

## **Record of a Hearing of the Bradford District Licensing Panel held on Thursday, 2 March 2017 in Reception Room 2, City Hall and Thursday 23 March 2017 in Committee Room 4, City Hall**

### **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**

Variation of a Club Premises Certificate for Crossflatts Cricket Club, Keighley Road, Bingley



## RECORD OF A HEARING FOR VARIATION OF A CLUB PREMISES CERTIFICATE FOR CROSSFLATTS CRICKET CLUB, KEIGHLEY ROAD, BINGLEY

Commenced 1000 (2/3/17)  
Adjourned 1010 (2/3/17)  
Reconvened 1300 (23/3/17)  
Concluded 1400 (23/3/17)

### Present

#### **Members of the Panel**

**Bradford District Licensing Panel:** Councillor M Slater (Ch), Councillor Morris and Councillor BM Smith

#### **Parties to the Hearing**

##### **Representing the Applicant**

Mr Hodgson – Chair of the Cricket Club

##### **Representing Interested Parties**

Mr White – local resident

#### **Representations**

At the meeting of the Panel held on 2 March 2017, the Senior Licensing Officer reported that a request had been received from the applicant in respect of the above application for consideration to be deferred as he was unable to attend the meeting. Having considered the request, the Panel acceded and the meeting was adjourned.

It reconvened on 23 March 2017 and the Assistant Director, Waste, Fleet and Transport Services, presented a report (**Document “M”**) that outlined an application for variation to extend permitted hours for live and recorded music and the supply of alcohol by or on behalf of a club on a Friday and Saturday. The Panel was also advised of an objection to the application which had been received from a local resident.

The applicant attended the meeting and made representations in respect of the application, explaining that it had been made as a result of the necessity for the club to raise funds to buy its cricket pitch from its current landlord. The club viewed the opportunity to do so as beneficial both for itself and for the wider village as it would ensure that sport could be played there for many years to come. The variation to the licence would mean that the club could offer family functions, presentations and late night sports viewing, all of which would bring in additional income. The club had been offered a loan from Yorkshire Cricket to enable it to buy the pitch but must be in a position to make repayments on that.

He also stressed that the club took its licensing responsibilities seriously and had installed CCTV at the premises and was a member of the “Pubwatch” scheme. The club prided itself on being family friendly and the barman was also a child welfare officer.

The applicant reported that he had walked past the objector’s house and seen litter there. He was not convinced that it came from patrons of the club but was willing to include the objector’s drive in the regular litter pick which was already undertaken. He also doubted

that the other problems complained of were caused by club members as the clubhouse was some distance from the nearest houses, including the objector's. He stressed that there had never been a complaint made to the club and that, if the objector or anyone else reported problems to the club, they would be resolved.

He stressed again the need to vary the licence to raise funds to buy the pitch and advised that the club was a community asset, with rugby and football also played there as well as activities such as choir singing, ukulele playing and a walking group all using the clubhouse. He also stressed that the club did not want to attract an undesirable element and that, if the junior sports teams wanted to enter the club house, they could do so only in the company of their coach.

The Panel had been provided with a small plan of the area around the clubhouse and asked the applicant to sketch onto it an indication of the curtilage of the club's whole premises. The objector also examined the plan and sketched his property and gateway onto it.

Members then questioned the applicant in respect of the exit to the main road, asking if there was a gate and if there was any other exit route that patrons could take. In response they were informed that there was no gate and no other route that would be used.

A Member queried the likelihood of patrons leaving the club and causing the problem of public urination reported by the objector. The applicant doubted that as the club's own CCTV had not shown any such incidents, there were facilities inside the clubhouse and the road in question was also used by other members of the public.

In response to another question, the applicant confirmed that the club's CCTV covered the interior of the premises, circled the outside of the clubhouse and covered a distance halfway along the drive. It was a recently installed, digital system with good clarity and there had been no need to delete any footage in the first twelve months of its operation.

A local resident queried whether the variation was required as he had understood that ownership of the pitch had been offered in exchange for the current car park. The applicant advised that this was not the case and that the pitch must be bought from the current landlord.

The resident then went on to make representations in respect of his objections, advising that he could hear current entertainments from the club but had never complained as it was not a problem but he was concerned that it would be more problematic at 0230. He reported issues of people being disruptive as they walked past his property and queried whether alcohol could be consumed out of doors. The Licensing Officer advised that, unlike the sale of alcohol, the consumption of alcohol was not a licensable activity.

The resident went on to stress that he had no objection to the sale of alcohol by the cricket club nor to entertainments taking place, however he would prefer there to be no "out-sales" from the club after 11.00pm.

Members then questioned him in respect of the problems he had encountered and were advised that there were few problems in the winter and that most of the problems occurred at weekends during the summer months.

In response to questions about public urination, Members were advised that problems

occurred in a recess near the resident's gate and garden wall; that the resident had witnessed incidents two or three times and that it seemed to be younger people who caused the problem.

He also confirmed that he had not contacted the cricket club direct to report problems and that he was at the meeting to speak on behalf of the residents of the nearby flats as well as himself. He stressed that he was not a "nimby" and that his main concern was to restrict the sale of alcohol off the premises as he considered this would go a long way to alleviating the problems.

The applicant then stressed his willingness to work with local residents and agreed to the objector's suggestion in respect of "off-sales".

In conclusion, the local resident stressed that he was satisfied that the Panel had considered all the issues and that the applicant was willing to compromise. The applicant also stressed that the club was trying to be a good neighbour and that he was satisfied that the resident was also trying to compromise.

#### **Resolved –**

**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 statutory guidance; the panel grants the application for variation subject to the following conditions:**

- (1) That supply of alcohol for consumption off the premises must not take place after 23:00.**
- (2) That prominent signs be displayed at all public exits to the premises requesting patrons to be quiet on leaving and entering.**
- (3) That approved CCTV shall be maintained in good working order and used at all times that the premises remain open to the public for licensable activities. Any CCTV footage shall be kept for at least 28 days and be available to the Licensing Authority or a Responsible Authority on request.**

Reason – It is considered that the above conditions are necessary to prevent noise and disturbance to local residents.

Chair