

Record of a Hearing of the Bradford Licensing Panel held on Tuesday 26 February 2013 in Reception Room 2, 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 Bolton Road News, 1041 Bolton Road, Bradford (Document "J")**



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BRADFORD
METROPOLITAN DISTRICT COUNCIL

**RECORD OF A HEARING FOR A PREMISES LICENCE FOR BOLTON ROAD NEWS,
1041 BOLTON ROAD, BRADFORD (DOCUMENT "J").**

Commenced: 1010
Adjourned: 1040
Reconvened: 1045
Concluded: 1050

Present:

Members of the Panel:

Bradford Licensing Panel: Councillors Ruding (Chair), Engel and Ellis.

Parties to the Hearing:

Representing the Applicant:

Mr Khaliq – Applicant's representative
Mr Ikram – Applicant
Mr Mahmood – Witness

Representing Responsible Authorities:

PC Marshall – West Yorkshire Police

Representing Interested Parties:

Councillor Middleton

Observer:

Mr Scott

Representations:

The licensing officer in attendance summarised the background to the application and valid representations received as set out in the report. It was noted that West Yorkshire Police had submitted a representation in order to address the prevention of crime and disorder objective and had requested that conditions in relation to CCTV, staff training and a proof of age policy be placed on the licence.

The applicant's representative addressed the Panel and acknowledged that a number of representations had been received. He explained that the applicant proposed to install a camera at the rear of the premises, as there had been issues with youths in the area and establish the 'Challenge 25' Policy. Signs would be displayed requesting that customers left the premises quietly due to the residential location and staff would check the front and rear of the premises every 30 minutes for litter. The applicant's representative confirmed that most of the alcohol sold would be in cans, not bottles and reported that the applicant had been in contact with the Police Community Support Officer, who was part of the Neighbourhood Policing Team.

A Member questioned whether it would be reasonable to place a condition on the licence to stipulate the installation of a camera at the rear of the premises. In response the Council's legal officer confirmed that it was reasonable and would allow the premises to achieve the licensing objectives.

In response to questions from the Panel, the applicant's representative confirmed that:

- The shop opening hours were now from 0800 to 2200 hours and the applicant was happy for the licensable hours to be amended to the same.
- Litter would be collected from around the premises every 30 minutes.
- A maximum limit would be placed on the amount of alcohol that could be purchased.

A Ward Councillor then queried whether the applicant had any connections to the previous owner, as many of the representations related to historic issues. The applicant confirmed that he did not have a connection. The Chair informed those present that the public could request a review of a premises licence at any point. The Ward Councillor indicated that the premises had not previously been licensed and some of the issues raised referred to the previous owner. He then requested clarification in relation to the experience of the Designated Premises Supervisor (DPS). In response the Chair stated that if the DPS held a Personal Licence then this was acceptable.

The representative of West Yorkshire Police (WYP) explained that the applicant had stated that CCTV would be installed, however, the interpretation of a CCTV system was open to speculation and therefore they had requested that a specific condition be placed on the licence, along with conditions regarding staff training and a proof of age policy. With regards to the condition regarding CCTV proposed by WYP the Chair queried why the system would require facial recognition. In response the WYP representative confirmed that it could be used for identification purposes. The Council's legal officer then confirmed that reference could be made to facial recognition within the condition.

The Ward Councillor informed the Panel that the property was within a residential area, however, some of the objections submitted were in relation to the previous owner. Litter was an issue in the area and he acknowledged that the applicant had proposed to check on the area to the front and rear of the premises. In relation to the licensable hours, the Ward Councillor stated that they were excessive for a residential area and accepted the proposed reduced times. In conclusion he noted that WYP had suggested a number conditions and that the applicant was willing to resolve the issues raised.

The Chair reiterated that if concerns were raised in relation to a licensed premises then a review could be requested and that Ward Councillors could inform residents that this course of action was available.

Decision

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 conditions:

(1) Hours of licensable activities:

Monday to Sunday 0800 to 2200

(2) That CCTV be provided in the form of a digitally recordable system, capable of providing pictures of a good quality in all lighting conditions, including facial recognition. Cameras shall encompass all ingress and egress to the premises, including a camera to the rear and all areas where the sale/supply of alcohol occurs. Equipment must be maintained in good

working order, be correctly time and dated and kept in date order and be kept for a period of 30 days. The premises licence holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a digitally recordable format to the Police or Licensing Authority on request. An operational daily log report must be maintained, endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings, the necessary actions be recorded. In the event of a technical failure of the CCTV equipment the premises licence holder/DPS must report the failure to both the Keighley Licensing Department and the Local Authority.

- (3) 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 that 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 or PASS identification.
- (4) That all staff employed at the premises be trained to an appropriate standard on the conditions of the licence and the Licensing Act 2003 and a written record of training be maintained and made available to the Licensing Authority on request.
- (5) That the Licensee shall ensure that the external areas around the perimeter of the premises are kept clear of litter and refuse.

Reason: It is considered that the above conditions are necessary in order to ensure proper supervision of the premises in order to deter and ameliorate any anti-social behaviour; minimise disturbance to nearby residents, ensure compliance with the licensing laws and ensure that juveniles do not gain access to alcohol. Prevention of public nuisance, prevention of crime and disorder and protection of children from harm objectives.

Chair

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

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