

## **Record of a Hearing of the Bradford District Licensing Panel held on Thursday, 9 May 2019 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**

**Application or Variation of a Premises Licence for Chapel House, Park House Road, Bradford**

## CHAPEL HOUSE, PARK HOUSE ROAD, BRADFORD, BD12 0HP

Commenced: 1100  
Adjourned: 1225  
Reconvened: 1240  
Adjourned: 1245  
Reconvened: 1250  
Concluded: 1252

### Present

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

**Bradford District Licensing Panel:** Councillor M Slater(Chair), Councillor Godwin and Councillor Hawkesworth

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

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

Mr Blundell – applicant  
Mr Dorrington – representing Greene King  
Mr Warne – Solicitor

#### **Representing Interested Parties**

Councillor Warburton – Ward Councillor  
Councillor Watson – Ward Councillor

#### **Observer**

PC Brown

### **Representations**

The Assistant Director Waste, Fleet and Transport Services presented **Document “W”** which outlined an application for a variation of a premises licence for Chapel House, Park House Road, Bradford, as follows:-

- Include the external areas for the sale of alcohol from the hours of 11.00 to 23.00 for the Friday, Saturday, Sunday and Monday of the ‘Chapel Fest’ event.
- Include the external areas for regulated entertainment from the hours of 11.00 to 20.00 for the Saturday and Sunday of the ‘Chapel Fest’ event.

Amend the following condition from;

- No amplified sound, including music to be played or projected outside the premises to
- No amplified sound, including music is to be played or projected outside the premises with the exception of the Saturday and Sunday of the ‘Chapel Fest’ event.

It was noted that objections to the application had been received from the three ward Councillors who each raised concerns as a result of the problems experienced at the Chapel Fest event held in 2018.

The applicant’s solicitor then made a detailed presentation in respect of the application,

noting first the very detailed event management plan which had been circulated to all parties. He stressed that the variation applied for was to allow a four day community event to take place over the late May bank holiday. He detailed the events which would take place on each day, explaining that Friday and Monday would both be very low key events and that the majority of the event would take place over the Saturday and Sunday. He advised that the bands which would be performing would all be local acts and that the beer tent and marquee would showcase local beers, gins and ciders. All bottles would be decanted into plastic glasses with the exception of souvenir taster glasses which would be on sale for use at the event and to keep afterwards.

He advised that this would be the fourth Chapel Fest event and accepted that the previous year's event had been unexpectedly busy and had therefore been difficult to manage. The result of that had been that some people had behaved as they should not have done, however the majority of the feedback from the event had been positive. He stressed that as the event grew so must its management.

He stated that the pub was a community pub which ran lots of community events and functions. It was considered to be a local pub and had received no complaints from neighbours. It had a very positive relationship with the neighbouring church.

The solicitor then went through the management plan in detail, explaining that fencing would be used to seal off the external area and that the entrance would be staffed. There would be full visibility across to the church to prevent the issues of poor behaviour including public urination which had previously occurred. The number of portaloos on site would also be doubled from four to eight units and signage to them would be improved. Patrons would be encouraged to walk to the event or use taxis and additional parking had been arranged at two nearby venues. Eight stewards would be employed and all would be SIA registered. The solicitor concluded by pointing out that no written Police or Environmental Health representations had been made and that a letter of support had been provided by the church. He noted also that ward councillors had not approached the pub, either after the event last year or before making their representations to this application.

Members of the Panel then questioned the applicant's solicitor in some detail, beginning with the Chair's questions in respect of which local residents had been contacted and where they lived and whether it was reasonable to expect patrons to comply with requests not to park on the road. In response, he was advised that residents living in the nearest properties, which were cottages shown on the plan attached to Document "W" along with the first semi detached property on the plan had been contacted. He was also advised that, while parking offences were a police matter, patrons would be strongly encouraged to park in the nearby car parks and that this was a significant improvement on the previous year when no additional parking provision had been made.

A member queried the location of the car parks in relation to the pub and was advised that they would be within 200 metres of the event. A copy of the plan was marked up with the two locations and circulated around all parties.

Questions were also asked about site security on the Monday and Friday of the event and about identifying patrons who had over-imbibed as a result of the events lasting all day. The Panel was advised that there would not be security on the Friday or Monday as those days were to be far more low key than the weekend. Members were also advised that all bar staff had undergone training; that patrons were not expected to stay all day and that

there had been no evidence of intoxication problems at previous events.

Additional questions were asked about the issues of how much alcohol patrons might consume and how patrons could be prevented from buying alcohol for other people whom it was not appropriate to serve. Answers were given to the effect that average consumption across an event may be 4-5 pints but that staff were trained to spot overconsumption and that approximately 30 staff would be on duty across the whole event as it had been recognised that this was necessary after last year's festival. It was also stressed that the Challenge 25 policy would be in force throughout.

A member queried why, if entertainment was scheduled to end at 8.00pm, the event was due to continue until 11.00pm and was advised that it would enable the beer tent to stay open and would encourage people to leave in their own time instead of in large groups. Music would also still be played inside the venue after outdoor entertainments had ceased.

The Panel's legal advisor asked a number of questions to clarify the following points:-

- How many people attend the event in the previous year?
- Were over 500 people expected this year?
- When were complaints received?
- Which residents were visited to ascertain their concerns?
- Were the complaints from the three ward councillors accepted as valid?
- Would complaints increase as the event grew?
- Would the event constitute a public nuisance?

In response, he was advised that:-

- The number of patrons at last year's event was unknown
- More than 500 people were expected this year, which is why no application for a temporary event notice had been made.
- No complaints had been received after the event
- The five nearest cottages had been visited.
- All concerns were accepted as valid
- Any event with external music would cause noise, however no residents had complained and the three concerns raised had not been backed up by evidence nor by resident complaints.
- It was not accepted that a public nuisance would be caused as this was very strictly defined.

A Panel member queried whether any consideration had been given to making entry to the event by ticket only and was informed that this had been considered but dismissed as being prejudicial to patrons wishing to merely turn up on the day. Capacity would be monitored by use of a "clicker" device to stay within the 800 maximum capacity which had been identified by using the standard industry guide.

In response to a question about parking provision and whether staff and entertainment parking had been considered, it was confirmed that all the acts had been instructed to attend in advance to drop off their equipment and to remove their vehicles before the event started. Staff would be permitted to park in the public grounds before the event started. Management of the two visitor car parks was included in the management plan and the event was being heavily promoted on the basis of patrons not arriving by car. Problems with cars had been caused by a very small number of vehicles last year and more than enough parking had been put in place to deal with similar numbers this year.

It was also stressed again that stewarding would not be necessary on either Friday or Monday as events on those days would be much more family focussed.

A ward councillor reiterated her concerns that the event was in danger of outgrowing itself but was advised that the management plan now proposed would go along way to resolving issues which had cropped up last year and that the event was not being reviewed at this hearing. If the event continued to grow, its organisation would be revisited.

Ward Councillors then made their representations in opposition to the application, advising that they were attending on behalf of residents who had been too frightened to object in person for fear of reprisal. They described the previous year's event as "horrendous", with drunk people in the street and roads blocked by vehicles. Residents had been shouted and sworn at; people had been witnessed urinating in the graveyard and gravestones had been defaced. There had been no police presence nor any security in place and elderly residents had felt trapped in their homes. Councillors considered that the venue was too small for this type of event and had concerns that it had been advertised for this year since January 2019.

They welcomed the measures which had been put in place to manage this year's event but were still concerned that 800 people were expected to attend, with the issues of parking and timings that would ensue. They recommended holding the event at a larger site away from the pub to allow more space.

In response to questions about why complaints were not taken further last year, the ward councillors advised that they had left the matter in the hands of the police but that they had been contacted by residents as soon as the event had been publicised for this year. The applicant's solicitor expressed some concern that the detail about residents' concerns had not been provided in advance of today's hearing as he considered it had not given him any opportunity to look into the issues complained of. He asked whether ward councillors would be willing to mediate in future and was advised that they would.

In conclusion, the ward councillors stressed that they liked to support community events but maintained their view that this event had outgrown its present site and had grave concerns about it going ahead. If it did go ahead, they requested an opportunity for a discussion about future years

The applicant's solicitor concluded by stressing that this event had only been running for four years and that teething troubles were to be expected. He asked that its popularity with the community be celebrated and hoped that any residents with concerns would come forward to speak to the applicant. He advised that a sum of £800 had been raised for charity last year and drew the Panel's attention to the fact that no representations had been received from responsible authorities. He stressed the significant measures that had been put in place to manage the event this year, including parking, stewarding, toilet facilities and the provision of perimeter fencing. He stated that people must take responsibility for their own actions; that anti-social behaviour was upsetting for everyone and that most local residents liked and supported this event.

Having retired to deliberate, the Panel called all parties back into the hearing to query whether the proposed perimeter fencing would restrict visibility. It was advised that the style of fencing used was the of the type called "heras" fencing which was commonly used at public events and which was open mesh that could be seen through but not pushed

through. Having ascertained this, the Panel retired to deliberate once more.

**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 as applied for.**

***ACTION: Assistant Director Waste, Fleet and Transport Services***

Chair

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