

Record of a Hearing of the Bradford District Licensing Panel held on Monday, 19 August 2019 in Committee Room 4 - 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 Denholme Mechanics Institute, Main Road, Denholme Bradford (Document "D")

**RECORD OF A HEARING FOR A NEW PREMISES LICENCE FOR DENHOLME
MECHANICS INSTITUTE, MAIN ROAD, DENHOLME, BRADFORD
(DOCUMENT "C")**

Commenced: 1335
Adjourned: 1405
Reconvened: 1425
Concluded: 1430

Members of the Panel:

Bradford District Licensing Panel: Councillors Slater (Chair), Akhtar and Hawkesworth

Parties to the Hearing:

Representing the Licensee:

Ms Tordoff, applicant
Mr Burman, legal representative

Interested Parties:

Mr Kershaw – Denholme Mechanics Institute Trust - in support
Ms Jay - Denholme Mechanics Institute Trust - in support
Mr Garvey – local businessman - in support

Representations:

The Interim Assistant Director Waste, Fleet and Transport Services presented a report (**Document "D"**) which outlined an application for the grant of a premises licence for the sale of alcohol for consumption on the premises at Denholme Mechanics Institute.

The licensing officer in attendance summarised the background to the application; steps proposed by the applicant to address licensing objectives and valid representations received as set out in the report.

Three letters of representation had been received from local residents who had concerns about the potential for underage sales and alcohol being available whilst children's clubs were taking place. Concerns were also raised regarding noise nuisance and customers being allowed to stand on the fire escape.

A letter of support had also been received from the Chair of the Community Centre stating he was not aware of any evidence that the applicant was unfit to hold and manage a licence and reaffirming support for the application.

The letters were appended to the report.

The applicant's legal representative circulated additional information which had been prepared in support of the application and previously circulated to Members and which had been circulated to those people who had objected to the application. The documents circulated included an overview document providing additional information on the proposed activities; press and social media reports/reviews, letters of support from local residents;

examples of staff training records and photographs depicting the public notice in situ regarding the application. Revised and expanded proposed conditions were also provided.

The applicant's legal representative addressed the meeting and introduced the applicant and two members of the management committee of Denholme Mechanics Institute. He explained that he would present the applicant's case; he would not be calling witnesses but the applicant and members of the management committee were present to answer any questions which Members may have.

He referred to the contents of the additional papers circulated; press releases depicting the premises use as a vital community facility; training undertaken by staff members and letters of support from local residents

It was explained that the building was no longer funded by the Council following an asset transfer to Denholme Mechanics Institute Trust in 2017. He reported that the applicant had commenced activities for children as there were no other events available in the village. The sessions had commenced initially as art based activity classes, known as Mini Creations, for children and teenagers to provide a safe and creative environment for them in the locality. The sessions had now developed to include adults and the function room was available as a venue for organised functions; community events or as a venue for impromptu drop in sessions. The application was made as people would expect to be able to drink at those events.

It was maintained that the hours which had been requested were modest and alcohol would never be served beyond 2300 hours. Objectors had been concerned about blurring of lines between children's activities and the sale of alcohol and assurances were provided that alcohol would not be sold or consumed by those less than 18 years of age.

It was reported that the additional papers circulated included letters of support from residents living closer than the residents who had objected to the application and that no representations had been made from responsible authorities.

Members were advised that the applicant had conducted research to ascertain the views of residents about the Mini Creation studio and the potential for anti social behaviour. The feedback received had been positive and was circulated to the meeting. It was stressed that residents living directly opposite the facility had responded and no concerns were raised.

It was reported that the facility already had an entertainment licence until 0200 hours.

Following a detailed presentation by the legal representative Members raised a number of questions to which the following responses were provided:-

- The bar area was visible from the function room but this would be curtained so that alcohol was not visible when the license was not in use.
- The door to the bar area was kept locked.
- The beer pumps were located behind the bar and could not be accessed from the other side of the bar.
- The Mini Creations events would conclude at 1700 hours.
- The function room and bar were located on the first floor of the building; the kitchen and downstairs facilities would be available for events but the license for the sale of alcohol would only apply to the function room on the first floor.

- CCTV covered the whole of the building with the exception of the toilet facilities.
- CCTV images were of a good quality and were maintained for 30 days.

In conclusion the applicant's legal representative reiterated that the hours of application were modest. He believed that the applicant had demonstrated her ability to operate her business through the use of Temporary Events Notices which had been operated without any complaints or concerns from responsible authorities or interested parties. Members were requested to grant the application subject to any conditions they felt necessary.

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 grants the application subject to the condition offered by the applicant and the following additional condition:

That alcohol in the bar area shall be screened to prevent it being clearly visible during the hours of unlicensed activity.

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

Chair

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

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

