

Record of a Hearing of the Bradford District Licensing Panel held on Monday, 12 December 2016 in Committee Room 4 - 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

Hearings

- 1. Application for a Premises Licence for Polandia 2, 57-63 North Parade, Bradford (Document "J")**
- 2. Application for variation of a Premises Licence for Top Odd, 42 Town Gate, Wyke, Bradford (Document "K")**



**RECORD OF A HEARING FOR A PREMISES LICENCE FOR POLANDIA 2, 57-63
NORTH PARADE, BRADFORD (DOCUMENT "J")**

Commenced: 1330
Adjourned: 1345
Reconvened: 1355
Concluded: 1355

Present:

Members of the Panel:

Bradford District Licensing Panel: Councillors M Slater (Chair),
Engel and Hawkesworth

Parties to the Hearing:

Representing the Licensee:

Mr Shokat, Solicitor representing the applicant
Mr Osman, Applicant

Representations:

The licensing officer in attendance summarised the background to the application and valid representations received as set out in the report. Members were informed that the applicant held a licence at 53 North Parade and wanted to move to a larger premises, therefore, a new licence was required. The proposed hours of licensable activity were Monday to Sunday from 0800 hours to midnight. The licensing officer explained that West Yorkshire Police had submitted a representation and were then informed by HM Revenues and Customs that they had undertaken a visit to the applicant's current premises, where illegal cigarettes, tobacco and alcohol had been confiscated. It was noted that negotiations had then ensued with the applicant, his solicitor and the police in relation to this matter, which had culminated with a response from the police requesting that a number of conditions be placed on the licence. The applicant's representative had then agreed that all the proposed conditions would be implemented by the applicant. The licensing officer then asked Members to consider whether further conditions would be required.

The applicant's representative confirmed that the applicant currently occupied 53 North Parade but wanted to purchase the neighbouring premises, as he required a larger shop. He indicated that he could not comment on the visit undertaken by HM Revenues and Customs because his client had sold the premises prior to this and had not been involved in the investigations. Negotiations had taken place with the police and they were now satisfied with the application, subject to the compliance with the proposed conditions. In conclusion the applicant's representative stated that the applicant wished to open his new business as soon as possible before Christmas.

In response to queries the applicant's representative informed Members that new jobs would be created and two of the new staff members would be personal licence holders. The licensing officer clarified that the police had requested that one personal licence holder

would need to be present at the premises at any given time. The applicant's representative then confirmed that the applicant would appoint two personal licence holders so that they could work a rolling shift pattern.

In summation the applicant's solicitor stated that all the proposed conditions would be complied with and that consideration would be given to any additional suggestions by the Council. He then requested that the licence be granted.

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) That CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions. Cameras shall encompass all ingress and egress to the premises and all areas where the sale/supply of alcohol occurs. Equipment must be maintained in good working order, be correctly time and date stamped and be kept for a period of 28 days. The premises licence holder must ensure at all time the Designated Premises Supervisor (DPS) or appointed member of staff be present on the premises and capable and competent at downloading CCTV footage in a recordable format, either DISC or VHS to the police or Licensing Authority on request. The recording equipment and tapes/discs shall be kept in a secure room and endorsed by signature indicating that the CCTV system has been checked and is compliant. In the event of any failings of the CCTV system, this shall also be recorded and in the event of technical failure, the premises licence holder/DPS must report the failure to the Bradford District Police Licensing Officer and the Local Authority immediately.**
- (2) A Challenge 25 Policy shall be implemented at all times.**
- (3) A Personal Licence Holder shall be present on the premises when licensable activities are taking place.**
- (4) All records and receipts of alcohol/cigarette purchases will be retained for a period of one year from the time of purchase. These documents will be made available for inspection on request from a Police Licensing Officer/Officer from HM Revenue and Customs and a representative from the Responsible Authority as defined by the Licensing Act 2003 to provide an audit trail of all purchases.**
- (5) The proposed Designated Premises Supervisor be replaced by another member of staff who is authorised to hold such a role.**

Reason - It is considered that the above conditions are necessary to ensure compliance with the Prevention of Crime and Disorder objective of the Licensing Act.

Chair

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

**RECORD OF A HEARING FOR A VARIATION OF THE PREMISES LICENCE FOR TOP
ODD, 42 TOWN GATE, WYKE, BRADFORD (DOCUMENT “K”)**

Commenced: 1355
Concluded: 1400

Present:

Members of the Panel:

Bradford District Licensing Panel: Councillors M Slater (Chair),
Engel and Hawkesworth

Representations:

The licensing officer in attendance informed the Panel that the applicant had requested that the application be withdrawn.

Decision –

That the withdrawal of the application by the applicant be noted.

Chair

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