



Agenda for a meeting of the Bradford District Licensing Panel to be held on Thursday, 26 August 2021 at 10.45 am in

Members of the Committee – Councillors

LABOUR
M Slater
Cunningham
Hussain

Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- Given the restrictions on room capacity, any Councillors and members of the public who wish to make a contribution at the meeting are asked to email jane.lythgow@bradford.gov.uk by **mid-day on Tuesday 24 August 2021** and request to do so.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.
- On the day of the meeting you are encouraged to wear a suitable face covering (unless you are medically exempt) and adhere to social distancing. Staff will be at hand to advise accordingly.

From:

Parveen Akhtar
City Solicitor
Agenda Contact: Jane Lythgow
Phone: 01274 432270
E-Mail: jane.lythgow@bradford.gov.uk

To:

A. PROCEDURAL ITEMS

1. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

Notes:

- (1) Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) Officers must disclose interests in accordance with Council Standing Order 44.*

2. INSPECTION OF REPORTS AND BACKGROUND PAPERS

(Access to Information Procedure Rules – Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic Director or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Jane Lythgow - 01274 432270)

B. BUSINESS ITEMS

3. APPLICATION FOR A PREMISES LICENCE FOR SMASHD 264 GREAT HORTON ROAD, BRADFORD BD7 1QJ 1 - 38

The Interim Assistant Director Waste, Fleet and Transport Services will present a report (**Document “I”**) which outlines an application for the grant of a Premises Licence for the provision of late night refreshment to take place indoors.

Members are invited to consider the information and documents referred to in Document “I” and, after hearing interested parties, determine the related application.

(Melanie McGurk – 01274 431873)

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

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Report of the Interim Assistant Director Waste, Fleet & Transport Services to the meeting of the Bradford District Licensing Panel to be held on 26 August 2021.

I

Subject:

Application for a Premises Licence for Smashd, 364 Great Horton Road, Bradford, BD7 1QJ

Summary statement:

Application for a new premises licence for the provision of late night refreshment to take place indoors.

EQUALITY & DIVERSITY

The Council has to comply with the public sector equality duty in S.149 Equality Act 2010.

Sue Spink
Interim Assistant Director
Waste, Fleet & Transport Services

Report Contact: Melanie McGurk
Senior Licensing Officer
Phone: (01274) 431873
E-mail: melanie.mcgurk@bradford.gov.uk

Portfolio:

Neighbourhoods & Community Safety

Overview & Scrutiny Area:

Corporate

1. SUMMARY

The application is for the grant of a Premises Licence for the provision of late night refreshment to take place indoors.

2. BACKGROUND

2.1 The applicant

Smashd Ltd. A copy of the application is included at Appendix 1.

2.2 The Premises

Smashd, 364 Great Horton Road, Bradford, BD7 1QJ.

2.3 Designated Premises Supervisor

Not required.

2.4 Application

The application is for the grant of a Premises Licence. The operating schedule describes the following as the relevant licensable activities applied for:-

- Provision of late night refreshment to take place indoors

Hours of licensable activities:

Monday to Thursday: 23.00 to 02.30

Friday to Sunday: 23.00 to 03.30

2.5 Steps proposed by the applicant to address the Licensing Objectives

- a) Prevention of crime and disorder will be achieved by;

Adequate lighting.

Roller shutters.

Visible CCTV cameras.

- b) Public safety will be achieved by;

Fire exit situated at the back of the premises.

Exit situated on the ground floor (not used by the public in general but access from the main).

First aid kit. Fire extinguisher. Limited seating.



Limited indoor capacity 15.

c) Prevention of public nuisance will be achieved by;

The property has been sound & fire proof.

Double glazed windows.

Background music played at a reasonable level.

Staff clear litter inside & outside of premises.

Loading & unloading done with no limits to the main road as the back off road area is available.

Silencer on canopy to limit noise.

d) Protection of children from harm will be achieved by;

No adult entertainment.

No gaming machines.

Requirement for children to be accompanied by an adult (children under 12).

e) General – all four licensing objectives

Staff trained on licensing issues.

CCTV that capture activities on the premises and situated outside the premises.

2.6 Relevant Representations Received

Individual, Body or Business

Representations have been received from Ward Councillors, four local residents and the Bradford West Ward Officer. A Ward Councillor notes that allowing the application will contradict the planning decision. The representations raise concerns of increased noise and disturbance in a mainly residential area from customers chatting and cars being driven into the area late at night. Concerns are also raised regarding anti-social behaviour, litter problems and rodent infestations.

The representations are attached at Appendix 2.

3. OTHER CONSIDERATIONS

Legal Appraisal

3.1 The Licensing Act 2003 requires the Council to carry out its various licensing functions so as to promote the following four licensing objectives:

- a) the prevention of crime and disorder
- b) public safety
- c) the prevention of public nuisance
- d) the protection of children from harm

3.2 The Council must also have regard to the guidance issued by the Home Office



Report to the Licensing Panel
under Section 182 of the Licensing Act 2003. Regard must also be taken of the Council's statement of Licensing Policy for the District.

- 3.3** Where it is decided it is necessary to depart from the statutory guidance or the Licensing Policy on the merits of a particular case; then special reasons justifying this must be given that can be sustained.
- 3.4** Only "relevant representations" can be taken into account. In order to be "relevant" a representation must fairly relate to achieving a licensing objective. If it does not, it must be discounted.
- 3.5** Any licensing conditions that Members may propose attaching must also relate to achieving one of the licensing objectives; be tailored to the actual premises and style of licensable activity; must be reasonably achievable by the applicant and in his/her control.

Statement of Policy Issues

- 3.6** The following parts of the Licensing Policy are of particular importance; Part 4 (prevention of crime & disorder) and Part 6 (prevention of public nuisance).
- 3.7** The Annexes to the Policy sets out various types of model condition that could be considered.

4. FINANCIAL & RESOURCE APPRAISAL

There are no apparent finance or resource implications.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

There are no apparent risk management and governance implications.

6. LEGAL APPRAISAL

Referred to in part 3 of this report.

7. OTHER IMPLICATIONS

7.1 SUSTAINABILITY IMPLICATIONS

There are no apparent sustainability implications.

7.2 GREENHOUSE GAS EMISSIONS IMPACTS

There are no apparent implications.

7.3 COMMUNITY SAFETY IMPLICATIONS

When determining the application, the Licensing Authority is required to pay due



Report to the Licensing Panel
regard to the licensing objectives referred to in 3.1 of this report.

7.4 HUMAN RIGHTS ACT

The following rights are applicable:

Article 1 First Protocol to the Convention – Right to peaceful enjoyment of possessions subject to the state's right to control the use of property in accordance with the general interest. The Council's powers set out in the recommendations fall within the states right. A fair balance must be struck between public safety and the applicant's rights.

Article 6 – A procedural right to a fair hearing. As refusal of the application is an option, adherence to the Panels' usual procedure of affording a hearing to the applicant is very important. The applicant should also be able to examine the requirements of the fire authority. If the decision is to refuse then reasons should be given.

7.5 TRADE UNION

Not applicable.

7.6 WARD IMPLICATIONS

Ward Councillors have been notified of receipt of the application.

7.7 IMPLICATIONS FOR CORPORATE PARENTING

There are no apparent implications.

7.8 ISSUES ARISING FROM PRIVACY IMPACT ASSESSMENT

There are no apparent data protection or information security implications.

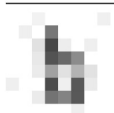
8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

9.1 Members may:

- (a) Grant a premises licence as applied for subject to any mandatory conditions and the precautions specified in the operating schedule submitted.
- (b) Grant a premises licence subject to such additional conditions relating to achievement of the licensing objectives as members think fit; or



(c) Refuse the application for a premises licence.

- 9.2** Should the applicant or any other party to the hearing feel aggrieved at any decision with regard to the licence or to any conditions or restrictions attached by Members they may appeal to the Magistrates Court.

10. RECOMMENDATIONS

Members are invited to consider the information and documents referred to in this report and, after hearing individuals, bodies or businesses, determine the related application(s).

11. APPENDICES

1. Application form received 22 June 2021. In the interests of economy this document has been sent to Members of the Panel only. A public inspection copy is available in Committee Secretariat, Room 112, City Hall, Bradford or on www.bradford.gov.uk.
2. Representations from other persons (Individual, Body or Business).

12. BACKGROUND DOCUMENTS

Application form, plan etc.





City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL

Licensing Team, Argus Chambers, Hall Ings, Bradford, BD1 1HX

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We Qazi Shamael Iqbal (insert name(s) of applicant)
apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description <u>364 GREAT HORTON ROAD</u>	
Post town <u>BRADFORD</u>	Post code <u>BD1 1QJ</u>
Telephone number of premises (if any)	<div style="background-color: black; width: 100px; height: 1.2em;"></div>
Non domestic rateable value of premises	£ <u>0</u>

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as:

Please tick as appropriate

- | | |
|-------------------------------------------------------|-----------------------------------------------------------------|
| a) an individual or individuals* | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual* | |
| i. as a limited company/limited liability partnership | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership (other than limited liability) | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |

- d) a charity ☐ please complete section (B)
- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below:

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☒
- I am making the application pursuant to a
 - statutory function or ☐
 - a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (for example, Rev) _____

Surname

First names

Please tick yes

Date of Birth

I am 18 years old or over ☐

Nationality

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9 digit 'share code' provided to the applicant by that service (please see note 2 for information)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title (for example, Rev) ☐

Surname

First names

Please tick yes

Date of Birth

I am 18 years old or over ☐

Nationality

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9 digit 'share code' provided to the applicant by that service (please see note 2 for information)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name SMASHD LIMITED

Address 364 GREAT HORTON ROAD, BRADFORD, BD7 1QJ

Registered number (where applicable)

13081939

Description of applicant (for example, partnership, company, unincorporated association etc.)

LIMITED COMPANY

Telephone number (if any) 01274 044754

E-mail address (optional) [REDACTED] @ gmail.com

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
1	4	06
2	0	2
1		

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

Please give a general description of the premises (please read guidance note 1)

TERRACED PROPERTY, TAKE-AWAY (S6103), FOUR FLOORS, GROUND FLOOR & BASEMENT, NO ENTERTAINMENT FACILITIES SITUATED ON A ROAD WITH MANY BUSINESS OF A SIMILAR NATURE

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

--

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Please tick ☒ yes

Provision of regulated entertainment

- | | |
|-------------------------------------------------------------------------------------------------------------|--------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performance of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

☒

Sale by retail of alcohol (if ticking yes, fill in box J)

☐

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for performing play (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of a films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list. (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue			State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 5)		
Wed			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list. (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list. (Please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list. (please read guidance note 6)		
Sat					
Sun					

G

Performance of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)			
Thur						
Fri						
Sat			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list. (please read guidance note 6)			
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing			
			Will the entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
Wed			State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)			
Thur						
Fri						
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within e, f) or g) at different times to those listed in the column on the left, please list. (please read guidance note 6)			
Sun						

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	02:30	Please give further details here (please read guidance note 4) LIMITED INDOOR SETTING WITH A MAXIMUM CAPACITY OF 8		
Tue	23:00	02:30			
Wed	23:00	02:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	02:30			
Fri	23:00	03:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list. (please read guidance note 6)		
Sat	23:00	03:30			
Sun	23:00	03:30			

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption on or off the premises or both – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue					
Wed					
Thur			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list. (please read guidance note 6)		
Fri					
Sat					
Sun					

State the name and details of the individual whom you wish to specify on the licence as the designated premises supervisor (please see declaration about the entitlement to work in the checklist at the end of the form)

Name QAZI SHAMAEEL IQBAL

Address

[REDACTED]

Postcode BD8 9PJ

Personal licence number (if known)

Issuing licensing authority (if known)

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)

NIA.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	12:00	23:00	Non standard timings. Where you intend to open the premises to be open to the public at different times from those listed in the column on the left, please list. (please read guidance note 6)
Tue	12:00	23:00	
Wed	12:00	23:00	
Thur	12:00	23:00	
Fri	12:00	23:00	
Sat	12:00	23:00	
Sun	12:00	23:00	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 10)

- STAFF TRAINED ON LICENSING ISSUES
- CCTV THAT CAPTURE ACTIVITIES ON THE PREMISES & SITUATED OUTSIDE THE PREMISES

b) The prevention of crime and disorder

- ADEQUATE LIGHTING
- ROLLING SHUTTERS
- VISIBLE CCTV CAMERAS

c) Public safety

- FIRE EXIT SITUATED AT THE BACK OF THE PREMISES, EXIT SITUATED ON THE GROUND FLOOR (NOT USED BY THE PUBLIC IN GENERAL BUT ACCESS FROM THE MAIN).
- FIRST AID KIT • FIRE EXTINGUISHER • LIMITED SEATING
- LIMITED INDOOR CAPACITY IS

d) The prevention of public nuisance

- THE PROPERTY HAS BEEN SOUND & FIRE PROOF
- DOUBLE GLAZED WINDOWS
- BACKGROUND MUSIC PLAYED AT A REASONABLE LEVEL
- STAFF CLEAR LITTER INSIDE & OUTSIDE OF PREMISES
- LOADING & UNLOADING DONE WITH NO LIMITS TO THE MAIN ROAD AS THE BACK OFF ROAD AREA IS AVAILABLE
- SILENCER ON CANOPY TO LIMIT NOISE

a) The protection of children from harm

- NO ADULT ENTERTAINMENT
- NO GAMING MACHINES
- REQUIREMENT FOR CHILDREN TO BE ACCOMPANIED BY AN ADULT (CHILDREN UNDER 12).

Checklist

Please tick to indicate agreement

- payment of the fee to be made by bank card please call me ☐
- I have enclosed the plan of the premises ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☐
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable ☐
- I understand that I must now advertise my application ☐
- I understand that if I do not comply with the above requirements my application will be rejected ☐

Applicable to all individual applicants, including those in partnership which is not a limited liability partnership, but not companies or limited liability partnerships

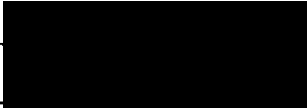
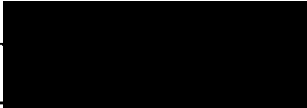
- I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15) ☐

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION ASYLUM AND NATIONALITY ACT 2006 AND PURUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

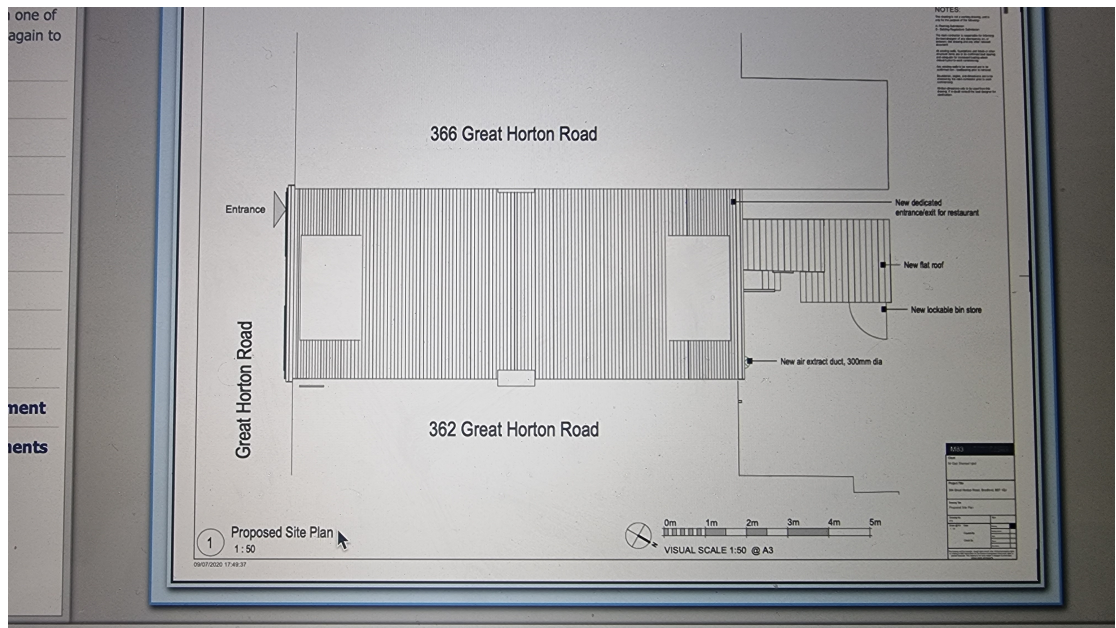
Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 12). If signing on behalf of the applicant please state in what capacity.

Declaration	Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership <ul style="list-style-type: none">• I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work checking service which  to work (please see note 15).
Signature	
Date	14/6/21
Capacity	Manager

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent.
 (please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact Name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	



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PRCGRT

Mr Qazi Shamael Iqbal
C/O Mr Rakesh Mistry
m83 Associates Ltd
187 Water Street
Manchester
M3 4JU

Department of Place

Planning, Transportation and Highways Development Services

Bradford Team
Britannia House, Hall Ings
Bradford, BD1 1HX

Contact: Jacob Muff
Tel: (01274) 434605
E-Mail: planning.enquiries@bradford.gov.uk
Ward: City (ward 07)

Application Number: 20/02829/PRC

18 September 2020

Change of Use of Class A1(Shops) or A2 (Financial & Professional Services) or Betting Office or Pay Day Loan Shop or Casino to Use Class A3 (Restaurants & Cafes) and Associated Building

Determination by the Local Planning Authority that the Prior Approval of the Authority is **required and given** for development permitted by Part 3, Class C of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015.

Proposal: Change of use from shop (use class A1) to café (use class A3) and associated building works for the provision of facilities for extraction and the storage of rubbish

Address: 364 Great Horton Road Bradford West Yorkshire BD7 1QJ

Applicant: Mr Qazi Shamael Iqbal

Date Application Valid: 29 July 2020

The City of Bradford Metropolitan District Council determine that the prior approval of the local planning authority **IS REQUIRED** and hereby **GRANTED** for the development described in the above mentioned application in accordance with the approved written details and plan(s) submitted and subject to the following schedule of conditions:

The change of use shall be undertaken in accordance with the written description of the development and plan(s) listed below:

Plan Type	Plan Reference	Date of Plans	Date Received
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Location Plan	P1	9th Jul 2020
Existing and Proposed Plans	P2	9th Jul 2020
Site Plan	P4	9th Jul 2020
Existing and Proposed Elevations		10th Sep 2020
Existing and Proposed Plans		10th Sep 2020

CONDITIONS AND ASSOCIATED REASONS:

1. The development must begin within a period of 3 years beginning with the date of this notice.

Reason: To accord with the requirements of Class C of Part 3 of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015.

2. The premises subject of this decision shall not be open for business between the hours of 23:00 and 07:00 and no customer shall be served or otherwise make use of the premises between these hours.

Reason: In the interests of the amenities of neighbouring residents and to accord with Policy DS5 of the Core Strategy Development Plan Document.

INFORMATIVES:

Informative: The change of use must accord with all conditions, limitations or restrictions that apply under the provisions of Class C of Part 3 of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015.

Informative: Please note that this approval does not convey any form of approval under the Building Regulations. You are therefore advised to contact Building Control to find out whether your proposal requires building regulations approval before starting work. Contact Building Control on 01274 433807 or email buildingcontrol@bradford.gov.uk

Date of Issue: 18 September 2020



Julian Jackson,
Assistant Director (Planning, Transportation and Highways)
Department of Place

From: Cllr Aneela Ahmed
Sent: 02 August 2021 15:04
To: Licensing Team <Licensing@bradford.gov.uk>
Cc: Melanie McGurk <melanie.mcgurk@bradford.gov.uk>
Subject: 364 GREAT HORTON ROAD BD7 1QJ - OBJECTION TO EXTENDED HOURS
LICENCE APPLICATION
Importance: High

I am one of the Ward Councillors for City ward , these premises fall within my ward area.

I have been approached by local residents voicing concerns regarding the application to extend the operating times of this premises.

Allowing the extension of the licence will contradict the planning decision granted on 18th September 2020, where it clearly states that, “ these premises shall not open for business between the hours of 2300 and 0700” I have attached a copy of the planning decision sheet herewith. Which also give the reason behind the planning departments very sensible decision.

The premises is in an area surrounded by a majority of residential and some business properties. Allowing this premises to open till late will not only be detrimental to , and increase the noise till much later in the area , but will also encourage more anti-social behaviour and crime and public disorder.

This particular area is a constant concern for us as ward members and our residents, this is due to the impact the patrons attending the various businesses including the proposers business have on the local streets, these concerns relate to parking, anti-social noise, and rubbish that is left behind.

Where we will always encourage economic growth in the area , we have to bear in mind that this cannot happen to the detriment of the local residents, many of whom are elderly , unwell and children, and many who have lived in the adjacent streets for 60 plus years . This area is one where we have to resource extra police and warden patrols due to the noise and traffic issues we experience on a daily basis , complaints that are lodged with ourselves as ward members, the chief executive's office and the police and the Bradford West Area office as well.

Bearing the above in mind I would request that my objection be noted to the application and the applicant be instructed that to continue his business he work within the parameters of his planning application and decision and also bear in mind the effect on the local residents.

KR

Councillor Aneela Ahmed

Dementia Champion

Labour City Ward

Tel : 07582101628

Email : Aneela.ahmed@bradford.gov.uk

Hands-Face-Space

Planning letter referred to attached separately

From: Cllr Nazam Azam
Sent: 03 August 2021 20:18
To: Melanie McGurk <melanie.mcgurk@bradford.gov.uk>
Subject: RE: Smashd- 364 Great Horton Road BD7

Dear Melanie

Thank you for your email in relation to the above licensing application.

I would like to forward for the record my concerns for the proposal specifically the proposed opening hours which would be disruptive to residents who reside in the immediate vicinity of this property.

Should the proposal go ahead, residents living in the immediate vicinity would have to put up with the noise and disturbance from the premises till 3.30am from Friday to Sunday which would be totally unacceptable.

I am confident you can forward my concerns for consideration as part of the process of determining this application.

If you could please keep me updated as to the progress of this application.

Kindest Regards

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]@gmail.com]
Sent: 31 July 2021 13:18
To: Licensing Team <Licensing@bradford.gov.uk>
Subject: Smashd application for late night opening

Hi Bradford licensing,

[REDACTED]
[REDACTED] Horton Grange road Bd73ah

I object the allocation for extended hours, due to so many late night takeaways already opened in a polluted area, kids & elderly people have problem sleeping due to noise and cars going up and down on busy roads.

Also more mice & rats will appear where opening hours are extended.

Sent from my iPhone

-----Original Message-----

From: [REDACTED] [mailto:[REDACTED]@live.com]
Sent: 01 August 2021 14:14
To: Licensing Team <Licensing@bradford.gov.uk>
Subject: Smashd opening hours

To whom it may concern,

I have recently been notified about the takeaway Smashd, 364 great horton road. applying for extended opening hours till 02:30 (weekdays) and 03:00 (weekends).

I would like to strongly oppose to this for a number of reasons:

1. Due to the numerous takeaways opened around here parking is very restricted for residents as anyone who visits parks in the street.
2. Anyone who visits the takeaways and decides to eat in their vehicles then throw rubbish onto the floor which residents then have to pick up and throw into the bin.
3. The noise from both vehicles being driven into the area, and from customers chatting into the late hours after visiting is very disruptive.

All us residents are already fed up, and strongly oppose these opening hours. So can you please reject these opening hours.

██████████ st Margaret's terrace. BD7 3AP.

Kind regards,

██████████

From: ██████████ [mailto:██████████@gmail.com]

Sent: 01 August 2021 14:24

To: Licensing Team <Licensing@bradford.gov.uk>

Subject: Smashed opening hours

To whom it may concern,

My son has recently notified me about the application of the takeaway smashed 364 great horton road, applying for extending their opening hours.

I strongly oppose this and hope the council reject these new hours. The current noise and rubbish being thrown onto the surrounding streets due to the current takeaways opened is already beyond a joke.

Customers come and park in our street, which limits the parking for the residents.

They throw their rubbish on the floor which we then have to pick up on a daily basis to keep the area clean.

I live with my elderly mother who is 86 years old who struggles to sleep on a night due to the noise, especially on weekends.

If this application is accepted I will absolutely lose all faith in Bradford council.

██████████ st Margaret terrace. BD7 3AP.

Kind regards,

██████████

From: ██████████ [mailto:██████████@gmail.com]

Sent: 03 August 2021 09:12

To: Licensing Team <Licensing@bradford.gov.uk>

Subject: Objection to late night opening

Hello,

We strongly object to any extension of late night opening hours for Smashed or any other venue in my area.

Myself and my husband have lived here for 30+ years.

We are both elderly and I am disabled.

Over last few years we struggle to get parking in my own street.

Many times we have to struggle to walk around cars that have been parked on the pavements and grass areas.

There is constant noise coming from cars and people all ready,

We don't feel safe going out even in the early evening like we used to, and have to be really careful even during the day as cars drive so fast in this enclosed area and we can not walk as fast as we used to.

The rubbish left by people eating in the cars and dumping packaging in the road and street is horrible. Its looks horrible, and im sure it attracts rats, mice too.

Please dont allow late night opening, and make our lives even more difficult then it has already become.

Thank You

Mrs. [REDACTED] and Mr. [REDACTED]

■ St. Maragerts Terrace

Bradford

BD7 3AP.

Sent: 04 August 2021 16:33

To: Melanie McGurk <melanie.mcgurk@bradford.gov.uk>

Subject: FW: Smashd- 364 Great Horton Road BD7

Hi

As Ward Officer for City Ward I have been made aware of 364 Great Horton Road (Smashd) want to increase opening hours – as we already have Issues related to ASB in the evenings, this is inappropriate as there are residents very close to this place.

Regards

Ward Officer – City Ward and Heaton Ward

Email: [REDACTED]@bradford.gov.uk

Tel: 01274 432597 • Mob: [REDACTED]

Bradford West Area Co-ordinators Office

Lawcroft House, Lilycroft Road

BRADFORD BD9 5AD

Get the Bradford Council mobile app: www.bradford.gov.uk/app

City of Bradford Metropolitan District Council

Department of Place

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