

City of Bradford Metropolitan District Council

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Record of Hearings of the Bradford and Keighley/ShIPLEY Licensing Panel held on Tuesday 23 September 2008 in Committee Room 3, City Hall, Bradford

Procedural Items

DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

Hearings

1. **Application for variation of a Premises Licence for the Blue Pig, Fagley Road, Bradford (Document "I").**
2. **Application for variation of a Premises Licence for Daisy Hill Stores, 29 Daisy Hill Lane, Heaton, Bradford (Document "J").**
3. **Application for variation of a Premises Licence for the Worth Valley Inn, 1 Wesley Place, Ingrow, Keighley (Document "F").**



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Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL

RECORD OF A HEARING FOR VARIATION OF A PREMISES LICENCE FOR THE BLUE PIG, FAGLEY ROAD, FAGLEY, BRADFORD

Commenced: 1420

Concluded: 1510

Present:

Members of the Panel:

Bradford Licensing Panel: Councillors Hill (Chair), Sajawal Hussain and Love.

Parties to the Hearing:

Representing the Applicant:

Mr J Cordingley, Licensee

Ms J Bray, Designated Premises Supervisor (DPS)

Ms L Jackson, Business Partner of DPS

Representations:

The licensing officer in attendance summarised the background to the application which included details of the hours of licensable activities applied for and the steps proposed by the applicant to address the licensing objectives. The operating schedule for the premises had been updated since publication of the agenda and a copy of the amended version was tabled.

One letter of representation had been received from a local resident on the grounds of anticipated increase in noise and disturbance from regulated entertainment and noise and anti social behaviour from patrons using the external areas and leaving the premises late at night. Concern had also been raised about broken glass and bottles not being cleared regularly.

The Licensee addressed the meeting and reported that the Blue Pig was one of the oldest public houses in the district; located in an isolated spot near the Leeds and Bradford boundary and with the benefit of a large customer park. He described the distance of neighbouring Fagley Lodge as being 150 metres from the premises and claimed that the only other residential property in the location was Ravenscliffe Farm which was situated some distance from the premises.

He conceded that a recent review of the premises had resulted from failing management procedures at the premises; however, the situation had since been addressed through the appointment of an experienced and competent manager who had been in post since May. It was believed that no issues or complaints had arisen since that appointment. Details of two malicious calls made to police were discussed both of which had not resulted in any action being necessary.

Updated procedures, adopted since the recent review of the licence, were discussed and included the provision of 12 CCTV cameras covering external and internal areas of the premises; the erection of a boundary fence to prevent motorbikes or vehicles accessing nearby woods and membership of the local pub watch scheme.

It was maintained that internal and external improvements had been made to the property and a family atmosphere now prevailed.

The request for variation had resulted from customer demand and the necessity for the business to remain competitive with other licensed premises in the area.

The licensee stressed that only one letter of representation had been received from local residents and no representations had been made from any responsible authorities. He discussed the limited contact the DPS had made with her neighbours; her willingness to alleviate their concerns and intention to comply with the licensing objectives and the operating schedule for the premises. Children were removed from the premises before 2000 hours; smoking was not allowed in the doorway of the premises and employees were not allowed to drink during hours of licensable activity.

In response Members questioned progress on the steps proposed to address the licensing objectives and were informed:-

- A fire procedures assessment had been conducted by a recognised contractor.
- Provision of regulated music was not yet allowed but it was proposed that, if the variation was approved, the volume would be kept low; doors would be closed after 2000 hours; music would cease by 23.30 hours and the noise levels would be checked externally every 2 hours.
- A Challenge 21 scheme was in place and this ensured that any patron who looked underage would be challenged. If patrons could not provide suitable identification they would be unable to purchase alcohol.
- All areas of the premises were cleared of rubbish and bottles on a regular basis. The DPS would be prepared to install bottle bins and provide plastic drinking receptacles for customers using the outside areas.

In summary the licensee reiterated his intention to comply with all of the terms of the operating schedule and that he did not wish to upset the local residents.

Members suggested a number of conditions and that glass bottles and drinking receptacles be prohibited in the outside area of the premises.

Decision -

That having considered all valid representations made by the parties to the hearing, all valid written representations received during the statutory period, the published statement of licensing policy and relevant statutory guidance; the panel grants the application for variation subject to the following conditions:-

- 1.1 That all regulated entertainment shall cease at 2315 hours.**
- 1.2 That, except for the purpose of access and egress, all external doors and windows be kept closed during periods of regulated entertainment.**
- 1.3 That any noise from regulated entertainment emanating from the premises be inaudible at the nearest noise sensitive premises.**
- 1.4 That the external controlled smoking area be patrolled every 15 minutes from 2300 hours until the premises is closed in order to ensure patrons do not cause a disturbance for neighbouring residents.**

- 1.5 The consumption of alcohol and food in the external areas of the licensed premises shall not be allowed after 2200 hours.**

Reason: In order to ensure that the Licensee takes all steps in his control to limit noise nuisance and disturbance being caused to local residents as a consequence of customers smoking or consuming alcohol and food outside of the premises and to limit noise and disturbance emanating from the premises from regulated entertainment – prevention of public nuisance objective.

- 2. That children must leave the premises by 2000 hours**

Reason: In order to ensure that underage people do not gain access to alcohol – protection of children from harm objective.

Chair

Note: This record is subject to approval as a correct record at the next meeting of the Licensing Committee.

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THESE RECORDS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

RECORD OF A HEARING FOR VARIATION OF A PREMISES LICENCE FOR DAISY HILL STORES, 29 DAISY HILL LANE, BRADFORD

Commenced: 1510

Concluded: 1535

Present:

Members of the Panel:

Bradford Licensing Panel: Councillors Hill (Chair), Sajawal Hussain and Love.

Parties to the Hearing:

Representing Interested Parties:

Mr Tariq, local resident

Representations:

The licensing officer in attendance summarised the background to the application as reported in Document "J". It was revealed that six letters of representation had been received from local residents on the grounds of an anticipated increase in noise disturbance and anti social behaviour from patrons using the premises late at night. Concern had also been raised about broken glass, bottles, cans and litter thrown outside the premises and damage caused to property.

A local resident addressed the meeting and reported his belief that the current hours of operation were adequate to support the volume of trade in the area. Problems had been experienced because of insufficient parking in the area and the premises close proximity to local residencies. The location of residential housing and available parking spaces were indicated on a map provided. Incidents of broken glass and litter being deposited by young people congregating in the vicinity of the premises were also described and incidents when the alarm at the premises had been activated in the early hours of the morning were discussed. It was maintained that there were sufficient large retail outlets with extended operating hours within a reasonable distance.

Members questioned the residential nature of the area and the hours of operation of other retail outlets.

The local resident was informed that some of the issues which he had raised were not matters which the licensing panel could address. He was informed of Council departments where local residents could raise their concerns about illegal parking and noise disturbance being experienced from the premise's alarm system.

In summary the local resident reiterated the concerns of residents, outlined in the letters of representation; about possible increases in noise and disturbance to residents in the early hours of the morning should the variation be approved.

Decision –

That having considered all valid representations made by the parties to the hearing, valid written representations received during the statutory period, the published statement of licensing policy and relevant statutory guidance; the panel refused the grant of the application for variation.

Reason: To prevent noise and disturbance late at night and in the early hours of the morning in a densely populated residential area – prevention of public nuisance objective.

Chair

Note: This record is subject to approval as a correct record at the next meeting of the Licensing Committee.

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RECORD OF A HEARING FOR VARIATION OF A PREMISES LICENCE FOR THE WORTH VALLEY INN, 1 WESLEY PLACE, INGROW, KEIGHLEY

Commenced: 1540
Concluded: 1600

Present:

Members of the Panel:

Keighley and Shipley Licensing Panel: Councillors Hill (Chair), Sajawal Hussain and Love.

Parties to the Hearing:

Representing the Applicant:

Mr J Cordingley, Licensee
Mr S Lambert, Joint tenant and manager

Representations:

The licensing officer in attendance summarised the background to the application as reported in Document "F". A location map of the premises and surrounding area was tabled. One letter of representation had been received on the grounds of an anticipated increase in noise and disturbance and anti social behaviour from patrons using the external areas and leaving the premises late at night.

The Premises Licence holder outlined the variation application and reported that the application was in an endeavour to standardise the hours of operation and to provide a small area for customers to smoke at the rear of the premises.

The location of the premises was reported and a number of photographs of the premises and surrounding area were tabled. An internal layout plan of the premises was also provided. It was explained that the lobby at the front of the premises and double doors located at the rear would prevent noise emanating from the premises.

The experience and qualifications of the Designated Premises Supervisor (DPS) and his business partner were reported and it was stressed that the DPS had been involved with the premises for many years. A long term investment had been made in the business and the application was to provide an improved and flexible facility and to allow the business to remain competitive in the licensed trade.

In response to questions the Premise Licence holder confirmed that he would be happy to restrict the consumption of alcohol outside of the premises after 2200 hours; would check that noise was not audible at the nearest noise sensitive premises every 15 minutes after 2300 hours and would ensure that all external doors and windows were kept closed during periods of regulated entertainment.

Resolved –

That having considered all valid representations made by the parties to the hearing, all valid written representations received during the statutory period, the published statement of licensing policy and relevant statutory guidance; the panel grants the application for variation subject to the following conditions:-

- 1.1 That, except for the purpose of access and egress, all external doors and windows shall be kept closed during periods of regulated entertainment.**
- 1.2 That no amplified sound is to be audible at the nearest residential premises during the hours of licensable activity.**
- 1.3 That the external controlled smoking area be patrolled every 15 minutes from 2300 until the premises is closed in order to ensure patrons do not cause a disturbance for neighbouring residents.**
- 1.4 The consumption of alcohol and food in the external areas of the licensed premises shall not be allowed after 2200 hours.**

Reason: In order to ensure that the Licensee takes all steps in his control to limit noise nuisance and disturbance being caused to local residents as a consequence of customers smoking or consuming alcohol and food outside of the premises and to limit noise and disturbance emanating from the premises from regulated entertainment – prevention of public nuisance objective.

Chair

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