

## Record of a Hearing of the Bradford, Keighley and Shipley Licensing Panel held on Monday 13 September 2010 in the Council Chamber, City Hall, Bradford

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### Procedural Items

#### DISCLOSURES OF INTEREST

Councillors Amin, L'Amie and Ruding all disclosed a personal interest in the application for a Premises Licence for Octagon, Bradford Road, Sandbeds, Keighley as they knew the applicant in his capacity as a Councillor, but as they had not expressed a view on the application and as the interests were not prejudicial they remained in the hearing.

**ACTION:** *Assistant Director, Corporate Services (City Solicitor)*

#### INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

### Hearings

#### Bradford Panel

1. Application for Variation of a Premises Licence for Spice Entertainment, 55 Leeds Road, Bradford (Document "B")

#### Keighley and Shipley Panel

2. Application for Variation of a Premises Licence for Martinez Wines, 35 The Grove, Ilkley (Document "A")
3. Application for a Premises Licence for Octagon, Bradford Road, Sandbeds, Keighley (Document "B")



**RECORD OF A HEARING FOR VARIATION OF A PREMISES LICENCE FOR SPICE ENTERTAINMENT, 55 LEEDS ROAD, BRADFORD (DOCUMENT "B").**

Commenced: 1035

Adjourned: 1035

**Present:**

**Members of the Panel:**

Bradford Licensing Panel: Councillors Ruding (Chair), Amin and L'Amie.

**Parties to the Hearing:**

**Representing the Applicant:**

Mr Hill, Barrister representing applicant  
Mr Bashir, Solicitor  
Mr Parmar, Applicant and witness  
Mrs Parmar, Witness  
Mr Redmile, Witness

**Representing Interested Parties:**

Mr Marsh, Businessman  
Mr Hussain, Local businessman

**Observer**

Mr Pito

**Decision**

**That in light of the unforeseen absence of a legal advisor for the Licensing Authority the hearing be adjourned to ensure fair and full consideration of the application and representations made.**

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 A PREMISES LICENCE FOR MARTINEZ WINES, 35 THE GROVE, ILKLEY (DOCUMENT "A").**

Commenced: 1040  
Adjourned: 1100  
Re-convened: 1110  
Concluded: 1110

**Present:**

**Members of the Panel:**

Keighley and Shipley Licensing Panel: Councillors Ruding (Chair), Amin and L'Amie

**Parties to the Hearing:**

**Representing the Applicant:**

Mrs Sugden, Representing the applicant

**Observer**

Mr Pito

**Representations:**

The licensing officer in attendance summarised the background to the application and valid representations received as set out in the report.

The applicant's representative addressed the Panel and explained that the applicant had been a wine merchant on the Grove for 26 years. The cellar of the premises had been converted into a wine and tasting bar, however, the current licence had a condition that the consumption of alcohol was not allowed in the external areas. It was proposed that this be changed to exclude the consumption of alcohol in the external areas to the rear of the premises. The applicant's representative then read out a letter from the applicant and requested that Condition 17 on the licence be amended to allow alcohol consumption outside at the front of the premises only.

It was noted that four letters of objection had been received, though three raised concerns in relation to drinking at the rear of the premises and the applicant's representative confirmed that this had not been applied for. The customers who frequented the premises were middle aged and other businesses in the vicinity that had similar clients and were allowed chairs and tables at the front had not had any problems.

In response to a Member's questions regarding the highlighting of 'drink spiking' on the application, the applicant's representative confirmed that it was the premises policy to make customers aware of the risks involved in leaving drinks unattended. With regards to the letters of representations, the applicant's representative reiterated that the variation was just to allow the consumption of alcohol to the front external area only. The parking provision had not altered, all the conditions had been adhered to and no complaints had been received.

In conclusion the applicant's representative reported that residents had been informed of the proposal prior to the variation application being submitted. The Chair then queried if the number of chairs and tables placed at the front of the premises would be limited. In response the applicant's representative confirmed that only 4 or 5 tables would be put out.

### **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 grants the application for variation as applied for.**

Chair

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

**RECORD OF A HEARING FOR A PREMISES LICENCE FOR OCTAGON, BRADFORD ROAD, SANDBEDS, KEIGHLEY (DOCUMENT "B").**

Commenced: 1110  
Adjourned: 1130  
Re-convened: 1140  
Concluded: 1145

**Present:**

**Members of the Panel:**

Keighley and Shipley Licensing Panel: Councillors Ruding (Chair), Amin and L'Amie

**Parties to the Hearing:**

**Representing the Applicant:**

Mr Cordingley, Representing the applicant  
Mr Pennington, Applicant

**Observer**

Mr Pito

**Representations:**

The licensing officer in attendance summarised the background to the application and valid representations received as set out in the report.

The applicant's representative informed the Panel that the premises had been vacant for some time prior to it being acquired by the applicant. Architect drawings had been commissioned and the external building would not alter. Extensive discussions had taken place with the responsible authorities and it was proposed that there would be a multi-purpose use of the premises. The applicant's representative stated that the premises was in an excellent location, on a main road and bus route and the car park would also be extended to accommodate 58 vehicles in order to prevent parking on the road side. The facilities had been generally welcomed by the community and the applicant believed that the fears of residents would be alleviated over time.

In response to the letters of objection, the applicant's representative confirmed the following:

- The car park would be managed at all times;
- CCTV would be installed;
- The majority of the clientele would mainly be over 30 years of age;
- There would be no admission after 2200 hours;
- The premises would be used for various events;
- The premises would not be a drinking establishment; and
- That flexibility regarding the licence was required.

Members then questioned the applicant with regard to the current position regarding the premises and the proposed use. In response the applicant reported that:

- the premises had been for sale for 3 years and empty since January 2010.
- the premises was not currently trading.
- alcohol would only be served, if required, when there was a function and residents in the vicinity had been visited to explain the intentions of the application.
- the bar would have a substantial range of non-alcoholic beverages.
- the premises would not be open after midnight during the week. Events would be held on weekends and the premises would probably only remain open after midnight once a month.
- live music would not be played after midnight.

## **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 grants the application subject to the following condition:**

### **1.1 Hours of licensable activities:**

#### **Live Music:**

**New Years Eve: 1100 to 0100**

### **1.2 That noise from amplified and non-amplified music, singing and speech arising from regulated entertainment at the premises shall not be audible at the nearest noise sensitive premises.**

**Reason: To prevent noise and disturbance to residents in the vicinity of the premises – 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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