

Record of a Hearing of the Bradford District Licensing Panel held remotely on Thursday, 29 April 2021

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

Hearing

New Brook Street Deli, 5-7 New Brook Street, Ilkley LS29 8DQ - Application For a Premises Licence

RECORD OF A HEARING FOR AN APPLICATION FOR A PREMISES LICENCE FOR NEW BROOK STREET DELI, 5-7 NEW BROOK STREET, ILKLEY

Commenced: 1405

Adjourned: 1435

Reconvened: 1445

Concluded: 1450

Present

Members of the Panel

Bradford District Licensing Panel: Councillor M Slater (Ch), Councillor Godwin and Councillor Shaheen

Parties to the Hearing

Representing the Applicant:

Mrs S Brumfitt – applicant

Mr Jephcote – applicant's agent

Representations

The Interim Assistant Director Waste, Fleet and Transport Services presented a report (**Document "P"**) which outlined an application for the grant of a premises licence for the sale of alcohol for consumption on and off the premises. The Panel was also advised of an objection to the application which had been received.

The applicant's agent joined the remote meeting and spoke in support of the application, stressing that the measures proposed by the applicant to address the licensing objectives were more than sufficient to ensure there would be no public disorder from these premises. He also noted that there had been no complaints from the nearby retirement apartments.

The applicant joined the meeting and explained that she had opened the deli during the pandemic and that it mainly catered to a clientele of young mums, cyclists and retired people. She was an Ilkley resident herself and did not want to cause any problems for other residents. Her main priority was the ability to serve wine or beer with her food offer. She had contacted the representative of the retirement apartments who was quite happy with the proposals.

In response to a question about a local public space protection order she stated that there had been problems in the town from young people misbehaving near the river during lockdown and noted that, although the deli was en-route to the river, so were many shops where it was possible to buy alcohol.

She also advised that the objector was the manager of the public house next door to the deli.

A member of the Panel queried the assertion made by the agent that there was no data in respect of anti-social behaviour and asked how that had been established. She was advised that the agent had been referring to the representation made which did not have any supporting information and the fact that the Police had made no representations.

The Panel member also asked how waste would be disposed of and how the applicant

would ensure alcohol was not sold to minors. In response, she was advised that waste disposal was set out in the application and that a challenge policy on proof of age would be operated.

The applicant was asked whether the main business model would be for food to be consumed on the premises or taken away. She stated that both would take place as there were very few tables on the premises. Both parts of the business would keep the same trading hours. She would also have tables outside to the front and rear of the premises, as permitted.

In response to further questions about litter prevention, she advised that she had four litter bins to the front of the deli and that she had a contract with a private waste company.

The Panel's legal advisor commended the applicant on the thoroughness of her application and asked how the many steps proposed would be put into practice. He was advised that there were seven staff in total, working different hours and that more would be recruited once the deli was able to trade until 2200. The applicant was present at the deli every day and was a personal licence holder along with another member of staff. She intended to maintain a close level of involvement to ensure the premises were well run.

In response to another question, she agreed to the imposition of a condition in respect of the Challenge 25 policy, if the Panel was minded to grant the application.

In conclusion, the agent stressed again that this was a robust application with detailed steps to fulfil the licensing objectives which would not have a negative impact on the local area. He also noted that the only objection had come from the owner of the neighbouring bar.

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) That the Licensee shall ensure that the external areas around the perimeter of the premises are kept clear of litter and refuse.**
- 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.**

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: Interim Assistant Director, Waste Fleet and Transport Service

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