

Record of a Hearing of the Keighley and Shipley Licensing Panel held on Friday 5 June 2009 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

- 1. Application for a premises licence for Spar, Unit 1, York Street, Bingley, Bradford (Document "A")**



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INVESTOR IN PEOPLE

Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



RECORD OF A HEARING FOR AN APPLICATION FOR A PREMISES LICENCE FOR SPAR, UNIT 1, YORK STREET, BINGLEY, BRADFORD (DOCUMENT "A").

Commenced: 1045
Concluded: 1125

Present:

Members of the Panel:

Keighley and Shipley Licensing Panel: Councillors McCabe (Chair), Chadwick, Pullen.

Parties to the Hearing:

Representing the Applicant:

Mr J Hodgson, Retail Development Director, Spar/James Hall & Co (applicant company)
Ms A Forrest, DWF Solicitors representing the applicant company

Representations:

The licensing officer in attendance summarised the background to the application and valid representations received as set out in the report.

The applicant's solicitor addressed the Panel and reported the company's intention to provide a convenient store for the benefit of local people in the area. It was reported that many conditions to be placed on the licence had been offered voluntarily by the applicants and that these were above and beyond what would be legally required. Due diligence would be applied to the running of the store and all staff would have to complete a very comprehensive training package. CCTV coverage would be installed to prevent crime and nuisance and would include both the internal and external areas.

The applicants had made attempts to contact the person who had provided representations to the application to alleviate their fears and the concerns they had expressed regarding the nature of the proposed store. No response had been received to a letter and email sent.

A comprehensive bundle of documents was provided by James Hall and company and included:-

- Information regarding the applicant company.
- "To sell or not to sell" training advice.
- Details of the staff training package and qualifications provided.
- Awards received by the applicant company for responsible operating procedures.
- Details of Electronic Point of Sale (EPOS) systems designed to alert staff when transactions involved age restricted products.

Members were advised that test purchases would be undertaken regularly to ensure staff maintained the level of competency gained through training.

It was claimed that the store would provide jobs in the local area as the company policy was always to employ local people with knowledge of the area and its residents.

Measures to address each of the licensing objectives were reported in detail.

A number of questions were raised by Members including:-

- How would youths congregating in the area be dealt with?
- Why did the licence need to allow the sales of alcohol from 7am?
- Were any schools located in the vicinity of the premises and, therefore, likely to attract young people into the area?

The following responses were provided:-

- CCTV would be used to record any anti social behaviour in the area and records would be maintained for one month and available to the police. If necessary young people would be asked to move away from the area and if there was no response the police would be called. It was agreed to accept a condition on the licence to maintain CCTV records for a period of 28 days.
- The operating hours of the store were from 7am. It would be difficult to remove or separate alcohol from other goods. It was accepted that people would be unlikely to purchase alcohol for consumption at 7am but some shift workers might and other customers may buy it with their other purchases for consumption at other times.
- There were two schools located approximately two miles from the store but none in the immediate vicinity.

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 condition:-

That a CCTV system with internal and external coverage to be used at all times the premises are open to the public for licensable activities and to be maintained in good working order. CCTV footage shall be kept for at least 28 days and be available to the Licensing Authority or a Responsible Authority on request.

Reason: In order to ensure that the Licensee takes all steps in their control to limit noise and disturbance to local residents from patrons using and leaving the premises – Prevention of Crime and Disorder Objective and to prevent the sale of age restricted products to underage customers – Protection of Children from Harm Objective.

Chair

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

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