

Record of a Hearing of the Bradford District Licensing Panel held on Wednesday, 16 June 2021 in the Ernest Saville Room, 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

Hearing

Application for a Premises Licence for Grill City Bradford, 246-250 Manningham Lane, Bradford BD8 7BZ

RECORD OF A HEARING FOR A PREMISES LICENCE FOR THE PROVISION OF LATE NIGHT REFRESHMENT TO TAKE PLACE INDOORS AT GRILL CITY BRADFORD, 246-250 MANNINGHAM LANE, BRADFORD.

Commenced: 1400
Adjourned: 1440
Reconvened 1455
Concluded : 1500

PRESENT

Members of the Panel

Bradford District Licensing Panel – Councillors Slater (Ch), Cunningham and Davies

Representing the Applicant

Mr Shiraz – applicant

Representing Responsible Authorities

Ms Howarth – Environmental Health officer

Representations

The Interim Assistant Director Waste, Fleet and Transport Services presented a report (**Document “C”**) which outlined an application for the grant of a new Premises Licence for the provision of late night refreshment to take place indoors. Members were also advised of the representation that had been received from the Environmental Health Officer objecting to the application and requesting that it be refused.

The applicant attended the hearing and spoke in support of his application, explaining that he had very recently opened the business after many years working as a taxi driver. As the business was struggling somewhat, he had made the application to extend his potential opening times. He also stated that there was considerable demand for later opening for his customers, including taxi drivers and business owners returning late in the evening to Bradford after their own business hours had ended. He acknowledged the concern raised by the Environmental Health Officer in respect of double yellow lines around the premises but stated that the pavement was very wide and could accommodate two or three cars. He also advised that an accountancy firm across the road from his premises had no objection to customers using his car park after his business had closed for the day.

The Chair clarified with the applicant that he appreciated that the current restriction on his planning permission meant that, even if this application was granted, he would not be able to trade after 2300 unless the planning permission was amended.

The applicant advised that his landlord had not appreciated that and suggested just trading via deliveries until the situation was resolved but it was again clarified with him that no business activity at all could take place until such time as the planning permission was changed.

The Chair queried whether a late night refreshment licence permitted trade by collection and was advised that it did as the supply of refreshments took place indoors.

A panel member also questioned whether the agreement with the accountancy firm was in writing. He was advised that it wasn't as it had been very recently reached.

The panel's legal advisor then asked a series of questions, including whether there were double yellow lines on Manningham Lane; how long the applicant had been running his business and whether there were residential properties nearby.

In response the applicant stated that there were double yellow lines on Manningham Lane; that he had been operating this business for only two months, having previously been a taxi driver and that there were residential properties nearby but that these premises were detached.

The legal advisor also asked about nearby parking and was advised that the pavement was very wide; that the accountancy firm had parking which could be used but that there was no on-street parking immediately outside the premises.

The Environmental Health Officer then made representations in respect of the application, stating that the planning permission which had been granted in 2017 had been restricted to a terminal hour of 2300 because of the nearby residential properties. She also stated that this business did not currently have the correct classification of planning permission for a takeaway business and so to trade at all as a takeaway would constitute a breach.

She expressed her concern for the residential amenity of nearby householders and advised that, in her experience, there would be noise and disturbance from patrons attending these premises if the licence was granted.

She also advised that planning permission for five flats above these premises had been granted in 2019.

The Chair queried whether the Environmental Health Officer had received any complaints in respect of these premises and was advised that she had not.

The Chair then asked how much certainty the Environmental Health Officer could attach to her view that complaints would ensue if the licence were granted. He was advised that she considered it highly likely based on her long service as an EHO and that the street scene changed significantly at 2300 as other businesses closed at that time.

In response to a further question, the Licensing Officer stated that there had been no representations from members of the public or ward councillors.

In closing, the Environmental Health Officer stated that there was a justifiable reason for the restriction on the planning permission and asked that the application be refused.

The application concluded by stating that he had advertised this application extensively and had received no concerns at all; that his building was completely detached from its neighbours with a 2-300 metre gap between his building and the next one and that as there were double yellow lines all around the neighbourhood, it made no difference as to the time of day when considering parking.

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.

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.

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