

Record of a Hearing of the Bradford District Licensing Panel held on Monday, 16 July 2018 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 a Temporary Event Notice for an event to be held at 35B The Arcade, North Street, Keighley (Document "C")**

35B THE ARCADE, NORTH STREET, KEIGHLEY

RECORD OF A HEARING FOR A TEMPORARY EVENT NOTICE FOR AN EVENT TO BE HELD AT 35B THE ARCADE, NORTH STREET, KEIGHLEY (DOCUMENT "C")

Commenced: 1305

Concluded: 1335

Present:

Members of the Panel:

Bradford District Licensing Panel: Councillors M Slater (Chair), Ellis and BM Smith

Parties to the Hearing:

Representing the Licensee:

Mr Medley, applicant

Responsible Authority

Mr Winchcombe, Environmental Health Unit, Bradford Council

Representations:

The licensing officer in attendance summarised the background to the application and valid representations received as set out in the report. Members were informed that the applicant had agreed to a request from West Yorkshire Police to amend the hours applied for and they had not submitted an objection. The Council's Environmental Health Unit had submitted a representation on the grounds of public nuisance, as the premise was located in close proximity to residential properties.

The applicant addressed the Panel stating that the hearing could have been avoided if the Environmental Health Unit had contacted him, as he would have moderated the event.

In response to questions from the Panel, the applicant confirmed that:

- The space to the rear of his premises would be used on the Friday evening for a community event. The option to leave late would allow people to disperse over a phased period of time and the Sunday event would be for family and friends.
- All the flats were modern and noise could not be heard when the windows were closed.
- He wanted his rum shop to be the best.
- Admission would be by invite only. Tickets could be produced if required and numbers could be reduced.
- His property had a door at the rear.
- Following discussions with the police he had decided not to place a speaker on the back street.

The representative of the Council's Environmental Health Unit explained that Environmental Health only had 3 days to respond to Temporary Event Notices and in an ideal situation the applicant would be contacted. He reported that a decision had to be made on the information submitted and the hours requested had been from 1800 hours on Friday until 2200 hours on Sunday with some breaks, which would be like holding a 36 hour party. The sound system in the back street had raised concerns, as there were flats above the shops and in the nearby vicinity. It was believed that the event could result in complaints, therefore, an objection had been submitted.

In response to a Member's query in relation to building vibration sound and the type of music to be played, the applicant stated that lighter music, like background, would be played that suited the scene. The representative of the Council's Environmental Health Unit indicated that he disagreed about the noise and believed that there would be some impact noise. He reported that airborne sound would be a major concern, as there would be a DJ and pre-recorded music of varying types that would be amplified. People would also congregate in Temple Row and the noise from talking would add to the effect. Overall the noise would be inescapable. The applicant then confirmed that he had held events previously and no complaints had been received.

The applicant informed the Panel that the representative of the Council's Environmental Health Unit was entitled to his view, however, amplified music could be played on varying levels. He question again as to why he had not been asked how loud the music would be if there were concerns that noise complaints would be made. In response the representative of the Council's Environmental Health Unit indicated that they were also concerned about the nuisance element, as the complaints would be about both noise and nuisance. The amplification would, therefore, be irrelevant.

The Panel then questioned whether the representative of the Council's Environmental Health Unit would be prepared to withdraw the objection if the hours requested were amended and if the main objection was in relation to the amplified music on the street.

The applicant then announced that he would be willing to withdraw the Temporary Event Notice and resubmit the application with evidence of support for the event.

Decision –

That the withdrawal of the Temporary Event Notice be noted.

Chair

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