

Record of a Hearing of the Bradford District Licensing Panel held on Wednesday, 14 October 2020 remotely

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 THE GRANT OF A PREMISES LICENCE FOR KEIGHLEY MINI MARKET, 125 NORTH STREET, KEIGHLEY BD21 3AD (Document "E")

APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR KEIGHLEY MINI MARKET, 125 NORTH STREET, KEIGHLEY BD21 3AD.

Commenced: 1030
Adjourned: 1115
Reconvened: 1125
Concluded: 1130

Members of the Panel:

Bradford District Licensing Panel:

Councillors Slater (Chair), Godwin and Sullivan

Parties to the Hearing:

Applicant:

Mr Tayb

Applicants representative:

Mr Azlam

Representations:

The Interim Assistant Director Waste, Fleet and Transport Services presented a report (**Document “E”**) which outlined an application for the grant of a Premises Licence for the sale of alcohol for consumption off the premises.

The Licensing Officer in attendance outlined the background to the application for a Premises License for the sale of alcohol for consumption off the premises and valid representations as set out in the report. In response to a request for clarification from the Chair that the representation received was from a local business owner, the Licensing Officer confirmed that on checking the Bradford Council Business Rates records the address given was a business address.

The application was for the grant of a Premises Licence. The operating schedule described the relevant licensable activities applied for as the sale of alcohol for consumption off the premises on Monday to Sunday from 08.00 to 23.00.

The applicants representative advised the Panel that the applicant was a hard working man who had worked in the licensing trade for a number of years and had attended licensing training. He gave an assurance that he would address any issues that arose. He noted that the objector had given their address as 127 North Street which was the business address for K L Fishing Tackle. He was of the opinion that the objection had been submitted mischievously by another business. He contended that if he was a fit and proper person he should be granted the license.

In response to questions from the Panel the applicants representative:

- Confirmed that the license holder would be on the premises at all times.
- Confirmed CCTV was installed inside and outside the premises (2 cameras faced North Street and one faced the town centre and 2 were inside the store) and recordings would be shared with the police to provide evidence of any wrongdoing.
- The prevention of public nuisance involved not allowing drinking or causing a nuisance outside the shop.
- Confirmed that Challenge 21 was in place to protect children from harm.
- He attributed the objector's comment that, *too many alcoholics are roaming close by*, to mischievousness by another business as the address given was a business and not a residential address. He added that no more alcoholics roamed round North Street than other parts of Keighley or the UK.
- He confirmed that there were flats above the shops in North Street but that no residents had objected to the application.
- In response to a question as to why there was a need to sell alcohol at 08.00 and who the customers would be, the applicants representative stated that the shop had previously been an off license before becoming a general store and that customers had asked to purchase alcohol so there was a demand. He noted that the shop opened at 08.00 but in response to a suggestion that it would be more appropriate that alcohol be served from 11.00 rather than 08.00 he agreed to this suggestion.
- He was not aware whether the premises had been granted planning permission for use as an off license.
- He confirmed that CCTV recordings could be kept on the hard drive for 1 month.

The applicants representative confirmed that he had no interest in the premises and the applicant (through his representative as interpreter) responded to questions from the Council's Legal Officer as follows:

- The applicant had read the representation.
- He accepted that there was 1 licensed shop close to North Street which was 4 Campbell Street.
- His understanding of challenge 21 was that if a customer looked younger than 21 they would not be served and would be asked for ID showing a photograph and their age. If they could not provide ID then they would not be served. A record of this would be kept. The applicant had worked in someone else's license premises for two and a half years and he had attended a training course for personal license holders. He had contacted West Yorkshire Trading Standards for advice on not selling to people who were under age.
- He clarified that his statement on the application that the "use of search policies" would be used to prevent crime and disorder meant that customers would be challenged.
- He was aware of the school in proximity to the premises.
- He confirmed that residents lived in flats in premises near 125 North Street.
- He confirmed that residents in first floor flats had a separate entrance and that anyone drinking within the boundary of the property would be asked to move on. If they were in the street making a nuisance they would be asked to move on and if they did not the police would be contacted and CCTV footage provided.
- There was a Council litter bin outside the shop.

In closing the applicant's representative stated that the applicant had undertaken appropriate courses and that he undertook the task of gaining a license responsibly. He would ensure that customers purchasing alcohol were of the legal age to do so, challenge

21 would be put in place and anyone who could not provide proof of their age would not be served. He confirmed that he was agreeable to change the operating hours from 08.00 – 23.00, to 11.00 – 23.00. He has been in the licensing trade for a number of years and was experienced and understood he had a duty not to serve customers who were under age.

The applicant was advised that should the license be granted there may also be a need for additional planning consent.

Resolved -

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:

- (a) The hours of licensable activities shall be Monday to Sunday 11.00 to 23.00.**
- (b) 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.**
- (c) 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.**
- (d) 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 conditions are necessary to protect children from harm; minimise public nuisance and prevent crime and disorder – Prevention of Public Nuisance; Protection of Children from Harm and Prevention of Crime and Disorder Objectives.

ACTION: Assistant Director Waste, Fleet & Transport Services

Chair

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

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