so it is incumbent on her to train her staff in how to deal with noise and unruly customers. She is also the licensee and DPS of a number of other licensed premises in

Leeds and Bradford, so she is well aware of the rules and regulations and how her staff should be trained.

We believe that Mrs Shaw, as owner of the Barley Mow, is an unsuitable person to hold a licence for such premises, as she is totally unconcerned about the sort of customer she allows into the premises and whether the noise from her "entertainment" is disturbing her many residential neighbours, and we would like the licence to be reviewed taking into account all of the above.

I should be obliged if my name is not divulged to Mrs Shaw and/or her representatives, and removed from any publication of this representation, as due to the nature of the police action it is obvious that some patrons of the Barley Mow may not take kindly to my intervention, and my home and my family are vulnerable to reprisals.

Yours faithfully

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



From [REDACTED]
Sent: 4 Aug 2021 11:28:50 +0100
To: Deighton, Charlotte
Cc: Ritchie, Cllr Kevin; Rix, Paul
Subject: RE: Barley Mow, Bramley, LS13 - [REDACTED]

Dear Charlotte

Thanks for sending me a copy of the Decision Notice, which makes interesting reading. I wondered why the pub had suddenly started trading again yesterday.

May I make the following comments in regard to this document:

- the Barley Mow was closed in December 2018 and was bought by Mrs Shaw in 2020 and had therefore not been empty for five years as stated.

- the suggested measures set out in the document are in fact mainly Conditions of the Premises Licence which already pertain (as per the Leeds City Council Planning Portal):
 2. To maintain the existing CCTV system, to keep tapes for 31 days and to provide tapes to the Police on request.

 3. Maintain a daily incident register and signing on/off sheet in accordance with Police guidelines for all staff employed at the venue in the capacity of security, control or regulation of customers and those registered by the Security Industry Authority.

 5. ditto

7. ditto

8. Where there are reasonably held concerns about crime and/or disorder at a venue, consult with the Police regarding initiatives or action plans at addressing such issues.

9. To provide a suitable receptacle in accordance with Police guidance for the safe retention of illegal substances and inform the Police to arrange appropriate dispersal.

11. Mandatory Condition 9: The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

It would therefore appear that Mrs Shaw is either ignorant of the Conditions attached to her Premises Licence, or prefers to ignore them. In either case I would contend that she is not a suitable Licence holder.

I should like the above notes to be read as an Addendum to my substantive representation dated 2nd August 2021, at the Hearing on 16th August.

Kind regards



Sensitive

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[REDACTED]
Sent: 23 Jul 2021 15:24:34 +0100

To: Entertainment Licensing

Subject: Fwd: Representation Barley Mow lower Town street

Sent from my iPad

Begin forwarded message:

From: [REDACTED]

Date: 23 July 2021 at 14:59:26 BST

To: entertainment.licencing@leeds.gov.uk

Subject: Representation Barley Mow lower Town street

[REDACTED] near the premises and unfortunately have had to report the pub operating whilst in lockdown as well as a number of vehicles parking near our premises waiting for individuals to nip out of the public house and do a transaction (which appears to be drug dealing) .

Given the short period of time the premises have been open I would consider it more beneficial for the community for the pub to remain closed.

Regards

[REDACTED]

Sent from my iPad