

Minutes of a meeting of the Bradford District Licensing Panel held on Tuesday, 24 October 2023 in Committee Room 3 - City Hall, Bradford

Present – Councillors

LABOUR	ILKLEY INDEPENDENT	GREEN
M Hussain	Hawkesworth	Love

Hearings

**QUEENS HOTEL, 863 THORNTON ROAD, BRADFORD BD8 0HH
APPLICATION FOR VARIATION OF A PREMISES LICENCE**

**RECORD OF A HEARING FOR VARIATION OF A PREMISES LICENCE
QUEENS HOTEL, 863 THORNTON ROAD, BRADFORD BD8 0HH**

Commenced:	1015
Adjourned;	1055
Reconvened:	1115
Concluded:	1120

Present

Member of the Panel

Bradford District Licensing Panel: Councillors M Hussain, Hawkesworth & Love

Parties to the Hearing

Ms P Quigley – applicant

Mr P Warne – applicant’s legal representative

Mr A Briggs – Area Manager, Admiral Taverns

Representations

Mr Hodgson – local resident

4. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

5. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

6. QUEENS HOTEL, 863 THORNTON ROAD, BRADFORD BD8 0HH

The Assistant Director Waste, Fleet and Transport Services presented a report (**Document “R”**) outlining an application for variation of a premises licence to extend permitted hours for the sale of alcohol for consumption on and off the premises at the Queens Hotel, 863 Thornton Road, Bradford BD8 0HH.

Members were advised that there had been two representations received from individuals which raised concerns of noise nuisance from the premises and also from music played in cars parked in the car park. Concerns were also raised regarding anti-social behaviour in the car park and the disturbance caused to nearby residents, noise from the smoking and outdoor drinking area, the failure to comply with existing permitted hours and conditions on the licence and noise from bottles being emptied into the outside bin.

The applicant’s legal representative addressed the meeting and reported six additional conditions that his client was prepared to have imposed should the application be granted. It was explained that the additional conditions were in an

attempt to address the concerns which had been raised and to allow the applicant to operate a more effective dispersal policy from the premises.

Members were advised that the premises had operated as a pub since the 1900s and served the local community. It was stressed that the applicant was very experienced, she had turned the premises around and ran a very tight ship. It was confirmed that she was a tenant of Admiral Taverns, she lived above the premises and checked the outside of the premises daily when regulated entertainment was taking place to ensure there was no noise escaping.

The extension of hours was being sought for Friday and Saturday nights only and would allow customers to remain on the premises whilst waiting for a taxi or lifts home. It was explained that many customers drove or walked to the premises but relied on taxis to get home. The extension of hours would allow them to remain inside as opposed to congregating outside.

The legal representative referred to a previous application for variation made in April 2022 and reported that only two representations had been made for the new application as opposed to eight previously. The applicant had tried to demonstrate they she had addressed previous concerns and it was stressed that no representations had been received from responsible authorities.

It was explained that the business had operated increased hours with the use of four Temporary Events Notices which had been utilised over eight days in August 2023. It was believed that no complaints had arisen and that this had demonstrated that customers being able to remain on the premises later into the night reduced the disturbance of customers leaving at one terminal hour.

It was stressed that the applicant did not intend to operate the later hours every weekend and that she spoke regularly with local residents. The issues occurring in a car park next to a shop operating for 24 hours per day and from motorists cruising in the area playing loud music were not due to customers of the pub. It was reported that the business operating between the premises and the 24-hour shop had placed bollards on parts of the car park to prevent it being used by drug dealers. The condition offered to prevent new customers entering the premises after midnight would stop customers coming to the premises to drink later into the night.

In conclusion the applicant's legal representative maintained that the original conditions on the licence and the provision of additional conditions offered that the concerns of residents would be addressed.

Members questioned the outside areas of the premises and were advised that the main smoking area and garden were located to the rear of the premises. There were two benches at the front of the pub which it was not intended that these would be used in the evenings and they could be removed if required. In response to additional questions it was confirmed that CCTV cameras were in place and their use would be conditioned. The business was used by people of all ages with the majority of those being older. The customer base was made up of people who knew each other and any body who was not desirable would not be welcome.

Following questions about previous complaints it was reported that none had been received and the Council's Environmental Health Officers had not had cause to visit the premises. The applicant was robust in her checks of the premises and was happy to catalogue those inspections. It was stressed that the building was an old structure with wooden ceilings. The music was kept at a reasonable level to prevent disturbance in the applicants home above the business.

In response to questions about a dispersal policy it was reported that the business did not have a policy in place at the current time, but one would be implemented should the application be granted. Following discussions about the nearby car park it was explained that this was owned jointly by the business next door and the 24 -hour shop. Patrons at the premises used a separate car park which was separated by a building from the 24-hour shop. The location of the pub's car park was described on a map of the area.

A local resident addressed the meeting to report his concerns about the application. He reported that groups of people would walk past his home and were often drunk and shouting. He believed that a dispersal policy would have no impact on the disturbance caused. He felt that less disruption would be provided when all people were leaving at 00.30 hours and feared that customers leaving at 03.00 would wake up residents and result in complaints to the Council's Environmental Officers.

It was maintained that there would have been many more complaints received if residents had heard about the application earlier. The application submitted in April 2022 had received more representations as residents had been aware of it sooner.

He reported that the TEN applications had resulted in disturbance and had produced photographs of customers when he had been woken in the early hours. He believed that noise from the car park was irrelevant as the real disturbance was from patrons from the premises when they were inebriated. It was explained that there was a residential nursing home next to the premises and special consideration should be given to those residents. It was questioned why the hours of operation were being requested if no regulated entertainment would be played and that the provision of a complaints log would be open to abuse and not worth the paper it was written on.

Current issues which had disturbed residents had been documented on photographs provided and resulted in regular disturbance to residents. A recent incident of the applicant breaking up a fight was reported. It was felt that the extension of hours would result in the premises becoming a party venue, would attract more customers and potentially there would be disturbances into the early hours. He reiterated that had residents known about the application earlier there would have been many representations made and reported his intention to ensure every disturbance was reported to the Council's Department of Environmental Health.

In response to questions about previous complaints the local resident stated that he had not complained but had taken the photographs he had presented. He explained that during the four weekends that the Temporary Events Notices had

been utilised he and his children had their sleep disturbed. The location of his home was identified on a map together with the proximity of the nursing home. It was claimed that fights and the police were often outside of the nursing home.

The local resident did not conclude with a final statement.

Admiral Tavern's Area Manager, concluded with a statement that he had been a business development manager for 35 years. He supported the applicant and maintained that she ran a good community pub and had high standards. He would ensure that all licensing obligations were met and work closely with the applicant moving forward. The success of the pub was reported and it was explained that the sales had tripled over the previous three years. It was believed that people would not use the premises if they were badly run and that it was a safe and welcoming business which had no trouble with fighting or drugs.

The applicant reported the fight referred to by the local resident was from customers of a premises at the rear of the nursing home and those people were not allowed on to her premises.

The applicant's legal representative referred to people's responsibility for their own behaviours outside of the premises and maintained that nobody had complained to the applicant. If complaints were made it would enable the applicant to identify individuals who could discuss issues with them or bar them from her premises. It was felt that the Temporary Events Notices did what had been anticipated and allowed people to be dispersed without any complaints. Local residents and the operators of the nursing home knew the applicant and could discuss any concerns with her should they arise.

In summation the applicant's legal representative confirmed that it was not the intention to operate the additional two hours every Friday and Saturday but would allow for a effective dispersal policy to be put in place. It was believed that the nearest neighbour to the premises were on board with the application. The application had been advertised properly over a 28 day period and no representations had been received from expert responsible authorities.

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 subject to the following additional conditions:

- 1. That after midnight all external areas to the front of the premises be closed to customers; no drinks be permitted in external areas to the rear of the premise after midnight and at that time smokers only be permitted to use the rear of the premises.**
- 2. That no new entry of customers to the premises be permitted from midnight.**
- 3. That bottle bins not to be emptied between 2200 and 0800 hours.**

4. That the non-standard timings be amended to exclude Friday and Saturday of every statutory bank holiday weekend.
5. That the current licence be amended to exclude the provision of a further additional hour where Christmas Eve and Boxing Day fall on a Friday or Saturday.

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