

City of Bradford Metropolitan District Council

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Record of a Hearing of the Bradford, Keighley and Shipley Licensing Panel held on Thursday 28 June 2012 in Committee Room 5, City Hall, Bradford

Procedural Items

DISCLOSURES OF INTEREST

Councillor Dredge declared a personal interest in the item relating to Keighley Civic Centre, North Street, Keighley as he was acquainted with the applicant in his capacity as a Ward Councillor for the area but as the interest was not prejudicial he remained in the meeting.

ACTION: *City Solicitor*

INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

Hearings

Keighley and Shipley Panel

1. Application for a premises licence for Keighley Civic Centre, North Street, Keighley (Document "A")

Bradford Panel

Adjourned from the Bradford Licensing Panel held on 21 May 2012

- 2 Application for a premises licence for Kubus Mini Market, 107 Little Horton Lane, Bradford (Document "J" (2011/12))



RECORD OF A HEARING FOR A PREMISES LICENCE FOR KEIGHLEY CIVIC CENTRE, NORTH STREET, KEIGHLEY

Commenced: 1015

Concluded: 1030

Present:

Members of the Panel:

Keighley and Shipley Licensing Panel: Councillors Ruding (Chair), Dredge and Walls.

Parties to the Hearing:

Representing the Applicant:

Mr Parry – applicant

Representing Responsible Authorities:

PC Dawson, West Yorkshire Police

Representations:

The licensing officer in attendance explained that further information had been requested in relation to the provision of the management committee's key officers, however, it had not been received and that West Yorkshire Police had requested that a number of conditions were placed on the Licence. Members noted that some of the proposed conditions had been agreed, but negotiations were still ongoing in respect of persons under the age of 18 years being allowed on the premises.

The Council's legal officer confirmed that the applicants had been contacted and requested to provide information in respect of the management of the premises but a response had not been received. He explained that community halls must meet the statutory criteria to be exempt from having a Designated Premises Supervisor (DPS), i.e. the premises must be run by a Management Committee and the application would have to be submitted by the Management Committee. He reported that unless the Panel were satisfied in this respect then the application could not proceed. The applicant should be invited to withdraw the premises licence and then be resubmitted with either a DPS nominated or the required information provided.

The applicant informed the Panel that the information request had been received, however, it had not been possible to provide a response in time for the hearing. He explained that covenants restricted use of the building and that partners had been sought to deal with the catering and alcohol provision. Unfortunately not all were in place as yet, however, the terms and conditions were adequate and had been checked with the local police.

The Council's legal officer stated that the addressing of police concerns was not a matter for the Council. The applicant confirmed that a Management Committee had been established two days ago. In response the Council's legal officer reiterated that the required information had not been provided and the application had not been submitted by the Management Committee. He indicated that evidence was required to ensure that the

premises would be predominantly used as a community hall and that the Management Committee would supervise licensable activities and advised that the application be withdrawn or a DPS nominated.

Decision –

That, at the request of the applicant, the item be withdrawn.

Chair

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

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THESE RECORDS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

**RECORD OF A HEARING FOR A PREMISES LICENCE FOR KUBUS MINI MARKET,
107 LITTLE HORTON LANE, BRADFORD (DOCUMENT "J")**

Commenced: 1030
Adjourned: 1055
Re-convened: 1105
Adjourned: 1110
Re-convened: 1115
Concluded: 1120

Present:

Members of the Panel:

Bradford Licensing Panel: Councillors Ruding (Chair), Dredge and Walls.

Parties to the Hearing:

Representing the Applicant:

Mr Sharif - applicant
Mr Mahmood – applicant's interpreter

Representing Interested Parties

Councillor Azam – representing local residents
Parish Councillor Khan – representing local residents

Representations:

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

In response to Members' queries regarding the points raised in a letter from an objector and the petition, the applicant confirmed that:

- There was a bar opposite his premises and others in the area.
- A CCTV system had been installed at the premises.
- He believed that the same people had signed the petition and he had another shop in Morley Street that did not have any problems.

The Chair then read out a supporting letter submitted by the applicant.

A Ward Councillor, who was representing the local community, made the following comments:

- Little Horton Lane was a residential area and heavily populated.
- He was aware that there had been anti-social behaviour issues in the area for over one year and acknowledged that the premises did not have a licence.
- He was liaising with the police in relation to the area becoming a 'no drinking area' due to its proximity to the City Centre and the vandalism in the vicinity.
- If the premises licence was granted then it would add to the issues in the area.
- He had requested that the area was designated a 'no drinking zone', however, this

may not happen as it was just outside the City Centre.

- There were a few off licences on Morley Street and one had its licence revoked recently due to issues in the area.
- The residents had raised concerns on numerous occasions.
- He believed that all the signatures on the petition were accurate and not malicious.

A Parish Councillor who was representing the local community raised the following concerns:

- Representations had been received from residents, who had attended meetings at the Park Lane Centre and they had asked that they be looked at.
- Empty properties had been vandalised in the area.
- People were loitering in the area late at night.
- The residents did not want anti-social behaviour in the area.
- If the licence was granted then it would create more problems.

A Member stated that all the objections were based upon what might happen and queried why the residents thought that the granting of the licence would make the situation worse. In response the Ward Councillor stated that the premises was located in an area where there were already issues and the granting of the licence would make them worse. The Chair indicated that the problems should be addressed with the police and informed the objectors that if the licence was granted then a review of the premises could be undertaken. The Council's Environmental Health Unit also had an opportunity to raise issues if they received any complaints about premises.

In conclusion the Ward Councillor reiterated that if the application was granted then the existing problems highlighted by residents would become worse. The applicant then stated that he respected his neighbours and believed that a number of people who had signed the petition were his customers.

Following a brief adjournment Members of the Panel and the Council's legal officer posed further questions to the applicant and in response it was confirmed that:

- A CCTV system had been installed and was in working order.
- The applicant had another business in West Bowling.
- The police had not been consulted in respect of the CCTV system.
- A condition regarding the CCTV system would be acceptable if placed on the licence.
- Proof of age was requested and people were not served if it was believed that they were drunk.
- A passport or driving licence was requested as proof of age.
- Alcohol could be sold to persons over the age of 18 years.
- The staff employed in the premises had their own off licence business and were aware of the licensing objectives.
- The licensing objectives and law were followed.

Decision -

That having considered all valid representations made by parties to the hearing; valid representations made 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 No licensable activities shall take place at the premises unless or until a CCTV system (with satisfactory internal and external coverage) of a standard acceptable to and to the written satisfaction of West Yorkshire Police and the Licensing Authority has been installed at the premises. The approved CCTV shall 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.**
- 1.2 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.**

Reason: It is considered that the above conditions are necessary to ensure the proper management and monitoring of the premises in order to ensure alcohol is not purchased or supplied to those underage – protection of children from harm and prevention of crime and disorder licensing objectives.

- 2.1 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 condition is necessary in order to ensure that the Licensee takes all steps in their control to prevent public nuisance in the form of litter in the area – Prevention of Public Nuisance 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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