

Record of a Hearing of the Bradford District Licensing Panel held on Tuesday, 7 July 2020 in

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 Tiny's Coffee Shop, 72 West End, Queensbury, Bradford BD13 2ER (Document "A")

**APPLICATION FOR A PREMISES LICENCE FOR TINY'S COFFEE SHOP, 72 WEST
END, QUEENSBURY, BD13 2ER**

Commenced: 1000
Adjourned: 1045
Reconvened: 1100
Concluded: 1105

Members of the Panel:

Bradford District Licensing Panel:

Councillors Slater (Chair), Dodds and Godwin

Parties to the Hearing:

Representing the Licensee:

Mrs A Barraclough - Applicant
Councillor M Bibby

Interested Parties:

Ms S Theobald, local resident in objection

Representations:

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

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 on the premises at 72 West End, Queensbury, Bradford. A representation had been received from two local residents who lived above the premises and had concerns of increased noise and disturbance from patrons smoking outside the premises and from people coming and going if later hours were permitted. The representation was appended to Document "A" and summarised by the Licensing Officer.

The applicant's representative addressed the Panel and explained that he had known the applicant and her husband for a number of months. He reported that the business had been opened for approximately 12 months and he believed that it added value to the Queensbury Ward. He felt that the current business provided something different for residents and that it was particularly important to encourage the growth of business during the current economic climate. He reported that the village had a number of pubs but did not have the benefit of a more upmarket alternative to drinking which the application would provide.

The applicant stated that the premises would not be operated as a bar and the application had been made to enable alcohol to be provided alongside light meals and afternoon teas. The premises were permitted to open until 2100 hours already and it was hoped that the

provision of alcohol until that time would provide an alternative experience for the older generation. It was envisaged that Prosecco and Irish Coffees would be served and assurances were provided that customers would not be allowed to take alcohol outside of the premises.

In response to questions the applicant confirmed that the business had commenced in April 2019. As the business had grown it had been decided to relocate to larger premises. It had been proposed that the bus stop located outside of the café would be relocated but after discussions with officers from the Council's highways department it had been confirmed that there were no parking restrictions in that location.

Members questioned a discrepancy in the hours being requested and the applicant's statement and it was confirmed that she would be content for the provision of alcohol to cease at 2030 hours.

Clarification was requested on plans submitted with the application which referred to the flat above the premises being occupied by the restaurant owner. The applicant confirmed that the flat was owned by a landlord and had been occupied by the current residents before she took over the premises. The café had previously been operated as a bicycle shop and more recently as a restaurant. It was felt that the reference to occupation by the restaurant owner was referring to the previous owner of the restaurant. The situation at the current time was that the café owners had nothing to do with the lease of the flat but they had always respected the people living above their café. Whilst the premises were being renovated they had always ensured that they left the building prior to 2100 hours so that their neighbours would not be disturbed. The Licensing Officer clarified that the premises had planning permission to operate from 0800 to 2130 hours.

The applicant was asked to describe the premises and she reported that the business was a coffee shop serving light meals and had been open since April 2019. The applicant and her husband would be at the premises for 90% of the hours of operation. On occasions when they were not on the premises the business would be operated by staff who would receive full training.

The Council's Legal Officer questioned the applicant's previous experience in the licensed trade and the applicant confirmed that this was her first application to sell alcohol. She explained that both herself and her husband were experienced ambulance technicians who fully understood the dangers of intoxication and would deal with any customers who tried to consume too much alcohol.

In response to questions about parking facilities the applicant reported that parking was available directly outside the premises and also across the road. Seating capacity was questioned and it was explained that the maximum number of customers before the current pandemic was 34. There were no plans to exceed that capacity when businesses could operate without social distancing.

A local resident in opposition to the application addressed the meeting. She explained that she had lived above the business premises for four years. Both her and her partner worked through the day and accepted that people wanted to earn a living. Her concerns were that they both worked unsociable hours and her partner needed to be up at 0300 hours and if the business was operated later into the evening their sleep would be disturbed. It was explained that their bedroom was above the back door of the café and she was worried that they would be disturbed by people standing outside talking, going

outside to smoke or leaving the premises. It was confirmed that there were currently no problems with the café hours at present but they were anxious if the business operated later into the evening they would be disturbed. In response to the Chair asking if her partner, who had been unable to attend the meeting, would have additional concerns she confirmed that he shared her concerns. A photograph had been provided for the Panel and showing the window to the premises as closed. It was argued that they should not have to keep their doors and windows closed to prevent noise disturbance from below.

In conclusion she stated that she had never had concern to complain about the business but the extended hours would impact on both her and her partner. The applicant had not discussed the application with them prior to submission and they had only been aware of the application from the notice on site.

In summation the applicant's representative, who was a Ward Councillor, explained that he was also a governor at Russell Hall Primary School located close to the premises. He reported that the business was located on a wide road, near to the school, and that there was ample parking in the area. It was felt that there should be no problems with parking and that most local people frequented the local businesses on foot.

The applicant referred to previous events held at the premises including a private birthday party for her daughter. She maintained that on all occasions she had made her neighbours aware of her plans and had never remained on the premises after 2100 hours. It was stressed that her neighbours had chosen to live above a commercial property and she did not want her business to be penalised.

In response the local resident reported that the premises had operated as a bicycle shop when they had moved in.

Resolved -

- 1. That the sale of alcohol be restricted to Monday to Sunday between 11.00 to 20.30 hours only.**
- 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 identify and age in the form of a valid UK passport; new style driving licence displaying their photograph or PASS identification.**

Reason - it is considered that the above conditions are necessary to minimise noise disturbance to nearby residents and to protect children from harm – prevention of public nuisance objective and protection of children from harm objective.

(Melanie McGurk– 01274 431873)

Chair

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

**APPLICATION FOR A PREMISES LICENCE FOR TINY'S COFFEE SHOP, 72 WEST
END, QUEENSBURY, BRADFORD BD13 2ER**

Commenced: 1000
Adjourned: 1045
Reconvened: 1100
Concluded: 1105

Members of the Panel:

Bradford District Licensing Panel:

Councillors Slater (Chair), Dodds and Godwin

Parties to the Hearing:

Representing the Licensee:

Mrs A Barraclough - Applicant
Councillor M Bibby

Interested Parties:

Ms S Theobald, local resident in objection

Representations:

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

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 on the premises at 72 West End, Queensbury, Bradford. A representation had been received from two local residents who lived above the premises and had concerns of increased noise and disturbance from patrons smoking outside the premises and from people coming and going if later hours were permitted. The representation was appended to Document "A" and summarised by the Licensing Officer.

The applicant's representative addressed the Panel and explained that he had known the applicant and her husband for a number of months. He reported that the business had been opened for approximately 12 months and he believed that it added value to the Queensbury Ward. He felt that the current business provided something different for residents and that it was particularly important to encourage the growth of business during the current economic climate. He reported that the village had a number of pubs but did not have the benefit of a more upmarket alternative to drinking which the application would provide.

The applicant stated that the premises would not be operated as a bar and the application had been made to enable alcohol to be provided alongside light meals and afternoon teas. The premises were permitted to open until 2100 hours already and it was hoped that the provision of alcohol until that time would provide an alternative experience for the older generation. It was envisaged that Prosecco and Irish Coffees would be served and assurances were provided that customers would not be allowed to take alcohol outside of the premises.

In response to questions the applicant confirmed that the business had commenced in April 2019. As the business had grown it had been decided to relocate to larger premises. It had been proposed that the bus stop located outside of the café would be relocated but after discussions with officers from the Council's highways department it had been confirmed that there were no parking restrictions in that location.

Members questioned a discrepancy in the hours being requested and the applicant's statement and it was confirmed that she would be content for the provision of alcohol to cease at 2030 hours.

Clarification was requested on plans submitted with the application which referred to the flat above the premises being occupied by the restaurant owner. The applicant confirmed that the flat was owned by a landlord and had been occupied by the current residents before she took over the premises. The café had previously been operated as a bicycle shop and more recently as a restaurant. It was felt that the reference to occupation by the restaurant owner was referring to the previous owner of the restaurant. The situation at the current time was that the café owners had nothing to do with the lease of the flat but they had always respected the people living above their café. Whilst the premises were being renovated they had always ensured that they left the building prior to 2100 hours so that their neighbours would not be disturbed.

The Licensing Officer clarified that the premises had planning permission to operate from 0800 to 2130 hours.

The applicant was asked to describe the premises and she reported that the business was a coffee shop serving light meals and had been open since April 2019. The applicant and her husband would be at the premises for 90% of the hours of operation. On occasions when they were not on the premises the business would be operated by staff who would receive full training.

The Council's Legal Officer questioned the applicant's previous experience in the licensed trade and the applicant confirmed that this was her first application to sell alcohol. She explained that both herself and her husband were experienced ambulance technicians who fully understood the dangers of intoxication and would deal with any customers who tried to consume too much alcohol.

In response to questions about parking facilities the applicant reported that parking was available directly outside the premises and also across the road. Seating capacity was questioned and it was explained that the maximum number of customers before the current pandemic was 34. There were no plans to exceed that capacity when businesses could operate without social distancing.

A local resident in opposition to the application addressed the meeting. She explained that

she had lived above the business premises for four years. Both her and her partner worked through the day and accepted that people wanted to earn a living. Her concerns were that they both worked unsociable hours and her partner needed to be up at 0300 hours and if the business was operated later into the evening their sleep would be disturbed. It was explained that their bedroom was above the back door of the café and she was worried that they would be disturbed by people standing outside talking, going outside to smoke or leaving the premises. It was confirmed that there were currently no problems with the café hours at present but they were anxious if the business operated later into the evening they would be disturbed. In response to the Chair asking if her partner, who had been unable to attend the meeting, would have additional concerns she confirmed that he shared her concerns. A photograph had been provided for the Panel and showing the window to the premises as closed. It was argued that they should not have to keep their doors and windows closed to prevent noise disturbance from below.

In conclusion she stated that she had never had concern to complain about the business but the extended hours would impact on both her and her partner. The applicant had not discussed the application with them prior to submission and they had only been aware of the application from the notice on site.

In summation the applicant's representative, who was a Ward Councillor, explained that he was also a governor at Russell Hall Primary School located close to the premises. He reported that the business was located on a wide road, near to the school, and that there was ample parking in the area. It was felt that there should be no problems with parking and that most local people frequented the local businesses on foot.

The applicant referred to previous events held at the premises including a private birthday party for her daughter. She maintained that on all occasions she had made her neighbours aware of her plans and had never remained on the premises after 2100 hours. It was stressed that her neighbours had chosen to live above a commercial property and she did not want her business to be penalised.

In response the local resident reported that the premises had operated as a bicycle shop when they had moved in.

Resolved -

- 1. That the sale of alcohol be restricted to Monday to Sunday between 11.00 to 20.30 hours only.**
- 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 identify and age in the form of a valid UK passport; new style driving licence displaying their photograph or PASS identification.**

Reason - it is considered that the above conditions are necessary to minimise noise disturbance to nearby residents and to protect children from harm – prevention of public nuisance objective and protection of children from harm objective.

(Melanie McGurk– 01274 431873)

**APPLICATION FOR A PREMISES LICENCE FOR TINY'S COFFEE SHOP, 72 WEST
END, QUEENSBURY, BRADFORD BD13 2ER**

**APPLICATION FOR A PREMISES LICENCE FOR TINY'S COFFEE SHOP, 72 WEST
END, QUEENSBURY, BRADFORD BD13 2ER**

**APPLICATION FOR A PREMISES LICENCE FOR TINY'S
COFFEE SHOP, 72 WEST END, QUEENSBURY, BRADFORD
BD13 2ER**

Commenced:

1000

Adjourned:

1045

Reconvened:

1100

Concluded:

1105

Members of the Panel:

Bradford District Licensing Panel:

Councillors Slater (Chair), Dodds and Godwin

Parties to the Hearing:

Representing the Licensee:

Mrs A Barraclough - Applicant
Councillor M Bibby

Interested Parties:

Ms S Theobald, local resident in objection

Representations:

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

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 on the premises at 72 West End, Queensbury, Bradford. A representation had been received from two local residents who lived above the premises and had concerns of increased noise and disturbance from patrons smoking outside the premises and from people coming and going if later hours were permitted. The representation was appended to Document "A" and summarised by

the Licensing Officer.

The applicant's representative addressed the Panel and explained that he had known the applicant and her husband for a number of months. He reported that the business had been opened for approximately 12 months and he believed that it added value to the Queensbury Ward. He felt that the current business provided something different for residents and that it was particularly important to encourage the growth of business during the current economic climate. He reported that the village had a number of pubs but did not have the benefit of a more upmarket alternative to drinking which the application would provide.

The applicant stated that the premises would not be operated as a bar and the application had been made to enable alcohol to be provided alongside light meals and afternoon teas. The premises were permitted to open until 2100 hours already and it was hoped that the provision of alcohol until that time would provide an alternative experience for the older generation. It was envisaged that Prosecco and Irish Coffees would be served and assurances were provided that customers would not be allowed to take alcohol outside of the premises.

In response to questions the applicant confirmed that the business had commenced in April 2019. As the business had grown it had been decided to relocate to larger premises. It had been proposed that the bus stop located outside of the café would be relocated but after discussions with officers from the Council's highways department it had been confirmed that there were no parking restrictions in that location.

Members questioned a discrepancy in the hours being requested and the applicant's statement and it was confirmed that she would be content for the provision of alcohol to cease at 2030 hours.

Clarification was requested on plans submitted with the application which referred to the flat above the premises being occupied by the restaurant owner. The applicant confirmed that the flat was owned by a landlord and had been occupied by the current residents before she took over the premises. The café had previously been operated as a bicycle shop and more recently as a restaurant. It was felt that the reference to occupation by the restaurant owner was referring to the previous owner of the restaurant. The situation at the current time was that the café owners had nothing to do with the lease of the flat but they had always respected the people living above their café. Whilst the premises were being renovated they had always ensured that they left the building prior to 2100 hours so that their neighbours would not be disturbed.

The Licensing Officer clarified that the premises had planning permission to operate from 0800 to 2130 hours.

The applicant was asked to describe the premises and she reported that the business was a coffee shop serving light meals and had been open since April 2019. The applicant and her husband would be at the premises for 90% of the hours of operation. On occasions when they were not on the premises the business would be operated by staff who would receive full training.

The Council's Legal Officer questioned the applicant's previous experience in the licensed trade and the applicant confirmed that this was her first application to sell alcohol. She explained that both herself and her husband were experienced ambulance technicians who fully understood the dangers of intoxication and would deal with any customers who tried to consume too much alcohol.

In response to questions about parking facilities the applicant reported that parking was available directly outside the premises and also across the road. Seating capacity was questioned and it was explained that the maximum number of customers before the current pandemic was 34. There were no plans to exceed that capacity when businesses could operate without social distancing.

A local resident in opposition to the application addressed the meeting. She explained that she had lived above the business premises for four years. Both her and her partner worked through the day and accepted that people wanted to earn a living. Her concerns were that they both worked unsociable hours and her partner needed to be up at 0300 hours and if the business was operated later into the evening their sleep would be disturbed. It was explained that their bedroom was above the back door of the café and she was worried that they would be disturbed by people standing outside talking, going outside to smoke or leaving the premises. It was confirmed that there were currently no problems with the café hours at present but they were anxious if the business operated later into the evening they would be disturbed. In response to the Chair asking if her partner, who had been unable to attend the meeting, would have additional concerns she confirmed that he shared her concerns. A photograph had been provided for the Panel and showing the window to the premises as closed. It was argued that they should not have to keep their doors and windows closed to prevent noise disturbance from below.

In conclusion she stated that she had never had concern to complain about the business but the extended hours would impact on both her and her partner. The applicant had not discussed the application with them prior to submission and they had only been aware of the application from the notice on site.

In summation the applicant's representative, who was a Ward Councillor, explained that he was also a governor at Russell Hall Primary School located close to the premises. He reported that the

business was located on a wide road, near to the school, and that there was ample parking in the area. It was felt that there should be no problems with parking and that most local people frequented the local businesses on foot.

The applicant referred to previous events held at the premises including a private birthday party for her daughter. She maintained that on all occasions she had made her neighbours aware of her plans and had never remained on the premises after 2100 hours. It was stressed that her neighbours had chosen to live above a commercial property and she did not want her business to be penalised.

In response the local resident reported that the premises had operated as a bicycle shop when they had moved in.

Resolved -

- 1. That the sale of alcohol be restricted to Monday to Sunday between 11.00 to 20.30 hours only.**
- 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 identify and age in the form of a valid UK passport; new style driving licence displaying their photograph or PASS identification.**

Reason - it is considered that the above conditions are necessary to minimise noise disturbance to nearby residents and to protect children from harm – prevention of public nuisance objective and protection of children from harm objective.

(Melanie McGurk– 01274 431873)

Commenced: 1000
Adjourned: 1045
Reconvened: 1100
Concluded: 1105

Members of the Panel:

Bradford District Licensing Panel:

Councillors Slater (Chair), Dodds and Godwin

Parties to the Hearing:

Representing the Licensee:

Mrs A Barraclough - Applicant
Councillor M Bibby

Interested Parties:

Ms S Theobald, local resident in objection

Representations:

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

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 on the premises at 72 West End, Queensbury, Bradford. A representation had been received from two local residents who lived above the premises and had concerns of increased noise and disturbance from patrons smoking outside the premises and from people coming and going if later hours were permitted. The representation was appended to Document "A" and summarised by the Licensing Officer.

The applicant's representative addressed the Panel and explained that he had known the applicant and her husband for a number of months. He reported that the business had been opened for approximately 12 months and he believed that it added value to the Queensbury Ward. He felt that the current business provided something different for residents and that it was particularly important to encourage the growth of business during the current economic climate. He reported that the village had a number of pubs but did not have the benefit of a more upmarket alternative to drinking which the application would provide.

The applicant stated that the premises would not be operated as a bar and the application had been made to enable alcohol to be provided alongside light meals and afternoon teas. The premises were permitted to open until 2100 hours already and it was hoped that the provision of alcohol until that time would provide an alternative experience for the older generation. It was envisaged that Prosecco and Irish Coffees would be served and assurances were provided that customers would not be allowed to take alcohol outside of the premises.

In response to questions the applicant confirmed that the business had commenced in April 2019. As the business had grown it had been decided to relocate to larger premises. It had been proposed that the bus stop located outside of the café would be relocated but after discussions with officers from the Council's highways department it had been confirmed that there were no parking restrictions in that location.

Members questioned a discrepancy in the hours being requested and the applicant's statement and it was confirmed that she would be content for the provision of alcohol to cease at 2030 hours.

Clarification was requested on plans submitted with the application which referred to the flat above the premises being occupied by the restaurant owner. The applicant confirmed that the flat was owned by a landlord and had been occupied by the current residents before she took over the premises. The café had previously been operated as a bicycle shop and more recently as a restaurant. It was felt that the reference to occupation by the restaurant owner was referring to the previous owner of the restaurant. The situation at the current time was that the café owners had nothing to do with the lease of the flat but they had always respected the people living above their café. Whilst the premises were being renovated they had always ensured that they left the building prior to 2100 hours so that their neighbours would not be disturbed.

The Licensing Officer clarified that the premises had planning permission to operate from 0800 to 2130 hours.

The applicant was asked to describe the premises and she reported that the business was a coffee shop serving light meals and had been open since April 2019. The applicant and her husband would be at the premises for 90% of the hours of operation. On occasions when they were not on the premises the business would be operated by staff who would receive full training.

The Council's Legal Officer questioned the applicant's previous experience in the licensed trade and the applicant confirmed that this was her first application to sell alcohol. She explained that both herself and her husband were experienced ambulance technicians who fully understood the dangers of intoxication and would deal with any customers who tried to consume too much alcohol.

In response to questions about parking facilities the applicant reported that parking was available directly outside the premises and also across the road. Seating capacity was questioned and it was explained that the maximum number of customers before the current pandemic was 34. There were no plans to exceed that capacity when businesses could operate without social distancing.

A local resident in opposition to the application addressed the meeting. She explained that she had lived above the business premises for four years. Both her and her partner worked through the day and accepted that people wanted to earn a living. Her concerns were that they both worked unsociable hours and her partner needed to be up at 0300 hours and if the business was operated later into the evening their sleep would be disturbed. It was explained that their bedroom was above the back door of the café and she was worried that they would be disturbed by people standing outside talking, going outside to smoke or leaving the premises. It was confirmed that there were currently no problems with the café hours at present but they were anxious if the business operated later into the evening they would be disturbed. In response to the Chair asking if her partner, who had been unable to attend the meeting, would have additional concerns she confirmed that he shared her concerns. A photograph had been provided for the Panel and showing the window to the premises as closed. It was argued that they should not have to keep their doors and windows closed to prevent noise disturbance from below.

In conclusion she stated that she had never had concern to complain about the business but the extended hours would impact on both her and her partner. The applicant had not discussed the application with them prior to submission and they had only been aware of the application from the notice on site.

In summation the applicant's representative, who was a Ward Councillor, explained that he was also a governor at Russell Hall Primary School located close to the premises. He reported that the business was located on a wide road, near to the school, and that there was ample parking in the area. It was felt that there should be no problems with parking and that most local people frequented the local businesses on foot.

The applicant referred to previous events held at the premises including a private birthday party for her daughter. She maintained that on all occasions she had made her neighbours aware of her plans and had never remained on the premises after 2100 hours. It was stressed that her neighbours had chosen to live above a commercial property and she did not want her business to be penalised.

In response the local resident reported that the premises had operated as a bicycle shop when they had moved in.

Resolved -

- 1. That the sale of alcohol be restricted to Monday to Sunday between 11.00 to 20.30 hours only.**
- 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 identify and age in the form of a valid UK passport; new style driving licence displaying their photograph or PASS identification.**

Reason - it is considered that the above conditions are necessary to minimise noise disturbance to nearby residents and to protect children from harm – prevention of public nuisance objective and protection of children from harm objective.

(Melanie McGurk– 01274 431873)

- 3.1 APPLICATION FOR A PREMISES LICENCE FOR TINY'S COFFEE SHOP,
72 WEST END, QUEENSBURY, BRADFORD BD13 2ER**

Commenced: 1000
Adjourned: 1045
Reconvened: 1100
Concluded: 1105

Members of the Panel:

Bradford District Licensing Panel:

Councillors Slater (Chair), Dodds and Godwin

Parties to the Hearing:

Representing the Licensee:

Mrs A Barraclough - Applicant
Councillor M Bibby

Interested Parties:

Ms S Theobald, local resident in objection

Representations:

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

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 on the premises at 72 West End, Queensbury, Bradford. A representation had been received from two local residents who lived above the premises and had concerns of increased noise and disturbance from patrons smoking outside the premises and from people coming and going if later hours were permitted. The representation was appended to Document "A" and summarised by the Licensing Officer.

The applicant's representative addressed the Panel and explained that he had known the applicant and her husband for a number of months. He reported that the business had been opened for approximately 12 months and he believed that it added value to the Queensbury Ward. He felt that the current business provided something different for residents and that it was particularly important to encourage the growth of business during the current economic climate. He reported that the village had a number of pubs but did not have the benefit of a more upmarket alternative to drinking which the application would provide.

The applicant stated that the premises would not be operated as a bar and the application had been made to enable alcohol to be provided alongside light meals and afternoon teas. The premises were permitted to open until 2100 hours already and it was hoped that the provision of alcohol until that time would provide an alternative experience for the older generation. It was envisaged that Prosecco and Irish Coffees would be served and assurances were provided that customers would not be allowed to take alcohol outside of the premises.

In response to questions the applicant confirmed that the business had commenced in April 2019. As the business had grown it had been decided to relocate to larger premises. It had been proposed that the bus stop located outside of the café would be relocated but after discussions with officers from the Council's highways department it had been confirmed that there were no parking restrictions in that location.

Members questioned a discrepancy in the hours being requested and the

applicant's statement and it was confirmed that she would be content for the provision of alcohol to cease at 2030 hours.

Clarification was requested on plans submitted with the application which referred to the flat above the premises being occupied by the restaurant owner. The applicant confirmed that the flat was owned by a landlord and had been occupied by the current residents before she took over the premises. The café had previously been operated as a bicycle shop and more recently as a restaurant. It was felt that the reference to occupation by the restaurant owner was referring to the previous owner of the restaurant. The situation at the current time was that the café owners had nothing to do with the lease of the flat but they had always respected the people living above their café. Whilst the premises were being renovated they had always ensured that they left the building prior to 2100 hours so that their neighbours would not be disturbed.

The Licensing Officer clarified that the premises had planning permission to operate from 0800 to 2130 hours.

The applicant was asked to describe the premises and she reported that the business was a coffee shop serving light meals and had been open since April 2019. The applicant and her husband would be at the premises for 90% of the hours of operation. On occasions when they were not on the premises the business would be operated by staff who would receive full training.

The Council's Legal Officer questioned the applicant's previous experience in the licensed trade and the applicant confirmed that this was her first application to sell alcohol. She explained that both herself and her husband were experienced ambulance technicians who fully understood the dangers of intoxication and would deal with any customers who tried to consume too much alcohol.

In response to questions about parking facilities the applicant reported that parking was available directly outside the premises and also across the road. Seating capacity was questioned and it was explained that the maximum number of customers before the current pandemic was 34. There were no plans to exceed that capacity when businesses could operate without social distancing.

A local resident in opposition to the application addressed the meeting. She explained that she had lived above the business premises for four years. Both her and her partner worked through the day and accepted that people wanted to earn a living. Her concerns were that they both worked unsociable hours and her partner needed to be up at 0300 hours and if the business was operated later into the evening their sleep would be disturbed. It was explained that their bedroom was above the back door of the café and she was worried that they would be disturbed by people standing outside talking, going outside to smoke or leaving the premises. It was confirmed that there were currently no problems with the café hours at present but they were anxious if the business operated later into the

evening they would be disturbed. In response to the Chair asking if her partner, who had been unable to attend the meeting, would have additional concerns she confirmed that he shared her concerns. A photograph had been provided for the Panel and showing the window to the premises as closed. It was argued that they should not have to keep their doors and windows closed to prevent noise disturbance from below.

In conclusion she stated that she had never had concern to complain about the business but the extended hours would impact on both her and her partner. The applicant had not discussed the application with them prior to submission and they had only been aware of the application from the notice on site.

In summation the applicant's representative, who was a Ward Councillor, explained that he was also a governor at Russell Hall Primary School located close to the premises. He reported that the business was located on a wide road, near to the school, and that there was ample parking in the area. It was felt that there should be no problems with parking and that most local people frequented the local businesses on foot.

The applicant referred to previous events held at the premises including a private birthday party for her daughter. She maintained that on all occasions she had made her neighbours aware of her plans and had never remained on the premises after 2100 hours. It was stressed that her neighbours had chosen to live above a commercial property and she did not want her business to be penalised.

In response the local resident reported that the premises had operated as a bicycle shop when they had moved in.

Resolved -

- 1. That the sale of alcohol be restricted to Monday to Sunday between 11.00 to 20.30 hours only.**
- 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 identify and age in the form of a valid UK passport; new style driving licence displaying their photograph or PASS identification.**

Reason - it is considered that the above conditions are necessary to minimise noise disturbance to nearby residents and to protect children from harm – prevention of public nuisance objective and protection of children from harm objective.

(Melanie McGurk– 01274 431873)

3.1 APPLICATION FOR A PREMISES LICENCE FOR TINY'S COFFEE SHOP,

3. 72 WEST END, QUEENSBURY, BRADFORD BD13 2ER
APPLICATION FOR A PREMISES LICENCE FOR TINY'S COFFEE SHOP, 72 WEST END, QUEENSBURY, BRADFORD BD13 2ER
APPLICATION FOR A PREMISES LICENCE FOR TINY'S COFFEE SHOP, 72 WEST END, QUEENSBURY, BRADFORD BD13 2ER

Commenced: 1000
Adjourned: 1045
Reconvened: 1100
Concluded: 1105

Members of the Panel:

Bradford District Licensing Panel:

Councillors Slater (Chair), Dodds and Godwin

Parties to the Hearing:

Representing the Licensee:

Mrs A Barraclough - Applicant
Councillor M Bibby

Interested Parties:

Ms S Theobald, local resident in objection

Representations:

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

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 on the premises at 72 West End, Queensbury, Bradford. A representation had been received from two local residents who lived above the premises and had concerns of increased noise and disturbance from patrons smoking outside the premises and from people coming and going if later hours were permitted. The representation was appended to Document "A" and summarised by the Licensing Officer.

The applicant's representative addressed the Panel and explained that he had known the applicant and her husband for a number of months. He reported that the business had been opened for approximately 12 months and he believed that it added value to the Queensbury Ward. He felt that the current business provided something different for residents and that it was particularly important to encourage the growth of business during the current economic climate. He reported that the village had a number of

pubs but did not have the benefit of a more upmarket alternative to drinking which the application would provide.

The applicant stated that the premises would not be operated as a bar and the application had been made to enable alcohol to be provided alongside light meals and afternoon teas. The premises were permitted to open until 2100 hours already and it was hoped that the provision of alcohol until that time would provide an alternative experience for the older generation. It was envisaged that Prosecco and Irish Coffees would be served and assurances were provided that customers would not be allowed to take alcohol outside of the premises.

In response to questions the applicant confirmed that the business had commenced in April 2019. As the business had grown it had been decided to relocate to larger premises. It had been proposed that the bus stop located outside of the café would be relocated but after discussions with officers from the Council's highways department it had been confirmed that there were no parking restrictions in that location.

Members questioned a discrepancy in the hours being requested and the applicant's statement and it was confirmed that she would be content for the provision of alcohol to cease at 2030 hours.

Clarification was requested on plans submitted with the application which referred to the flat above the premises being occupied by the restaurant owner. The applicant confirmed that the flat was owned by a landlord and had been occupied by the current residents before she took over the premises. The café had previously been operated as a bicycle shop and more recently as a restaurant. It was felt that the reference to occupation by the restaurant owner was referring to the previous owner of the restaurant. The situation at the current time was that the café owners had nothing to do with the lease of the flat but they had always respected the people living above their café. Whilst the premises were being renovated they had always ensured that they left the building prior to 2100 hours so that their neighbours would not be disturbed.

The Licensing Officer clarified that the premises had planning permission to operate from 0800 to 2130 hours.

The applicant was asked to describe the premises and she reported that the business was a coffee shop serving light meals and had been open since April 2019. The applicant and her husband would be at the premises for 90% of the hours of operation. On occasions when they were not on the premises the business would be operated by staff who would receive full training.

The Council's Legal Officer questioned the applicant's previous experience in the licensed trade and the applicant confirmed that this was her first application to sell alcohol. She explained that both herself and her husband were experienced ambulance technicians who fully understood the dangers of intoxication and would deal with any customers who tried to consume too much alcohol.

In response to questions about parking facilities the applicant reported that parking was available directly outside the premises and also across the road. Seating capacity was questioned and it was explained that the maximum number of customers before the current pandemic was 34. There were no plans to exceed that capacity when businesses could operate without social distancing.

A local resident in opposition to the application addressed the meeting. She explained that she had lived above the business premises for four years. Both her and her partner worked through the day and accepted that people wanted to earn a living. Her concerns were that they both worked unsociable hours and her partner needed to be up at 0300 hours and if the business was operated later into the evening their sleep would be disturbed. It was explained that their bedroom was above the back door of the café and she was worried that they would be disturbed by people standing outside talking, going outside to smoke or leaving the premises. It was confirmed that there were currently no problems with the café hours at present but they were anxious if the business operated later into the evening they would be disturbed. In response to the Chair asking if her partner, who had been unable to attend the meeting, would have additional concerns she confirmed that he shared her concerns. A photograph had been provided for the Panel and showing the window to the premises as closed. It was argued that they should not have to keep their doors and windows closed to prevent noise disturbance from below.

In conclusion she stated that she had never had concern to complain about the business but the extended hours would impact on both her and her partner. The applicant had not discussed the application with them prior to submission and they had only been aware of the application from the notice on site.

In summation the applicant's representative, who was a Ward Councillor, explained that he was also a governor at Russell Hall Primary School located close to the premises. He reported that the business was located on a wide road, near to the school, and that there was ample parking in the area. It was felt that there should be no problems with parking and that most local people frequented the local businesses on foot.

The applicant referred to previous events held at the premises including a private birthday party for her daughter. She maintained that on all occasions she had made her neighbours aware of her plans and had never remained on the premises after 2100 hours. It was stressed that her neighbours had chosen to live above a commercial property and she did not want her business to be penalised.

In response the local resident reported that the premises had operated as a bicycle shop when they had moved in.

Resolved -

1. That the sale of alcohol be restricted to Monday to Sunday between 11.00 to 20.30 hours only.
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 identify and age in the form of a valid UK passport; new style driving licence displaying their photograph or PASS identification.

Reason - it is considered that the above conditions are necessary to minimise noise disturbance to nearby residents and to protect children from harm – prevention of public nuisance objective and protection of children from harm objective.

(Melanie McGurk– 01274 431873)

3. **APPLICATION FOR A PREMISES LICENCE FOR TINY'S COFFEE SHOP, 72 WEST END, QUEENSBURY, BRADFORD BD13 2ER**
APPLICATION FOR A PREMISES LICENCE FOR TINY'S COFFEE SHOP, 72 WEST END, QUEENSBURY, BRADFORD BD13 2ER

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.

**APPLICATION FOR A PREMISES LICENCE FOR TINY'S COFFEE SHOP, 72 WEST
END, QUEENSBURY, BRADFORD BD13 2ER**

Commenced: 1000
Adjourned: 1045
Reconvened: 1100
Concluded: 1105

Members of the Panel:

Bradford District Licensing Panel:

Councillors Slater (Chair), Dodds and Godwin

Parties to the Hearing:

Representing the Licensee:

Mrs A Barraclough - Applicant
Councillor M Bibby

Interested Parties:

Ms S Theobald, local resident in objection

Representations:

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

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 on the premises at 72 West End, Queensbury, Bradford. A representation had been received from two local residents who lived above the premises and had concerns of increased noise and disturbance from patrons smoking outside the premises and from people coming and going if later hours were permitted. The representation was appended to Document "A" and summarised by the Licensing Officer.

The applicant's representative addressed the Panel and explained that he had known the applicant and her husband for a number of months. He reported that the business had been opened for approximately 12 months and he believed that it added value to the Queensbury Ward. He felt that the current business provided something different for residents and that it was particularly important to encourage the growth of business during the current economic climate. He reported that the village had a number of pubs but did not have the benefit of a more upmarket alternative to drinking which the application would provide.

The applicant stated that the premises would not be operated as a bar and the application

had been made to enable alcohol to be provided alongside light meals and afternoon teas. The premises were permitted to open until 2100 hours already and it was hoped that the provision of alcohol until that time would provide an alternative experience for the older generation. It was envisaged that Prosecco and Irish Coffees would be served and assurances were provided that customers would not be allowed to take alcohol outside of the premises.

In response to questions the applicant confirmed that the business had commenced in April 2019. As the business had grown it had been decided to relocate to larger premises. It had been proposed that the bus stop located outside of the café would be relocated but after discussions with officers from the Council's highways department it had been confirmed that there were no parking restrictions in that location.

Members questioned a discrepancy in the hours being requested and the applicant's statement and it was confirmed that she would be content for the provision of alcohol to cease at 2030 hours.

Clarification was requested on plans submitted with the application which referred to the flat above the premises being occupied by the restaurant owner. The applicant confirmed that the flat was owned by a landlord and had been occupied by the current residents before she took over the premises. The café had previously been operated as a bicycle shop and more recently as a restaurant. It was felt that the reference to occupation by the restaurant owner was referring to the previous owner of the restaurant. The situation at the current time was that the café owners had nothing to do with the lease of the flat but they had always respected the people living above their café. Whilst the premises were being renovated they had always ensured that they left the building prior to 2100 hours so that their neighbours would not be disturbed.

The Licensing Officer clarified that the premises had planning permission to operate from 0800 to 2130 hours.

The applicant was asked to describe the premises and she reported that the business was a coffee shop serving light meals and had been open since April 2019. The applicant and her husband would be at the premises for 90% of the hours of operation. On occasions when they were not on the premises the business would be operated by staff who would receive full training.

The Council's Legal Officer questioned the applicant's previous experience in the licensed trade and the applicant confirmed that this was her first application to sell alcohol. She explained that both herself and her husband were experienced ambulance technicians who fully understood the dangers of intoxication and would deal with any customers who tried to consume too much alcohol.

In response to questions about parking facilities the applicant reported that parking was available directly outside the premises and also across the road. Seating capacity was questioned and it was explained that the maximum number of customers before the current pandemic was 34. There were no plans to exceed that capacity when businesses could operate without social distancing.

A local resident in opposition to the application addressed the meeting. She explained that she had lived above the business premises for four years. Both her and her partner

worked through the day and accepted that people wanted to earn a living. Her concerns were that they both worked unsociable hours and her partner needed to be up at 0300 hours and if the business was operated later into the evening their sleep would be disturbed. It was explained that their bedroom was above the back door of the café and she was worried that they would be disturbed by people standing outside talking, going outside to smoke or leaving the premises. It was confirmed that there were currently no problems with the café hours at present but they were anxious if the business operated later into the evening they would be disturbed. In response to the Chair asking if her partner, who had been unable to attend the meeting, would have additional concerns she confirmed that he shared her concerns. A photograph had been provided for the Panel and showing the window to the premises as closed. It was argued that they should not have to keep their doors and windows closed to prevent noise disturbance from below.

In conclusion she stated that she had never had concern to complain about the business but the extended hours would impact on both her and her partner. The applicant had not discussed the application with them prior to submission and they had only been aware of the application from the notice on site.

In summation the applicant's representative, who was a Ward Councillor, explained that he was also a governor at Russell Hall Primary School located close to the premises. He reported that the business was located on a wide road, near to the school, and that there was ample parking in the area. It was felt that there should be no problems with parking and that most local people frequented the local businesses on foot.

The applicant referred to previous events held at the premises including a private birthday party for her daughter. She maintained that on all occasions she had made her neighbours aware of her plans and had never remained on the premises after 2100 hours. It was stressed that her neighbours had chosen to live above a commercial property and she did not want her business to be penalised.

In response the local resident reported that the premises had operated as a bicycle shop when they had moved in.

Resolved -

- 1. That the sale of alcohol be restricted to Monday to Sunday between 11.00 to 20.30 hours only.**
- 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 identify and age in the form of a valid UK passport; new style driving licence displaying their photograph or PASS identification.**

Reason - it is considered that the above conditions are necessary to minimise noise disturbance to nearby residents and to protect children from harm – prevention of public nuisance objective and protection of children from harm objective.

(Melanie McGurk– 01274 431873)

