

Report of the Interim Assistant Director Waste, Fleet & Transport Services to the meeting of the Bradford District Licensing Panel to be held on 2 March 2022

X

Subject:

Application for a Premises Licence for Events People Ltd, Provident Stadium, Rooley Avenue, Bradford, BD6 1BS

Summary statement:

Application for the grant of a premises licence for the sale of alcohol for consumption on and off the premises, the provision of regulated entertainment and the provision of late night refreshment.

EQUALITY & DIVERSITY

The Council has to comply with the public sector equality duty in S.149 Equality Act 2010.

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Portfolio:

Neighbourhoods & Community Safety

Overview & Scrutiny Area:

Corporate

1. SUMMARY

The application is for the grant of a premises licence for the sale of alcohol for consumption on and off the premises, the provision of regulated entertainment and the provision of late night refreshment.

2. BACKGROUND

2.1 The applicant

Events People Limited. A copy of the application is included at Appendix 1.

2.2 The Premises

Events People Ltd, Provident Stadium, Rooley Avenue, Bradford, BD6 1BS.

2.3 Proposed Designated Premises Supervisor

Mr Shalinder Sagoo.

2.4 Application

The application is for the grant of a Premises Licence. The operating schedule describes the following as the relevant licensable activities applied for:

- Sale of alcohol
- Provision of regulated entertainment
- Provision of late night refreshment (from 23.00)

Hours of licensable activities:

Monday to Sunday: 11.00 to 02.00

During the Halloween period, a later licence is requested to be applied up to 01.00 outdoors for one day only.

No licensable activities shall take place in the external areas of the premises or within temporary structures in external areas after 23.00 hours.

2.5 Steps proposed by the applicant to address the Licensing Objectives

a) Prevention of crime and disorder will be achieved by:

Attendees will not be allowed to bring their own alcohol on site.

The applicant will ensure that a reputable security provider with experience of staffing events of this nature will be used with clear policies and procedures in place to firstly deter, then defuse or combat any crime or disorder.

Appropriate crowd management, search and refusal/ejection policies will be in place from the start of the admissions procedure to prevent under 18's gaining access to the site and also smuggling in of drugs, weapons and other prohibited articles, a list of which can be found in the Event Management Plan ("EMP").

The Licence will be used for licensable activities on the occasions as specified.

The nature of the event/audience profile will not be changed without the consent of the Responsible Authority. (N.B. Some events may have a younger customer profile based on type of event we are intending to put on).

The licensed site will be open to the public during the hours specified.

The public will not be admitted to the licensed site until such time that the Licence Holder/nominated person is satisfied that the site is safe and suitable for its intended use.

The Premises Licence Holder or a nominated person shall be in charge of and remain upon the licensed site whilst the site is being used for licensable activities.

Any authorised officer of the Responsible Authorities shall have free access to all parts of the licensed site whilst the licence is in force for the purposes of supervising the compliance of the licence conditions and Event.

The Premises Licence Holder or a nominated person shall be in charge of and remain upon the licensed site whilst the site is being used for licensable activities. Any person nominated will be recorded in the supervisor's register.

A suitable closed-circuit Television (CCTV) system will be in operation at the premises at all times when it is being used for the provision of licensable activities and/or when members of the public are permitted to be on the premises. The CCTV system will be capable of retaining images for a minimum of 31 days, will be of good quality and will contain the correct time and date stamp information. The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access. At least one member of staff will be on duty at the premises who is capable of operating the system and downloading images recorded by it.

A supervisor's register will be maintained at the licensed site to identify the names and licence details of any other Personal Licence Holders at the licensed site who are to authorise the sale of alcohol. This register will be produced for immediate inspection by any authorised officer of the Responsible Authorities and shall be retained by the Premises Licence Holder nominated person for a period of 12 months after the event.

The premises licence holder and/or designated premises supervisor will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti-social behaviour, admissions refusals and ejections from the premises. The Incident Report Register will contain consecutively numbered

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pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and/or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.

The Incident Report Register will be retained by the premises licence holder for a period of twelve months and produced for inspection immediately on the request of an authorised officer.

A written drugs policy will be provided and maintained which will include a zero tolerance to any drugs or psychoactive substances entering or to be in the possession of anybody on the site.

A register will be maintained to record all security and steward personnel working on the licensed site. Details recorded in the register will include: the full name of each individual employed, accompanied by their date of birth, home address, employer, their unique personal identification number allocated for the purpose of the event, and registration number held with the SIA (if applicable). The register must also contain records of the date and times during which the individuals commenced and finished duty which a signed acknowledgment by each individual. This register will be produced for immediate inspection by any authorised officer of the Responsible Authorities, and shall be retained by the Premises Licence Holder nominated person for a period of 12 months after the event.

SIA Registered door staff will be employed and used where queues are likely to form to manage the queues.

Security staff/designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises.

A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.

Notices will be prominently displayed at the entrances of the premises which state:

- a) A search will be conducted as a condition of entry to premises;
- b) Incidents of crime and disorder will be reported to the police and a full recorded entry will be made in the incident report register.
- c) Entry to the premises will be refused to any person who appears to be drunk, acting in a threatening manner or is violent; or appears to be under the influence of drugs.
- d) Entry will be refused to any person who has been convicted of an offence of drunkenness, violent or threatening behaviour or the use or distribution of illegal substances.
- e) Members of the public who commit acts of anti-social behaviour will be removed from the site and prevented from returning.

All drinks that are to be consumed on the premises will be served in plastic (or similar) containers.

Canned drinks where appropriate will be sold in the can.

The premises licence holder and/or designated premises supervisor will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises.

Any changes to the CCTV arrangements may only be made upon agreement with the Responsible Authorities.

Sufficient number of security staff and stewards shall be provided in accordance with the current Event Safety Guide (Purple Guide), or to any other standards / numbers as agreed with the Responsible Authorities.

The Event Management Plan will contain a Security and Stewarding Plan, including details of the security command structure, the numbers of security and stewarding personnel, their locations, duties and responsibilities, methods of communication, means of identification (including personal identification), briefing arrangements and contingency plans.

The Security & Stewarding Plan will not be changed without the agreement of the Responsible Authorities.

A search Policy for patrons entering the licensed site will be provided to the satisfaction of the Responsible Authorities.

A Search Policy will be contained within the Event Management Plan.

Notices will be displayed at the entrances of the site which state:

- a) A search will be conducted as a condition of entry to the site;
- b) Incidents of crime and disorder will be reported to the police;
- c) Entry to the site will be refused to any person who appears to be drunk, acting in a threatening manner or is violent; and
- d) Members of the public who commit acts of anti-social behaviour will be removed from the site and prevented from returning.

Any such instances will be recorded in the Incident Report Register.

Any seizure of drugs or offensive weapons shall be recorded in the Incident Report Register and reported to the West Yorkshire Police.

A suitable receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with West Yorkshire Police.

Written records of all accidents and safety incidents involving members of the public will be kept in the form of an Incident Report Register.

Notices will be prominently displayed at entrance/s to the site which informs

customers that glass containers and cans may not be taken into the site.

b) Public safety will be achieved by:

An Event Safety Co-ordinator will be appointed who shall be of sufficient competence, status and authority effectively to take responsibility for safety at the event and be able to authorise and supervise safety measures. The Event Safety Co-ordinator and deputy shall have no other additional duties.

The Event Safety Coordinator will ensure that periodic wind speed measurements are taken throughout the event if needed.

Site plans shall be supplied with the Event Management Plan to all Responsible Authorities. The plans shall be to a scale and grid referenced to the standards required by the Responsible Authorities.

The Plans should contain the following items (not exhaustive):

- a) All boundary fencing (defining the arena, backstage areas, etc)
- b) All vehicle access routes, including routes for emergency vehicles
- c) The locations and reference number of all entrance and exit points/gates (including backstage and emergency access points);
- d) All structures (type / use identified)
- e) Fire Points
- f) First Aid Points
- g) Toilet Blocks
- h) Water Points
- i) Welfare provisions, lost & found etc.
- j) CCTV locations
- k) Security Control
- l) Production office etc.

Plans should identify highway routes to the site, car parks, entrances/exits to car parks, pick up points, etc external to the site. It may therefore be necessary to supplement the site plans with colour coded/ grid referenced area maps for this purpose.

There will be no changes to the plans without the consent of the Responsible Authorities.

Public Liability and Third Party Insurance adequate for the total capacity of the licensed site and the duration of the event shall be taken out and retained on the site.

Other sharp objects will be stored and disposed of safely using suitable receptacles. Receptacles will be secured and not accessible to the customers.

Patrons are not permitted to remove drinks from the premises.

The security and safety of the public whilst on the licensed site will be the responsibility of the Premises Licence Holder.

The Event Management Plan will contain detailed information of the CCTV

system to be used, including the location of cameras, monitoring and recording arrangements and the retention of recorded information.

The Licence Holder shall ensure that the capacity of the site is controlled and does not exceed the figure as agreed with the Responsible Authorities.

The Event Management Plan will include policies and procedures on:

- a) Entry to the site (including monitoring of any capacity limit)
- b) Crowd control and management once the public are in the site (i.e. front stage pressure)
- c) Capacity control within any structure/marquee
- d) Egress from the Site a policy to ensure the gradual dispersal of customers from the site
- e) Emergency Evacuation of the site

All relevant staff shall be trained on these measures, and all other matters relating to the safety of the public.

Emergency exit gates shall be appropriately identified.

A fully navigable route for vehicle use avoiding conflict with pedestrian traffic will be provided to all areas for the licensed site.

Vehicular movement while the public are on the Licensed Site will be limited to those which are essential and will be controlled to ensure safety of the public.

The use of 'golf type' buggies on the Licensed Site and back stage will be limited to essential use and will be controlled to ensure safety of public and staff.

Where vehicles conflict with pedestrians leaving the arena (i.e. vehicles travelling from the back stage area) there shall be an agreed vehicle curfew commencing from when pedestrians start leaving the arena until the arena has been cleared.

During the event of an evacuation of the site there shall be no vehicle movement until the Licence holder is satisfied that all pedestrians have vacated the area.

Concessions shall be briefed to the effect that vehicle movement within the licensed site is strictly prohibited.

Any person in charge of a vehicle shall be suitably qualified/trained.

Emergency vehicle access routes to the arena(s) and all parts of the Licensed Site shall be provided to the satisfaction of the Responsible Authorities.

The licensee has a fire risk assessment under the Regulatory Reform (Fire Safety) Order 2005. This will be made available at the request of an authorised officer. Please refer to Fire Safety Risk Assessments (open air events & venues booklet) ISBN 139781851128235.

Enclosed structures, i.e. marquees, will be provided with exit sign boxes lit by both primary and emergency lighting.

Periodic safety checks will be carried out whilst the public are on the site.

Records of all such checks will be maintained on the licensed site and produced for inspection by an authorised officer of the Responsible Authorities.

The Licence holder will ensure that such records are maintained for a period of 6 months after the event.

Electrical installations will be inspected prior to the start of the event by a suitably qualified

All staging, ramps, stairs front of house barriers and other structures erected on the Licensed Site in connection with the event will comply with the provisions of the HSE Event Safety Guide, and the relevant safety regulations appertaining to the structure.

The Event Management Plan will contain a schedule of the temporary structures to be installed on site including details of the dimensions/loadings, history of use and details of the suppliers / installation.

The locations of all temporary structures will be identified on the site plan.

All temporary structures shall be suitable and fit for their intended purpose and installed in accordance with the manufacturer's instructions.

Completion certificates for all temporary structures will be obtained prior to the admission of the public to the licensed site.

Certificates will be maintained on the site for inspection by any authorised officer and retained for a period of 6 months after the event.

Regular safety inspections of temporary structures shall be undertaken. A written record of these inspections will be kept.

The records will be maintained on site for inspection by an authorised officer and retained for a period of 6 months after.

Prior to the event, Environmental Health Services shall be provided with a full list of food concession units detailing their names, addresses, type of operation and proposed locations within the licensed site. The licensee or sole franchise holder shall ensure that no other food concessionaires other than those already notified are admitted to the licensed site.

At the request of an Environmental Health Officer, any food operation not complying with the food hygiene and Health and Safety at Work legislation shall be closed down.

The provision of and location of all refreshment/concessionaire facilities shall be positioned well away from the stage and not obstruct access to any exit from the Licensed Site.

All concession units shall remain stationary whilst the public are on the site and shall remain stationary for a minimum of 30 minutes once the public have left the site.

Concessions will be made aware that the movement of any vehicles, including golf buggies, on the licensed site whilst the public are present is strictly prohibited. Any concessions ignoring this requirement will be rejected from the site.

No catering vehicles approved to be on the site shall be parked down a slope unless the vehicles have been adequately checked.

The preparation and serving of hot food and drink will be positioned to prevent the risk of scald and burns to the public.

Medical provisions calculated on the attendance figures for the event will be supplied in accordance with the current version of the HSE Event Safety Guide (Purple Book, or to any other standards / numbers as agreed with the Responsible Authorities.

The Event Management Plan will contain a Medical Plan, which will include details of the medical provider, a breakdown of the numbers, qualifications and experience of medical personnel.

The Medical Plan will also have particular reference to the quantity and quality of the first aid points, including the size, location, signage, electricity, lighting, flooring, water supply and access by emergency vehicles.

First aid points will be identified on the site plan.

If paramedics are to be deployed their registration numbers must be provided to the appropriate Ambulance Authority prior to the start of the event.

Public access to any part of the licensed site will be subject to confirmation that the Medical Provider and adequate first aid cover is in place.

The Medical Co-ordinator shall be provided with details of the intended programme of acts and activities and shall ensure that any alterations to the programme are notified immediately.

A written procedure for dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. All relevant staff will be appropriately trained in such procedures.

The Event Management Plan will contain a written health and safety policy covering all aspects of the safe use of strobes lasers, smoke machines or any other special effects.

The use of strobes and similar effects shall be displayed on event advertising media (including electronic publicity) and displayed on the event tickets and upon entry to the site.

Details of all Lasers to be used during the event must be provided to the Council Health and Safety team no later than prior to the event.

The Event Management Plan shall contain a Noise Management Strategy.

The Strategy shall identify how noise arising from the holding of the event will be effectively controlled so as to prevent public nuisance and show full compliance with licence conditions and with the Code of Practice on Environmental Noise Control at concerts (published by the Noise Control Council ISBN 2900103515).

This strategy shall include proposals for dealing with noise from:

- a) Regulated Entertainment
- b) Concessions including funfair rides
- c) Fireworks and other pyrotechnics
- d) How any overrun will be prevented or controlled

Once agreed the contents of the strategy shall be followed throughout the event.

The Event Management Plan will include a water and sanitation management strategy. This shall contain the following:

drinking water points

Location, numbers and types of sanitary accommodation

Disabled facilities

Male/Female split

Washing facilities provided

Once agreed, the contents of the strategy will be followed throughout the event.

The locations of such facilities will be identified on the site plan.

Sanitary accommodation units will be regularly emptied throughout the event by a competent Licensed Contractor. To ensure public safety during the emptying of sanitary units, emptying procedures will conform to site safety rules as outlined in any Risk Assessments and site safety plans.

- c) Prevention of public nuisance will be achieved by;

Noise from the licensed site will be inaudible inside the nearest noise sensitive properties after 2300hrs with windows open in a manner for typical ventilation.

An independent noise consultant will be present to assess the positioning of sound sources pre-event and to monitor noise throughout the event. Any testing of sound equipment will not take place before 10:00hrs and will last for a maximum of 1/2 hours on any one day. The noise consultant will be available throughout the duration of the event and will have complete authority to ensure licence compliance without interference from the Premises Licence Holder or any other party on behalf of the event and will have an onsite team to monitor noise throughout the event. The noise consultant will maintain a noise log which will be available at all times for inspection by an authorised officer.

The rating level of noise from plant and machinery will be no higher than 5dB

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below the lowest background level at the most affected noise sensitive premises during the operation of the plant. Plant and machinery will be regularly serviced and maintained to continue to meet the rating level.

All lighting on the site shall be of a suitable intensity and positioning. All lighting on or at the site will be operated in a manner which will not cause a nuisance to nearby properties.

A noise propagation test shall be undertaken and completed in the morning prior to the start of the music event, or the day before the event.

Appropriate control limits at the sound mixer position and adjustments to sound amplification equipment will be fixed as a result of testing. The sound system will be configured and operated in a similar manner as intended for the event. The sound source used for the test will be similar in character to the music likely to be produced for any major music event.

Waste collection, plant and machinery, deliveries and other activities that might generate noise will be located as far as possible from residential properties and other noise-sensitive properties.

The site will be operated in a manner which will prevent unwanted odours causing a nuisance to persons in the immediate area or nearby properties.

The site will have an adequate supply of litter bins. Notices requiring customers to use the litter bins will be displayed prominently at the site. Litter bins will be emptied regularly.

All materials used to promote or market the event are to be displayed lawfully. The Licensee will take measures to encourage agents, employees or any party acting on her/his behalf to display promotional materials lawfully. (E.g. By way of contractual agreement.)

The Event Management Plan will contain a Litter & Waste Management Strategy. The Strategy will identify:

- a) Location and number of containers
 - b) Emptying and replacement schedule
 - c) Steps to remove litter throughout the event
 - d) Standby procedures to address any identified refuse accumulations e.g. overflowing receptacles
 - e) After event cleaning schedule
 - f) Steps to prevent litter from being dropped offsite
 - g) Steps to remove litter along roads, entrances and exits adjacent to the site
- Arrangements for waste produced by traders

Methods proposed to evidence that the above steps have been taken.

All reasonable steps will be taken to ensure that activities promoting or publicising the event do not cause littering. Measures to remove such litter as and when it occurs shall be put in place.

A traffic management plan will be provided to the satisfaction of all relevant agencies.

The plans of the licensed site shall identify routes for emergency vehicles around the licensed site and location of car parks.

This plan should be supplemented with area maps identifying traffic routes to the site, access & egress points to car parks and the identified access/egress routes for emergency vehicles (unless this information may be contained on the same site plan).

All vehicular access points into the Licensed Site shall be provided to a standard appropriate for the nature and volume of traffic shall be laid out and constructed to the satisfaction of the Responsible Authorities.

d) Protection of children from harm will be achieved by;

The age verification policy adopted by the premises, in respect of the sale or supply of alcohol will be Challenge 25, which means that those seeking to purchase alcohol at the premises who appear to be under the age of 25 will be required to provide acceptable evidence (as approved by West Yorkshire Police) that they are 18 years of age (or older) before any alcohol is sold or supplied to them.

No persons under the age of 18 years will be allowed on site unless we have a suitable policy in place for the specific event.

Rigorous identification, search and Challenge 25 procedures will be in place to prevent juveniles entering the site.

Any juveniles not with an adult that do attend and are in possession of tickets will be refunded and safeguarded until either a parent or other responsible adult comes to collect them.

e) General – all four licensing objectives

The capacity of the event will be limited to up to 9,999 each event.

The premises licence holder shall comply with the terms and requirements of the Event Management Plan each year.

The premises licence holder shall provide, through the Public Safety Liaison Group, an Event Management Plan and all event documentation in accordance with the submission timescales set by the Public Safety Liaison Group.

The Event Management Plan and any revisions to the Event Management Plan must be approved by the Public Safety Liaison Group.

2.6 Relevant Representations Received

Responsible Authorities West Yorkshire Police

In order to address the prevention of crime and disorder objective, the police have requested that the following conditions are placed on the licence;

Attendees will not be allowed to bring their own alcohol on site.

The applicant will ensure that a reputable security provider with experience of staffing events of this nature will be used with clear policies and procedures in place to firstly deter, then defuse or combat any crime or disorder.

Appropriate crowd management, search and refusal/ejection policies will be in place from the start of the admissions procedure to prevent under 18's gaining access to the site and also smuggling in of drugs, weapons and other prohibited articles, a list of which can be found in the Event Management Plan ("EMP").

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The nature of the event/audience profile will not be changed without the consent of the Responsible Authority. (N.B Some events may have a younger customer profile based on type of event we are intending to put on)

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Any authorised officer of the Responsible Authorities shall have free access to all parts of the licensed site whilst the licence is in force for the purposes of supervising the compliance of the licence conditions and Event.

The Premises Licence Holder or a nominated person shall be in charge of and remain upon the licensed site whilst the site is being used for licensable activities.

Any person nominated will be recorded in the supervisor's register.

A suitable closed-circuit Television (CCTV) system will be in operation at the premises at all times when it is being used for the provision of licensable activities and/or when members of the public are permitted to be on the premises. The CCTV system will be capable of retaining images for a minimum of 31 days, will be of good quality and will contain the correct time and date stamp information. The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access. At least one member of staff will be on

duty at the premises who is capable of operating the system and downloading images recorded by it.

A supervisor's register will be maintained at the licensed site to identify the names and licence details of any other Personal Licence Holders at the licensed site who are to authorise the sale of alcohol. This register will be produced for immediate inspection by any authorised officer of the Responsible Authorities and shall be retained by the Premises Licence Holder nominated person for a period of 12 months after the event.

The premises licence holder and/or designated premises supervisor will ensure that an Incident Report Register is maintained on the premises to record incidents such as antisocial behaviour, admissions refusals and ejections from the premises. The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and/or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.

The Incident Report Register will be retained by the premises licence holder for a period of twelve months and produced for inspection immediately on the request of an authorised officer.

A written drugs policy will be provided and maintained which will include a zero tolerance to any drugs or psychoactive substances entering or to be in the possession of anybody on the site.

A register will be maintained to record all security and steward personnel working on the licensed site. Details recorded in the register will include: the full name of each individual employed, accompanied by their date of birth, home address, employer, their unique personal identification number allocated for the purpose of the event, and registration number held with the SIA (if applicable). The register must also contain records of the date and times during which the individuals commenced and finished duty which a signed acknowledgment by each individual. This register will be produced for immediate inspection by any authorised officer of the Responsible Authorities, and shall be retained by the Premises Licence Holder nominated person for a period of 12 months after the event.

SIA Registered door staff will be employed and used where queues are likely to form to manage the queues.

Security staff/designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises.

A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.

Notices will be prominently displayed at the entrances of the premises which state:

a) A search will be conducted as a condition of entry to premises; b) Incidents of crime and disorder will be reported to the police and a full recorded entry will be made in the incident report register. c) Entry to the premises will be refused to any person who appears to be drunk, acting in a threatening manner or is violent; or appears to be under the influence of drugs. d) Entry will be refused to any person who has been convicted of an offence of drunkenness, violent or threatening behaviour or the use or distribution of illegal substances. e) Members of the public who commit acts of anti-social behaviour will be removed from the site and prevented from returning. All drinks that are to be consumed on the premises will be served in plastic/paper or polycarbonate vessels.

The premises licence holder and/or designated premises supervisor will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises.

Any changes to the CCTV arrangements may only be made upon agreement with the Responsible Authorities.

Sufficient number of security staff and stewards shall be provided in accordance with the current Event Safety Guide (Purple Guide), or to any other standards / numbers as agreed with the Responsible Authorities.

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A Search Policy will be contained within the Event Management Plan. Notices will be displayed at the entrances of the site which state:

a) A search will be conducted as a condition of entry to the site;
b) Incidents of crime and disorder will be reported to the police;
c) Entry to the site will be refused to any person who appears to be drunk, acting in a threatening manner or is violent;
and
d) Members of the public who commit acts of anti-social behaviour will be removed from the site and prevented from returning.

Any such instances will be recorded in the Incident Report Register.

Any seizure of drugs or offensive weapons shall be recorded in the Incident Report Register and reported to the West Yorkshire Police.

A suitable receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with West Yorkshire Police.

Written records of all accidents and safety incidents involving members of the public will be kept in the form of an Incident Report Register.

Notices will be prominently displayed at entrance/s to the site which informs customers that glass containers and cans may not be taken into the site.

The representation is attached at Appendix 2.

The applicant has agreed to the conditions being placed on the licence.

The signed agreement is attached at Appendix 3.

Environmental Health

In order to address the prevention of public nuisance objective, the environmental health officer has requested that the following condition is placed on the licence;

By 1 February of each year the licence holder must notify the Local Licensing Authority of the number of events to be held per year and depending on the number, the following noise level criteria will apply:

(i) The Music Noise Levels (MNL) as defined in the Code of Practice on Environmental Noise Control at Concerts, shall not exceed 75 dB(A) over a 15-minute period if there are one to three concert days per calendar year.

(ii) The Music Noise Levels (MNL) as defined in the Code of Practice on Environmental Noise Control at Concerts, shall not exceed the background noise level by more than 15 dB(A) over a 15-minute period if there are four to twelve concerts per calendar year.

The representation is attached at Appendix 4.

Individual, Body or Business

Two letters of representation have been received from local residents who raise concerns regarding noise nuisance from events held at the premises until late at night. Concerns are also raised regarding the risk of public disorder.

The representations are attached at Appendix 5.

3. OTHER CONSIDERATIONS

Legal Appraisal

3.1 The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives:

- a) the prevention of crime and disorder
- b) public safety
- c) the prevention of public nuisance

d) the protection of children from harm

- 3.2 The Council must also have regard to the guidance issued by the Home Office under Section 182 of the Licensing Act 2003. Regard must also be taken of the Council's statement of Licensing Policy for the District.
- 3.3 Where it is decided it is necessary to depart from the statutory guidance or the Licensing Policy on the merits of a particular case; then special reasons justifying this must be given that can be sustained.
- 3.4 Only "relevant representations" can be taken into account. In order to be "relevant" a representation must fairly relate to achieving a licensing objective. If it does not, it must be discounted.
- 3.5 Any licensing conditions that Members may propose attaching must also relate to achieving one of the licensing objectives; be tailored to the actual premises and style of licensable activity; must be reasonably achievable by the applicant and in his/her control.

Statement of Policy Issues

- 3.6 The following parts of the Licensing Policy are of particular importance; Part 4 (prevention of crime and disorder) and Part 6 (prevention of public nuisance).
- 3.7 The Annexes to the Policy sets out various types of model condition that could be considered.

4. FINANCIAL & RESOURCE APPRAISAL

There are no apparent finance or resource implications.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

There are no apparent risk management and governance implications.

6. LEGAL APPRAISAL

Referred to in part 3 of this report.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

The Council has to comply with the public sector equality duty in S.149 Equality Act 2010.

7.2 SUSTAINABILITY IMPLICATIONS

There are no apparent sustainability implications.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

There are no apparent implications.

7.4 COMMUNITY SAFETY IMPLICATIONS

When determining the application the Licensing Authority is required to pay due regard to the licensing objectives referred to in 3.1 of this report.

7.5 HUMAN RIGHTS ACT

The following rights are applicable:

Article 1 First Protocol to the Convention – Right to peaceful enjoyment of possessions subject to the state’s right to control the use of property in accordance with the general interest. The Council’s powers set out in the recommendations fall within the states right. A fair balance must be struck between public safety and the applicant’s rights.

Article 6 – A procedural right to a fair hearing. As refusal of the application is an option, adherence to the Panels’ usual procedure of affording a hearing to the applicant is very important. The applicant should also be able to examine the requirements of the fire authority. If the decision is to refuse then reasons should be given.

7.6 TRADE UNION

Not applicable.

7.7 WARD IMPLICATIONS

Ward Councillors have been notified of receipt of the application.

7.8 IMPLICATIONS FOR CHILDREN AND YOUNG PEOPLE

There are no apparent implications.

7.9 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

There are no apparent implications.

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

9.1 Members may:

- (a) Grant a premises licence as applied for subject to any mandatory conditions and the precautions specified in the operating schedule submitted.

- (b) Grant a premises licence subject to such additional conditions relating to achievement of the licensing objectives as members think fit; or
- (c) Refuse the application for a premises licence.

9.2 Should the applicant or any other party to the hearing feel aggrieved at any decision with regard to the certificate or to any conditions or restrictions attached by Members they may appeal to the Magistrates Court.

10. RECOMMENDATIONS

Members are invited to consider the information and documents referred to in this report and, after hearing individuals, bodies or businesses, determine the related application.

11. APPENDICES

1. Application form received 6 January 2022. In the interests of economy this document has been sent to Members of the Panel only. A public inspection copy is available in Committee Secretariat, Room 112, City Hall, Bradford).
2. Police representation.
3. Applicant's signed agreement.
4. Environmental Health representation
5. Letters of representation from individuals.

12. BACKGROUND DOCUMENTS

Application form, plan etc.