

## **Record of a Hearing of the Bradford District Licensing Panel held on Thursday, 22 October 2020 remotley**

### **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**

**3 HEATHERSIDE, BAILDON, BD17 5LG (Document "G")**

### 3 HEATHERSIDE, BAILDON, BD17 5LG

Commenced: 1200  
Adjourned: 1250  
Reconvened: 1315  
Concluded: 1320

#### Members of the Panel:

Bradford District Licensing Panel:

Councillors Slater (Chair), Shaheen and Dodds

#### Parties to the Hearing:

##### Applicant:

Julie Hall

##### Representations:

Councillor Townend

The Interim Assistant Director Waste, Fleet and Transport Services presented a report (**Document "G"**) 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 the grant of a Premises License for the sale of alcohol for consumption off the premises and valid representations as set out in the report.

The applicant advised the Panel that she had set up a web site to sell a small number of bottles of whisky on line and that there would be no collections from the property as this would all be done on line. She had tried to address all the concerns raised by the objector and Councillor Townend and did not understand why they still had concerns.

In response to questions from the Panel the applicant

- Confirmed that anticipated selling 2 to 3 bottles per month which would be collected in a small van or which she would take to the post office to be sent by Royal Mail. She added that she would not hand deliver anything.
- Anticipated that packages would leave her home 2 to 3 times per month and that as the bulk of her customers were abroad they would be collected by FedEx.
- Confirmed that the objector lived 5 properties away from hers and that her house could not be seen from his. She had noted 17 vans delivering to other properties in her cul-de-sac in one day and noted that what she would be selling would probably amount to less than her neighbours were having delivered in a day.
- Confirmed that no objections had been received from properties near her house. Her next door neighbour with whom she shared a drive had not raised any concerns.

In response to questions from the Council's Legal Officer the applicant

- Confirmed that the web site was not live.
- Accepted that while there would be some impact on safety of road users in her cul de sac this would be small and no more than other deliveries to being made to her neighbours.
- Accepted that as a premises license holder she would be responsible to ensure that alcohol was not sold to children who were under age and confirmed that a disclaimer had to be clicked on line to say that the purchaser was over 18 and that couriers would be required to get a signature on delivery confirming that the person was over 18.
- Confirmed that she had no intention to sell other alcohol.
- There would be a contract with the delivery courier that ensured that bottles were not handed over to anyone under 18. She would ask for assurance from the courier that the age of the recipient was verified by checking their ID.
- She had discussed her responsibility as a personal license holder with a friend who conducted a similar business and taken his advice. She was also prepared to discuss this with West Yorkshire Trading Standards (WYTS).
- She was prepared to take advice from WYTS on only taking payment by credit card and not debit card.
- She did not anticipate that any additional litter would be generated as the cartons were kept for future use.
- CCTV was installed at the premises.

Councillor Townend had submitted a representation and addressed the Panel as follows:

- She had spoken to the applicant by telephone regarding the application and had been told that someone was starting a petition about it.
- She was concerned in case customers came to the house as it was a residential area.
- The application had to be advertised in the newspaper so she was concerned as to how the applicant would ensure that people were not coming to the premises or that it did not attract criminal activity.
- Should the licence be granted she requested that conditions be added that no direct sales be allowed from the premises and that all sales be ordered remotely and pre booked for home delivery.
- She opposed the application as it was in a residential area and the address had been advertised.

In closing the applicant believed that a resident had raised concerns with her next door neighbour, that he strongly objected to the application and that he intended to start a petition but when she raised this with him he said he had no knowledge about the petition.

The applicant had asked Councillor Townend to withdraw her objection so that she did not have to reveal her address in a meeting open to the public. She added that there would never be any direct sales from her home and that her address was not given on the web site.

**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 conditions:**

- (a) All sales of alcohol shall be remotely ordered and pre booked for home delivery and there shall be no direct sales or collections by the purchaser from the premises.**
- (b) 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.**

**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.**

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