

City of Bradford Metropolitan District Council

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Record of a Hearing of the Bradford Licensing Panel held on Monday 4 July 2011 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

Application for a premises licence for Lambert Store, 89 Ravenscliffe Avenue, Bradford (Document "A")



INVESTORS
IN PEOPLE



2009-2010
Positive engagement
of older people
2006-2007
Improving Rural Services:
Empowering Communities



RECORD OF A HEARING FOR AN APPLICATION FOR A PREMISES LICENCE FOR LAMBERT STORE, 89 RAVENSCLIFFE AVENUE, BRADFORD (DOCUMENT "A").

Commenced: 1300
Adjourned: 1345
Re-convened: 1355
Concluded: 1400

Present:

Members of the Panel:

Bradford Licensing Panel: Councillors Ruding (Chair), Ahmed and L'Amie.

Parties to the Hearing:

Representing the Applicant:

Mr Patel – applicant

Representing Interested Parties

Mr and Mrs Henley, Ms Broadley – local residents
Mr Patel – local trader

Representations:

The licensing officer in attendance summarised the background to the application and valid representations received as set out in **Document "A"**.

The applicant addressed the meeting and advised of his significant experience in the retail trade which had begun in 1973. He had purchased Lambert Stores seven years ago and the application under consideration had been made in response to requests by customers for him to sell alcohol and to assist his plans to further develop the business in the future. He referred to building construction being undertaken in the area and his wish to be able to increase customer choice and provide a better service for the anticipated increased custom.

He referred to claims of anti social behaviour in the area which had been made in the representations received and maintained that behaviour in the area was not attributable to his store. He claimed that the provision of alcohol from his store would not add to the amount of alcohol available to people in the area which could be purchased from large local supermarkets, other stores in the area or via the internet.

In response to questions the applicant advised that anti social behaviour in the area was as a result of youths congregating in communal areas and near a phone box on the housing estate. He confirmed his store closed currently at 8pm. In response to allegations that sales of cigarettes had been made to underage customers he reported that the claim was unsubstantiated. The Licensing Officer in attendance confirmed that no representations had been received from the Trading Standards Office.

The applicant was asked to describe the CCTV coverage referred to in the steps proposed by the applicant to address the Licensing objectives in his application. He explained that full colour coverage was kept of the inside of the premises and was recorded on disc. He

was advised that the panel could impose conditions regarding a CCTV system and he confirmed that he would be happy to comply with any conditions which may be required.

The 'proof of age' policy, also referred to in the application, was questioned and the applicant reported that if customers appeared to be under 25 years of age and did not have adequate identification their custom would be refused. The Chair explained the principles of the 'Challenge 25' Campaign and measures which could be implemented to prevent the sale of age restricted products to underage customers.

Local residents addressed the meeting to outline representations they had made to the application. Problems occurring following the anti social behaviour of young people in the area were reported including an abundance of broken litter in the form of glass from bottles; chains being attached to cars and drinking in the street. A concern was raised that an additional store selling alcohol in the area would lead to price wars. It was feared this would result in young people being able to purchase alcohol more cheaply and with a rise in underage drinking anti social behaviour, in the vicinity would increase. The proximity of stores selling alcohol in the area was questioned and Members were informed that the applicant's property was only 80 yards from a store with a premises licence and close to large supermarkets. Residents feared that the applicant would not know customers as rival traders did and could inadvertently sell alcohol to underage youths.

A local trader addressed the meeting and maintained his belief that the applicant currently sold cigarettes to customers who were underage and feared he may also sell alcohol to those customers.

The Council's Legal Representative advised that the Panel could only proceed on the evidence available. It was confirmed that responsible authorities were provided with the opportunity to make representations and that no representations had been received.

Local residents, in summary, reiterated concerns that the application could result in sales of age restricted products to underage customers; that there was no requirement for another store selling alcohol as there were a number of other premises in the area and increases in anti social behaviour could occur if the application was successful.

The Council's Legal Advisor outlined the objectives of the Licensing Act and advised that the need for an additional store selling alcohol, referred to in representations received, may not be relevant but that representations regarding public nuisance and crime and disorder related to the licensing objectives and would be considered.

The applicant concluded with his view that if the Panel believed anti social behaviour was attributable to licensing stores then all applications in the area should be refused.

Decision –

That, having considered all the 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 conditions:

- 1.1 That an appropriate proof of age policy, incorporating the principles of the 'Challenge 25' Campaign be implemented, incorporating measures to ensure that any patron wishing to purchase alcohol who may reasonably appear to be under 25 years of age are asked to prove they are at least 18 years old by displaying evidence of their identity and age in the form of a valid UK passport or new style driving licence displaying their photograph.**

- 1.2 That the Licensee shall ensure that the external areas around the perimeter of the premises are kept clear of litter and refuse.**
- 1.3 That a CCTV system (with satisfactory internal and external coverage) be installed at the premises and be maintained in good working order and used at all times the premises remain open to the public for licensable activities. Any 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 prevent the sale of age restricted products to underage customers; prevent public nuisance in the form of litter in the area and to monitor compliance with the law – Protection of Children from Harm Objective; Prevention of Public Nuisance Objective and Prevention of Crime and Disorder 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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