

Record of a Hearing of the Bradford District Licensing Panel held on Thursday, 25 July 2019 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

Hearing

Review of a Premises Licence for North Parade, Bradford, BD1

Commenced: 1010
Adjourned: 1138
Reconvened: 1155
Concluded: 1158

Present

Members of the Panel

Bradford District Licensing Panel: Councillor Slater (Ch), Councillor Godwin and Councillor Hawkesworth

Parties to the Hearing

Representing the Applicant

Mr Ali – applicant

Representing the Licence Holder

Ms G Simpkins – Event Manager

Mr L D'Apolito – Event Management Team

Representations

The Interim Assistant Director, Waste, Fleet and Transport Services presented a report (**Document “B”**) which outlined an application for review of a Premises Licence authorising the sale of alcohol and the provision of regulated entertainment for one event per calendar year. The Panel was advised that the licence was restricted to the hours of 1200-2000 and that it did not have a specified date within each year. The application for review had been made on the basis of concerns about public nuisance and crime and disorder.

The Licensing and Local Land Charges Manager advised the Panel that the supporting documentation for the review had been served on all parties to the hearing and that supporting documents from the Event Management Team had also been circulated, although they had been received late. Two video clips had also been submitted after the deadline for submissions so there had been no opportunity to arrange for them to be viewed.

With the agreement of the Panel, the Chair stated that, in view of their late submission, the video clips would not be viewed.

The Panel was also advised of the possible options in respect of the decision making process at this hearing, and that any decision made would not take effect for 21 days as there must be a period of time for an appeal to be made. It was noted that the event for this year was scheduled for Saturday 27 July 2019.

The applicant for the review then made representations in support of his application, stating that he and his brother had made the application together as they ran a designer menswear and children's wear business on North Parade and had done so since 2009. The location of the yearly event, which took the form of a street party, meant that the main stage was sited directly outside their premises and that it created a significant nuisance on an otherwise busy trading day. They also suffered from nuisance caused by people who

loitered outside the store while drunk. Although the stewards for the street party tried to help with the problem they were often too busy to do so. Such problems meant that customers could not access the store or were unwilling to approach the premises if they had young children with them. The closure of the road for the street party also meant that potential customers were discouraged. There had been previous problems of party goers trying to enter the store while holding bottles and glassware containing alcohol and even an incident of public urination outside the store and another of an abusive person refusing to leave the store. Problems for people using pushchairs as a result of the size and location of the stage were also reported.

The applicant stated that he believed the street party was not good for retail business and reported that two other businesses had also supported his application for review, one of which was a clinic for the hearing impaired and had concerns about the vibrational sounds from the street party. The other was a nursing agency, which although not open on a Saturday, had staff who needed to submit their timesheets and who did not feel comfortable approaching the premises past the street party goers who could be drunk and intimidating.

The applicant also referred to an unoccupied premises on North Parade which had a bowed wall and which he was concerned could be a safety hazard as a result of the vibrations caused by loud music.

He concluded his presentation by reiterating the nuisance caused to his business, especially on a busy trading day such as the last Saturday in a month and stated that, if it did go ahead, he would have to consider closing his shop for the day.

Members of the Panel then asked questions of the applicant, including how long the street party had been taking place; the effect on turnover and whether there would be any opportunity to advertise his business at the street party.

In response the applicant stated that the party had been taking place for five years and that there had been problems each year; that it adversely affected turnover for his business by about 70-80% of sales on that day and that there was very little chance of enhancing business via the party as both catered to a significantly different clientele.

He was asked if repositioning the stage would make a difference and, although he considered siting the event within a park would be the best solution, did accept that it could be beneficial to re-site the stage in future years.

He also explained that he had not previously requested a review as he had not been aware that he could do so.

He confirmed that the event had taken place in July in the previous year and that he had been at the shop on that day and on the day of the party in previous years.

The Licensing and Local Land Charges Manager advised that the Licensing Team had not previously received any complaints about the event.

The applicant also advised that he had not previously contacted the Police but that he now understood he could do so. He stated that people were drunk at the start of the party at 1200 because local bars served alcohol from 1000. His business opened from 1000 to 1800 and sometimes stayed late at the request of customers.

In response to questions from the Panel's legal advisor, the applicant also confirmed that he was speaking on behalf of the nursing agency, which although closed on a Saturday, had complained that their staff could not access the premises to submit their time sheets.

The event manager then made representations in support of the event, explaining that it had originated in 2014 to boost the economy of North Parade. All businesses had been asked if they would like to participate and one of the original principles of the event was to celebrate the diverse and multicultural nature of Bradford. She stressed that it was not just a music event with people drinking and that for as long as the event had been in operation the Event Management Team had worked very closely with the Council and the Police to ensure its proper management.

She addressed each complaint made in turn, explaining first that the empty premises referred to had previously been her own business and that measures had been put in place to prevent its re-use until the necessary remedial works had been carried out. She advised that the area to the front of these premises would be fenced off during the street party as a precaution but that the positioning of the stage and the type of music being played meant that there was no risk from vibrations.

She had been unaware of the concerns of the nursing agency but had since spoken to them direct and had arranged for a clear passage way to their premises to be maintained and managed by stewards.

She had spoken to the applicant and his brother and offered them a similar facility for clear passage to the store entrance as well as two parking spaces for their customers. She had previously been assured by the brothers that they had no concerns.

She also pointed out that in 2018, the event had taken place in August on a Sunday and that the applicant's business had not been open on that day, nor had there been a main stage at the event.

She referred to the YouTube footage which she had submitted and which she stated had shown that the event remained very quiet until approximately 1600. After that time, family groups began to leave the party and other people arrived. Outdoor drinking was only permitted until 2000 and after then, all alcohol consumption moved to inside the local bars. She stressed that local bars, restaurants and the Boyes department store all received a boost in sales as a result of the party.

She also explained the process by which alcohol consumption was monitored and managed; the measures in place to ensure sufficient volunteer stewards were in place, including working with the local Methodist church and Bradford street angels. She highlighted that the only incidents that had needed action in recent times had been a party goer suffering an asthma attack and a lost child. She also referred to an incident where a person unconnected to the event had been given medical assistance by the St John's ambulance team in place for the event. That person had required assistance as a result of drug taking but had not been at the street party, merely in the local vicinity.

She advised that the date for the 2019 event had been deliberately chosen to avoid clashes with other summer time events in the city so that the emergency services did not become overstretched and that the Police had given as much assurance as was possible that the usual detail of officers would be covering the street party this year.

The Panel then questioned her on the location of and need for a stage set up. She responded by advising that the location of the stage had been recommended by the Public Safety Liaison Group as it formed a physical barrier between the party goers and vehicles. Such a barrier was preferable to signage advising of the road closure as experience had shown that motorists disregarded signs and drove towards the crowd. In the light of current anti-terrorism advice, increased measures to prevent such conflicts were recommended.

Questions about the sale of alcohol from stalls at the event were also asked and she advised that only four to five stalls would sell alcohol with 20 more selling locally produced food and craft items as well as two food trucks.

A member queried whether the event could be moved to a Sunday and was advised that it was more difficult to accommodate unless it was also a bank holiday weekend. In response to questions about the concerns of other businesses, she noted that the concerns from the nursing agency did not specify a day of the week and that the clinic did not actually open on a Saturday. She also advised that the event did stretch over two days with the street party element being held on a Saturday and indoor events on a Sunday.

The Chair queried whether any of the bars on North Parade currently held pavement licences and was informed that two did.

A member also queried whether the road could be successfully blocked by a large vehicle and it was agreed that it could.

The Panel then asked detailed questions about roles within the consortium which ran the event; the public toilet facilities which would be put in place; litter collection and the time at which the street party would close. In response they were advised that Ms Simpkins was the event manager and that two other members of the consortium helped with management. The consortium also included representatives from St Arnolds church and the local primary school who advised on safeguarding issues. Toilet facilities were available in the local bars as well as the local shopping centre and six portaloos would also be provided. Litter collection was undertaken constantly throughout the event and large skips were hired to clear up at the end of the event. Although the licence permitted the outdoor event to go on to 2000, the terminal hour would be 1900.

A member queried whether the musical programme could be arranged to cause minimum disturbance and was informed that this was already done, with live music beginning after 1300 and the first two sets being entirely acoustic. The subsequent acts were not loud in nature as there were residential properties nearby. The only music before 1200 was recorded music via a PA system.

Questions were also asked about the number of volunteers in place and it was confirmed that there would be 30 volunteers in total, which was an increase of 10 on the previous year. The number of police officers could not be guaranteed in case of other incidents on the day but the usual number provided was four.

Ms Simpkins also confirmed that she was present throughout every event and that she made her role known by wearing a different coloured hi-viz tabard than the other volunteers. She advised that noise levels were regulated by professional sound engineers at the event as well as monitored personally by herself.

In response to a question, she stated that the use of additional outdoor bars meant that queues were smaller and could be better regulated. Experience had shown that this was a good way to prevent people becoming impatient and going to retail outlets to buy alcohol in quantity.

She then made a closing submission on behalf of the North Parade street party team, stressing the aim to boost the economy of that area and to promote the arts and music scene there. She confirmed that she had always worked to respond to any concerns that had been put forward and undertook to continue to work with the police to discourage excess alcohol consumption. She took on board the comments made about the location of the stage and undertook to look into that for next year but advised that it could not be relocated this year as the concern had not been communicated early enough. She also undertook to put up fencing and provide parking for the applicant's convenience if that was required.

The applicant then made his closing statement, noting that no-one from the consortium had approached him for his input this year and considering that the road closure could be differently handled. He also stated that the stalls were in attendance at the street party for their own personal gain, not for the good of the local area. He had not noticed a police presence at previous events and stated that local businesses were left with empty glasses and bottles to clear up after every weekend. He considered that a Sunday would be a more suitable day of the week for the party than a Saturday.

Resolved –

That, having considered all valid representations made by the parties to the hearing; written representations received during the statutory period; the published statement of licensing policy and relevant statutory guidance, the panel has decided not to impose any further restrictions on the licence, having noted the assurances given at this hearing by Ms G Simpkins, the event manager, to address the issues raised as far as is possible.

ACTION: No Action

Chair

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