

Record of a Hearing of the Bradford District Licensing Panel held on Wednesday, 21 November 2018 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

Application for a Premises Licence for Nyla Stores, 5 Drake Fold, Wyke, Bradford

NYLA STORES, 5 DRAKE FOLD, WYKE, BRADFORD

RECORD OF A HEARING FOR A PREMISES LICENCE FOR THE NYLA STORES, 5 DRAKE FOLD, WYKE, BRADFORD, BD12 9NU

Commenced: 1102

Adjourned: 1127

Reconvened: 1152

Concluded: 1155

Present

Members of the Panel

Bradford District Licensing Panel: Councillor Slater (Ch), Councillor Hawkesworth and Councillor Whitaker

Parties to the Hearing

Applicants

Mr Hussain

Ms Atkinson

Interested Party

Councillor Warburton

Representations

The Assistant Director, Waste, Fleet & Transport Services presented a report (**Document "J"**) which outlined an application for a new premises licence for the sale of alcohol for consumption off the premises at Nyla Stores. Members were also advised of two objections which had been received in respect of the application, from a ward councillor and a local resident.

The applicants then made representations in support of their application, stressing that they were trying to get their fledgling business off the ground and were currently struggling to do so. They considered that being able to offer the sale of alcohol would help make the business viable. They advised that they were willing to amend the hours of operation applied for in order to work with the local community, especially as they themselves had a young family to care for.

Members then questioned the applicants about their application, particularly in relation to the statement that they would be present at the shop at all times. The applicants corrected that statement as Mr Hussain would be at the shop from opening to closure but Ms Atkinson would not.

They were additionally asked if they were aware of licensing good practice such the Pubwatch and Challenge 25 schemes and confirmed that they were.

A ward councillor attended the meeting and explained his concerns in respect of the application, stating that there had been a significant increase in anti-social behaviour in the area; that the previous tenant had moved from these premises due to break-ins and that

the Police had previously raised concerns about the security of the premises. He verbally passed on those concerns which had been raised by the crime prevention officer in respect of the vulnerability of the premises, which were a single storey converted cottage. The councillor stressed that he did not object to the operation of a business at the premises but requested that a decision be deferred until reassurance about security had been gained. He also requested that the proposed hours of operation be amended. He concluded by stating that he wanted the business to go ahead but wanted it to be safe and secure for both the applicants and the local residents.

The Panel then asked a series of questions, especially about why the Police had not submitted a formal representation in respect of this application. The Licensing and Local Land Charges Manager confirmed that all applications were notified to the Police but no representation had been made in respect of this one, however she had received an email from the crime prevention officer which had not been accepted as it had not arrived in time.

Members queried whether security concerns were relevant to a licensing application and were reminded that while the licensing objectives included issues of both public safety and prevention of crime and disorder, the Panel would be able to decide how much weight to give to the concerns raised.

A member clarified that both the applicant and the ward councillor would be agreeable to hours of operation between 0900 and 2200 on Sunday to Thursday and 0900 to 2300 on Friday and Saturday.

The applicants responded to the ward councillors concerns about security by advising that they had had the roof fixed and CCTV installed at the premises.

In conclusion, the ward councillor re-iterated that, although he wished to see the business succeed, he would like the crime prevention officer to visit the premises before it began a licensable activity.

The applicants advised that they were happy to make any changes that were considered necessary.

Decision –

(1) 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:

- **That the hours of licensable activities shall be from 0900 to 2200 on Sunday to Thursday and 0900 to 2300 on Friday and Saturday**
- **That no licensable activity shall take place at the premises unless or until a CCTV system (with satisfactory internal and external coverage) of a standard acceptable 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 that 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.**
- **That an appropriate proof of age policy, 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.

(2) That the applicant be recommended to contact the local crime prevention officer to discuss security at the premises.

Reason – It is considered that the above conditions are necessary in order to prevent crime and disorder at the premises; to deter and ameliorate any anti-social behaviour and to protect children from harm.

(Melanie McGurk – 01274 431873)

Chair

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

