

Record of a Hearing of the Bradford District Licensing Panel held on Friday, 5 October 2018 in Committee Room 1 - 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 Builders Yard, Mount Place, off Saltaire Road, Shipley (Document “G”)**

BUILDERS YARD, MOUNT PLACE, OFF SALTAIRE ROAD, SHIPLEY

RECORD OF A HEARING FOR A TEMPORARY EVENT NOTICE FOR AN EVENT TO BE HELD AT BUILDERS YARD, MOUNT PLACE, OFF SALTAIRE ROAD, SHIPLEY (DOCUMENT "G")

Commenced: 1010

Concluded: 1040

Present:

Members of the Panel:

Bradford District Licensing Panel: Councillors Azam (Chair), BM Smith and Hawkesworth

Parties to the Hearing:

Responsible Authority

Mr Fairclough, 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 Council's Environmental Health Unit had submitted an objection to the event on the grounds of public nuisance, as they were in receipt of an ongoing complaint regarding an alleged noise nuisance caused by the playing of or performance of loud amplified music at the Bar, 52 Saltaire Road. It was strongly suspected that the Builders Yard formed part of the Bar, therefore, the Notice could not be supported unless it could be demonstrated that the event would not cause a disturbance.

The representative of the Council's Environmental Health Unit explained that noise complaints had been received from the Saltaire Road area and in relation to number 48. He confirmed that the proposed event was to be held outside and there was no way to prevent the noise from being heard. The Builders Yard was surrounded by buildings on three sides, which would reflect the sound and create amplification. Only one side was open and the noise would emanate to Taunton Street, which was elevated.

In response to Members' queries, the representative of the Council's Environmental Health Unit reported that:

- The houses on Taunton Street were terraced properties and were the closest residential dwellings to the site.
- There were 18 properties on Taunton Street.
- It was a commercial application.

A Member then questioned when the last temporary event had occurred in the vicinity and was informed by the licensing officer that one had taken place at number 52 the previous

weekend. A premise was permitted 12 events or 21 days per year, which ever was used first and number 52 had used their quota of Temporary Event Notices (TENs) for the year.

Members then posed further questions and the representative of the Council's Environmental Health Unit reported that the event would be a DJ and music played through an amplifier. He confirmed that this was the first TEN submitted by the Builders Yard and it was suspected that the area was part of the Bar, which was not a licensed premise.

In summation the representative of the Council's Environmental Health Unit stated that as the event would be held outdoors there was no way to prevent the sound from breaking out. The residential properties on Taunton Street were elevated and, therefore, a statutory public nuisance would be caused.

Decision –

In light of the Environmental Health evidence relating to the investigation of public nuisance regarding the openness of the venue, the proximity to residential properties and the lack of evidence of noise attenuation measures at the premises, the Panel is not convinced that public nuisance issues would be fully addressed in respect of the proposed event at the premises and therefore authorises service of a Counter Notice preventing the Temporary Event.

Chair

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