

Record of a Hearing of the Bradford District Licensing Panel held on Thursday, 8 August 2019 in Committee Room 1 - 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 New Premises Licence for Bells News & Booze, 650 Huddersfield Road, Wyke, Bradford BD12 8JR (Document "C")

RECORD OF A HEARING FOR A NEW PREMISES LICENCE FOR BELLS NEWS & BOOZE, 650 HUDDERSFIELD ROAD, WYKE, BRADFORD BD12 8JR (DOCUMENT "C")

Commenced: 1000
Adjourned: 1115
Reconvened: 1135
Concluded: 1145

Members of the Panel:

Bradford District Licensing Panel: Councillors Slater (Chair), Dodds and Godwin

Parties to the Hearing:

Representing the Licensee:

Mr H Aman, applicant
Mr Z Azeez, witness

Interested Parties:

Ms T Hemmings-Fairlie, local resident in objection
Ms D Jowett, local resident in objection

Representations:

The Interim Assistant Director, Waste, Fleet and Transport Services presented a report (**Document "C"**)

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 application requested the grant of a premises licence for the sale of alcohol for consumption off the premises at 650 Huddersfield Road, Bradford. A number of representations had been received from local residents who had concerns of noise nuisance; the availability of alcohol resulting in the premises being targeted by criminals; youths congregating in the area and increased litter. The representations were appended to Document "C" and summarised by the Licensing Officer.

The applicant addressed the Panel explaining that the concerns of neighbours had been considered. He reported that he had taken account of peoples' working hours and that young children may live in the area when the hours of operation had been requested.

Members were assured that delivery drivers would be asked to unload quietly; not to leave radios playing and not to slam doors. It was stressed that the premises were located on a busy main road and it was felt that the delivery vehicles would be quieter than the cars in the area. It was reported that there was a public house located opposite the premises which played music and that customers would be asked to leave the off licence quietly.

The applicant claimed that he had monitored parking provision at the premises for some time and at different times of the day. He believed that there were sufficient parking spaces for customers.

He maintained that the shop was for the convenience of local residents; was not open to attract youths or drug users and that he would work with the police if anti social behaviour was seen in the area. The premises would be fitted with high definition CCTV cameras and the security system would allow him to receive links to his mobile telephone when the premises were closed. The alarm system could be linked to the police. Cameras outside of the premises would provide good night vision and increase security for local residents.

A witness called by the applicant addressed the meeting. He reported that he had lived in the locality of the premises all his life and had monitored the area for parking. He explained that the only deliveries being made would be newspapers and that the business would work closely with suppliers to limit noise disturbance. The remainder of stock would be collected from wholesalers. He reiterated that the CCTV system would cover the residential street and increase security for residents.

Members queried the location of the public house in the vicinity of the premises and this was highlighted on a map of the area.

In response to questions from the Panel, the applicant reported that:

- The premises would communicate with the public house to ensure that anybody who was removed from those premises for being intoxicated could not purchase alcohol at Bells Booze & News.
- He intended to join a local pub watch scheme but had not done so until the licence was obtained.
- Exterior lighting would be provided through the use of sensor lights.
- Customers would be asked for identification if they appeared to be under 25.
- People being disruptive outside of the premises would be asked to move.
- High definition CCTV cameras would be of the best quality and able to zoom and turn around. A microphone could be added to the system which could link to a mobile phone and the police.
- The applicant intended to be on the premises at all times of operation. He intended to employ one other person who was a family friend and would also be trained to gain a personal licence.
- Customers would be asked to park responsibly.
- Alcohol would be kept behind the counter and customers would have to ask the applicant to make a purchase.
- The premises would operate the Challenge 25 Scheme and customers appearing to be under age 25 would be asked for identification.
- Previous retail experience had been gained by the applicant at M K Foods and J D Market which were operated by friends.
- The hours requested for the sale of alcohol corresponded with the hours of operation. The shop would close at 2000 hours Monday to Thursday and at 2100 hours on Friday and Saturday.

The applicant was asked to identify other retailers selling alcohol and schools within the area which he pointed out on a map of the area. These were identified as an existing off licence on Huddersfield Road near the school and also at Asda supermarket in Wyke village.

Two local residents in objection to the licence addressed the meeting. The first explained that she lived in the area and could not always secure a parking space outside of her

home. She reported that some households had more than one car and she had concerns that customers to the premises would park at the local bus stop or block the road. She referred to her companion's driveway being blocked, on occasions, by parked traffic which prevented her from accessing her garden. She explained that she lived opposite the public house and did hear noise emanating from those premises. It was maintained that there were already sufficient premises supplying alcohol in the area.

Concerns about the premises attracting youths to the area were expressed and that those moved along from the premises would disperse into the vicinity of local residents' homes. It was felt that the roller shutter doors; the alarm and exterior lights would disturb those living in the area. Thefts, including from cars, which had taken place in the area were reported and areas where youths could congregate were pointed out. It was feared that the premises would attract anti social behaviour and that the perpetrators who would not move on when requested. It was felt that the value of homes in the area would be affected.

It was questioned if the applicant had permission to install litter bins and how unsold fresh produce would be disposed of.

The second resident in objection tabled photographs showing the location of her garden in relation to the premises. She maintained that she had lived in the area for over 22 years and that parking across her drive and blocking her garden had been an issue for all of that time. It was claimed that the Wyke area was known for anti social behaviour with youths being out of control. An incident when she had been robbed by masked men was reported and it was claimed that she lived in fear.

For clarity a Member questioned if representations had been received from responsible authorities and it was explained that responsible authorities, including the police, had been served with the application and had 28 days to make representations. It was confirmed that following that period no representations had been made .

In response to questions from the Chair, the local residents explained that:

- White lines to deter parking were not in place outside of the resident's driveway but signs had been erected. Residents only parking had been requested 18 months previously but no response had been received.
- Approaches had not been made to other premises selling alcohol. The local Asda store was located some distance from the area and had not resulted in anti social behaviour being suffered.
- Local shops close to the premises included a beautician. That business employed staff who parked at the premises which impacted on availability of parking outside their homes.

In summation the local residents stressed their belief that there were sufficient places to purchase alcohol in the area already. They did not want additional disturbance outside of their homes and they reiterated their concerns about the availability of parking and fears of anti social behaviour.

In the applicant's closing statement he acknowledged the views of residents. It was maintained that the staff at the beauticians parked behind the premises and that the applicant would work closely with that business and the local police. It was not believed

that the premises would increase crime in the area and it was felt that the police would have made representations if that were the case.

Members questioned the ability for the applicant, as a personal licence holder, to be present at all times. In response he explained that he would be the Designated Premises Supervisor and would apply for a personal licence. He intended to employ a member of staff who would also become a personal licence holder. The Licensing Officer explained the criteria required.

Resolved –

That, having considered all valid representations made by the parties to the hearing; 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. 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.**
- 2. 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, new style driving licence displaying their photograph or PASS identification.**
- 3. 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 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.

ACTION: Interim Assistant Director, Waste, Fleet and Transport Services

Chair

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

