

Minutes of a meeting of the Bradford District Licensing Panel held on Wednesday, 8 November 2023 in Ernest Saville Room - City Hall, Bradford

Present – Councillors

LABOUR	ILKLEY INDEPENDENT
Slater Dodds	Hawkesworth

Hearings

**SHADES, 9 BARRY STREET, BRADFORD, BD1 2AL
APPLICATION FOR GRANT OF PREMISES LICENCE**

**RECORD OF A HEARING FOR GRANT OF PREMISES LICENCE
SHADES, 9 BARRY STREET, BRADFORD, BD1 2AL**

Commenced:	10:00
Adjourned:	11:20
Reconvened:	11:40
Concluded:	11:45

Present

Members of the Panel

Bradford District Licensing Panel: Councillors Slater, Dodds & Hawkesworth

Parties to the Hearing

Mr M Mansha – applicant’s representative

Representations

Mr B Fairclough – Environmental Health

Mr I Hussain accompanied by Cllr A Ahmed

1. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

2. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

3. APPLICATION FOR GRANT OF PREMISES LICENCE SHADES, 9 BARRY STREET, BRADFORD BD1 2AL.

The Licensing Officer presented a report (**Document “W”**) that outlined an application for the grant of a premises licence for the sale of alcohol for consumption on the premises, the provision of regulated entertainment indoors and the provision of late-night refreshment indoors, in respect of Shades, 9 Barry Street, Bradford, BD1 2AL.

The Licensing Officer summarised the report highlighting the proposed operating schedule, the relevant representations that had been received, which had raised concerns surrounding noise nuisance from the premises, as well as drawing attention to the steps proposed by the applicant to address the licensing objectives. The documents that had been received from the applicant were also referenced and the Licensing Officer informed the Panel that these had been circulated to all parties on the 3rd of November.

The applicant’s representative addressed the meeting and highlighted that no representation had been received from West Yorkshire Police or the Fire Service. The Panel were also told that the representation related to issues with a previous

business that had operated from the premises. Reference was also made to the representation that had been received from Environmental Health and it was stated that an acoustic report had been commissioned and this concluded that if the attenuation proposals detailed in the report were in place entertainment noise from the premises would comply with the requirements of Bradford Environmental Health Department. The applicant's representative also stated that Glennys, a premises next door, held a valid premises licence with late night operating hours therefore Shades would not be the only premises in the vicinity.

The Panel were informed by the applicant's representative that the majority of trading would take place at weekends and bank holidays. It was added that the owners of the building had only had interest from the licensed industry so without a licence the property would sit vacant.

Members asked about other premises in the nearby vicinity and the Licensing Officer explained that Glennys which was next door opened until 6am. The 1 in 12 Club that was on Albion Street remained open until 1am.

A Member asked how many extra jobs would be created from the opening of the premises and was informed that there would be approximately 1 full-time job and 6 part-time jobs, excluding security staff who would be sub-contracted.

A Member noted that Stand Firm Promotions Ltd was set up in July 2023 and the applicant's representative confirmed this and added that the building was owned by Tenkiachi Ltd.

A Member asked if the premises was currently trading and was told that it had previously traded on TEN's but nothing outside of this. In response it was asked whether any complaints had been received whilst the premises was trading under a TEN and the applicant's representative stated that he was not aware of any complaints.

The Chair then invited the Environmental Health Officer to address the meeting and outline his representation. The Environmental Health Officer stated that he had two main concerns which related to the close proximity of the premises to residential property alongside the proposed late opening hours. The Panel were told that Environmental Health had asked for a noise report in the memorandum shown in Appendix 2 and that the report should address the likely impact on residents of nearby dwellings. Although the Environmental Health Officer acknowledged the noise report that had been commissioned it was noted that the noise levels measured were only between 12:15 and 13:15 and concerns were expressed that this would not be representative of the proposed opening hours of the premises.

A Member asked the Environmental Health Officer how a noise assessment could be carried out to address likely impact at night if the premises was not operating and was informed that it was standard in the acoustic industry to predict noise levels.

Cllr Aneela Ahmed alongside Mr Hussain, who owned 20-22 Barry Street which contained a number of flats opposite the premises, addressed the meeting and set out concerns linked to the late opening hours, the close proximity of the

premises to residential property as well as the potential for late-night noise and anti-social behaviour which would impact local residents, many of whom were young families and vulnerable individuals. The Panel were told that Barry Street was already busy with lots of traffic and that another premises with the proposed late hours would only increase late-night traffic in the area. It was added that the 1 in 12 Club was well managed, had a positive relationship with nearby residents and only remained open until 1am.

A Member acknowledged the comments about the 1 in 12 Club and asked what closing time Cllr Ahmed would see as appropriate given that the premises would be located in the city centre. The Panel were told that 1am seemed a sensible closing time, and that there had been issues with Glennys which had similar opening hours to the proposed hours in the Shades application.

The Chair of the Panel invited all parties to make a closing statement. Environmental Health echoed the points raised regarding the acoustic report and that for it to be meaningful it should be conducted at night to represent the proposed operating hours.

Cllr Ahmed and Mr Hussain reiterated the concerns that had been raised about noise nuisance and the impact it may have on nearby residents.

The applicant's representative stated that a different Environmental Health Officer had responded to the acoustic report and said that sound insulation alongside the attenuation measures proposed within the report would meet the requirements. He added that it was also agreed that traffic noise was constant, so it was appropriate to measure background noise during the day.

Regarding the 1 in 12 Club the applicant's representative stated the targeted demographics of the two clubs were completely different, with the 1 in 12 Club being a social club whereas Shades would target a younger clientele and business would mainly take place on weekends and bank holidays. The applicant's representative told the Panel that hours similar to Glennys could be appropriate given that the premises were next door and targeted similar demographics. The Panel were told that the premises had a courtyard behind the premises for bin storage and that people would be encouraged to leave the premises quietly.

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 with the following hours (Thursday to Sunday and Bank Holidays 2300hrs to 0600hrs) and subject to the following additional conditions:

- 1. That the licensee shall ensure that the front external areas are kept clear of litter and refuse.**
- 2. That the attenuation measures cited in the acoustics report shall be**

implemented.

Reason – it is considered that the above conditions are necessary to minimise noise disturbance to nearby residents – Prevention of Public Nuisance Objective.

To be actioned by: Assistant Director, Waste, Fleet and Transport Services

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Bradford District Licensing Panel.

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