

Record of a Hearing of the Bradford District Licensing Panel held on Tuesday, 20 June 2017 at 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

Application for a new Premises Licence for the Gin Lounge, 45 Brook Street, Ilkley (Document "A").



GIN LOUNGE, 45 BROOK STREET, ILKLEY

RECORD OF A HEARING FOR A PREMISES LICENCE FOR THE GIN LOUNGE, 45 BROOK STREET, ILKLEY LS29 8AG

Commenced: 1330

Adjourned: 1405

Reconvened: 1410

Concluded: 1415

Present

Members of the Panel

Bradford District Licensing Panel: Councillor M Slater (Ch), Councillor Swallow and Councillor Morris

Parties to the Hearing

The Applicant – Ms R Yates and Ms J Wilson, Business Partner

Representations

The Assistant Director, Waste, Fleet and Transport Services presented **Document “A”** which outlined an application for a new premises licence for the sale of alcohol and the provision of regulated entertainment.

It was explained that a local resident who had made representations, which were contained in Document “A”, was not able to attend the meeting. The resident’s letter was recited and concerns about anticipated noise and disturbance were explained.

In response to assertions, made in that letter, that the notification of the proposals had been displayed inappropriately Members were assured that the Licensing Enforcement Officer had inspected the notice and was satisfied that it was correctly displayed. It was also explained that the concerns regarding the potential for chairs and tables to be situated on the pavement was a matter for the Council’s Highways Department. The representation referred to the number of licensed premises in Ilkley Town Centre and Members were advised that consideration of market demand was not within the Panel’s remit, however, noise and disturbance should be considered.

The applicant addressed the meeting in respect of her application. It was explained that, together with her business partner, she wished to open a lounge in keeping with the environment in Ilkley Town Centre. In an attempt to deter anti social behaviour the premises would only admit customers over the age of 25. It was envisaged that the atmosphere of the lounge would be mellow with soft playing jazz music allowing patrons to sit and enjoy fresh cocktails whilst holding conversations in an opulent environment.

The idea for the bar had arisen when the applicant and her business partner had noticed a lack in the market of places where customers could sit and unwind whilst enjoying a drink in a relaxing environment.

It was stressed that there had been no objections raised from residents of nearby flats and statements had been received from residents confirming that they were looking forward to

the opening of the premises.

In response to questions it was explained that there were an additional two floors of the building located above the bar. Those floors would be converted to boutique hotel rooms. This was a change to previous plans to locate staff accommodation on those floors. It was maintained that consent had been received from the landlord to use the 3rd and 4th floor of the building; discussions were being held about the future use of the accommodation and there was no intention to prejudice the use of those rooms with loud music emanating from the bar.

The location of other premises in the area was discussed and Members were advised that those licensed premises were situated nearer to residential properties and that those establishments did play music. No objections had been received from those businesses.

In response to the claims from a local resident that the notification was deliberately not displayed in a prominent position it was explained that, at the time the notice was erected, the applicant and her partner did not have the keys to the premises and the landlord had displayed the notice. When they were made aware of the representation they asked the landlord to move the notice to the front of the premises.

It was acknowledged that there were a number of premises in the Ilkley area which were frequented by young people and it was stressed that applicant's intention was to provide a facility which more mature people would frequent. Smoking would only be allowed outside of the premises and there would be no public access to the private yard at the rear of the building. It was also confirmed that the premises would work with other establishments in the area to reduce anti social behaviour in Ilkley.

Members were assured that the outside of the premises would be kept tidy and that there was no intention to apply to the Highways Department to use the outside space. Meetings had been held with other bar owners in the area who had been made aware of the proposals and the applicants commitment to work with them. Feedback from other establishments to the proposals had been positive.

Discussions which had been held regarding EPOS (electronic point of sale) equipment were related and attempts to install a method of member swipe card entry were reported. It was proposed that customers would sign up to a membership scheme with entry to the premises being via a swipe card entry system.

Following the applicant's statement a number of issues were raised to which the following responses were provided:-

- The applicant and her partner were willing to incorporate a "Challenge 25" proof of age policy.
- The applicant and her business partner were both drug and alcohol counsellors and were knowledgeable and able to deal with people who were under the influence of drink.
- It was felt that the use of door stewards could be detrimental to the ambience of the bar. It was confirmed that should the intended swipe card entry system not be practical the use of door staff would be considered.
- The rear yard was private and would be used for delivery and fire escape purposes only.

- Meetings had been held with EPOS providers and following research it was not felt that the entry system would be detrimental to fire safety. If there was any detriment to safety the system would not be implemented. Fire escapes would be installed.
- A piano on the premises was for decoration purposes only and live music would not be played.
- Ilkley Parish Council had been notified of the application and no representations had been received.

In summation the applicant acknowledged that there would be concerns about any new developments but hoped she had assured Members about the nature of the new venture. She stressed that the business would be located in a busy town centre where there was a demand for bars and restaurants.

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 relevant statutory guidance; the panel grants the application subject to the following condition:-

- **That an appropriate proof of age policy, incorporating the principles of the “Challenge 25” Campaign be implemented; incorporating measures to ensure that any patron wishing to purchase alcohol who may reasonably appear to be under 25 years of age are asked to prove that they are at least 18 years old by displaying evidence of their identity and age in the form of a valid UK passport, new style driving licence displaying their photograph or PASS identification.**

Reason - It is considered that the condition is necessary to ensure compliance with the Protection of Children from Harm objective of the Licensing Act.

