

Agenda for a meeting of the Bradford District Licensing Panel to be held on Wednesday 2 February 2022 at 10.00 am in Committee Room 1 - City Hall, Bradford

Members of the Committee – Councillors

LABOUR	CONSERVATIVE
M Slater Cunningham	Debbie Davies

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 attend the meeting are asked to email farzana.mughal@bradford.gov.uk by **mid-day on Monday 31 January 2022** and request to do so.
- On the day of the meeting please ensure that you comply with the COVID restrictions in place at the current time by wearing a suitable face covering (unless you are medically exempt) and adhere to social distancing. Staff will be at hand to advise accordingly. Participants may be asked to wait in a separate room if the capacity in the meeting room has been reached and they will be escorted back into the meeting when their item is considered by the Committee.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.

From:

Parveen Akhtar

City Solicitor

Agenda Contact: Farzana Mughal

Phone: 07811 504164

E-Mail: farzana.mughal@bradford.gov.uk

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.

(Farzana Mughal - 07811 504164)

B. BUSINESS ITEM

3. APPLICATION FOR A PREMISES LICENCE FOR 47 WILSDEN ROAD, BRADFORD, BD15 9AD 1 - 24

The Interim Assistant Director Waste, Fleet and Transport Services will present a report (**Document “U”**) which outlines an application for a new premises licence for the sale of alcohol for consumption off the premises in respect of 47 Wilsden Road, Bradford, BD15 9AD.

Members are invited to consider the information and documents referred to in (Document “U”) 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 Wednesday 2 February 2022

U

Subject:

Application for a Premises Licence for 47 Wilsden Road, Bradford, BD15 9AD

Summary statement:

Application for a new premises licence for the sale of alcohol for consumption off the premises.

EQUALITY & DIVERSITY

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

Susan Spink
Interim Assistant Director
Waste, Fleet & Transport Services

**Portfolio: Neighbourhoods & Community
Safety**

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

Overview & Scrutiny Area: Corporate

1. SUMMARY

The application is for the grant of a Premises Licence for the sale of alcohol for consumption off the premises.

2. BACKGROUND

2.1 The applicant

Mr Zubair Ali. A copy of the application is included at Appendix 1.

2.2 The Premises

47 Wilsden Road, Bradford, BD15 9AD.

2.3 Proposed Designated Premises Supervisor

Mr Zubair Ali.

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:-

- Sale of alcohol for consumption off the premises.

Sunday to Thursday: 16.00 to 00.00
Friday & Saturday: 16.00 to 01.30

2.5 Steps proposed by the applicant to address the Licensing Objectives

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

Never to be sold on premises, under no circumstances.

- b) Public safety will be achieved by;

CCTV in operation, fire alarm, normal alarm.

- c) Prevention of public nuisance will be achieved by;

No customers on premises (solely online).



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

If any staff hired CRB checks and full ID ensuring at least 18 years of age.

- e) General – all four licensing objectives

Personal licence holder on premises at all times.

CCTV in operation for licence holders safety and public.

2.6 Relevant Representations Received

Individual, Body or Business

A representation from Sandy Lane Parish Council and a petition from local residents have been received, which raise concerns of late night noise and traffic causing disturbance to neighbouring properties.

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 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 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 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 ASSESMENT

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 3 November 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. Representation and petition.

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 Zubair Ali (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>47 Wilsden Road, Bradford.</u>	
Post town <u>Bradford.</u>	Post code <u>BD15 9AD</u>

Telephone number of premises (if any)

Non domestic rateable value of premises

Part 2 – Applicant Details

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

Please tick as appropriate

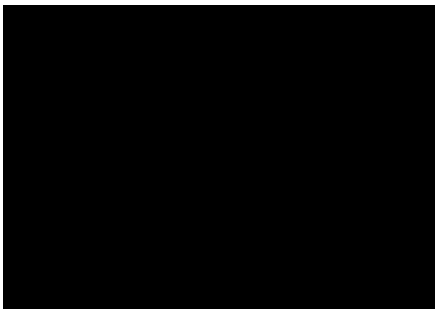
- | | |
|---|---|
| a) an individual or individuals* | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual* | |
| i. as a limited company/limited liability partnership | <input type="checkbox"/> please complete section (B) |
| ii. as a partnership (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) |

In relation to the application enclosed —

No product(s) will be sold from the premises due to it being an online based business.

Under no circumstances will the general public be allowed entry to purchase products.

31/10/2021



- 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

Ali

Zubair

Date of Birth

I am 18 years old or over

Please tick yes

☒

Nationality

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

@hotmail.com.

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) NA.

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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)

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)

Personal license holder on premises at all times.
CCTV in operation for license holders safety and public.

b) The prevention of crime and disorder

Never to be sold ~~to~~ on premises, Under no circumstances.

c) Public safety

CCTV in operation, ~~for~~ fire Alarm & normal Alarm.

d) The prevention of public nuisance

~~No~~ ^{NO} customers on premises. (Solely online)

a) The protection of children from harm

If any staff hired CRB checks + full ID ensuring above 18 years of age.

Checklist

Please tick to indicate agreement

Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?
(AS soon AS)

Day	Month	Year
05	11	2021

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)

Premises just for storage and packing orders.
Not open to general public solely online.

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

0

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) ☐
- b) films (if ticking yes, fill in box B) ☐
- c) indoor sporting events (if ticking yes, fill in box C) ☐
- d) boxing or wrestling entertainment (if ticking yes, fill in box D) ☐
- e) live music (if ticking yes, fill in box E) ☐
- f) recorded music (if ticking yes, fill in box F) ☐
- g) performance of dance (if ticking yes, fill in box G) ☐
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ☐

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

guidance note 5)		
Thur		
Fri		
Sat		
Sun		

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)

J

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 checked="" type="checkbox"/>
Day	Start	Finish	Both		<input type="checkbox"/>
Mon	16:00	00:00			
Tue	16:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 5) Standard Timings due to it being Online Sales.		
Wed	16:00	00:00			
Thur	16:00	00:00			
Fri	16:00	01:30	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) Never on premises.		
Sat	16:00	01:30			
Sun	16:00	00:00			

- 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)




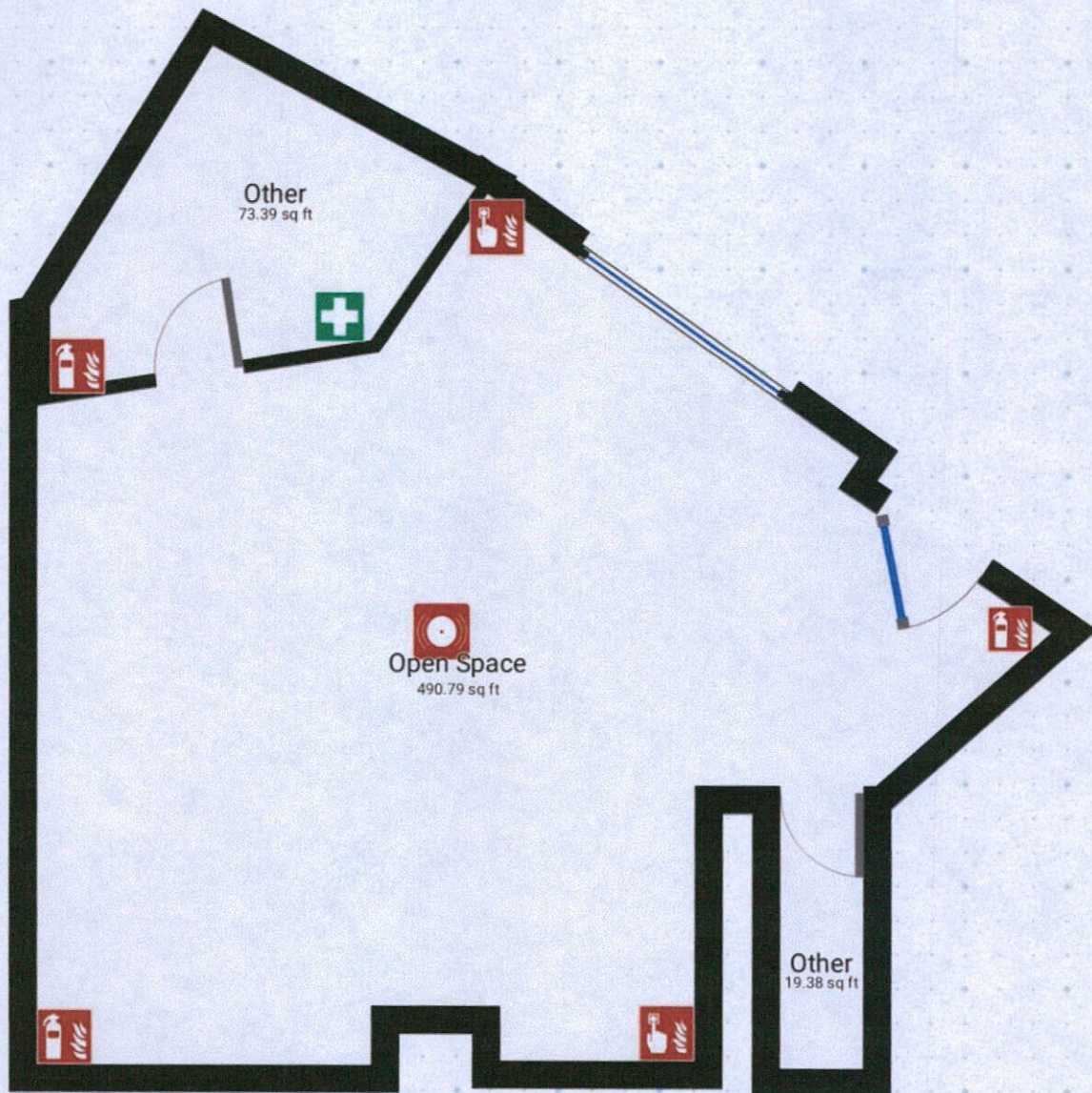
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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	<p>Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership</p> <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 confirmed their right to work (please see note 15).
Signature	
Date	29-10-21
Capacity	



(The Sq ft stated is for illustration purposes solely/not to scale.)

The main entrance is the sole entrance and exit of the property (Highlighted in the blue door opening). In the event of a emergency this exit will be the sole fire exit.

In the premises there will be no consumption of any alcohol it will be only for storing products. Products will always be fully packaged and stored in a secure area of the premises as under no circumstances will the general public be allowed to purchase any of the product(s) stocked. (Online Strictly)

In regards to fixed structures or similar objects which may impact on the ability of customers to use exits or escape routes the following shall not be applicable as there will be no member of the public allowed on to the premises.

There is no stage or raised area within the premises.

The location of fire safety products are as stated. Primary fire manual glass break point is located next to the sole window, secondly there is multiple fire extinguishers on the premises one is located next to the W.c the other is positioned in the utility room and two others at the entrance and storage area. Furthermore, there is a fully lit and functioning fire exit display which is visible above the entrance of the premises. Finally there is a new fire alarm system fitted within the premises.

There is no kitchen on the premises.

The only activity occurring on the premises is storing and packing of products.

In regards to public convenience the following is not applicable due to no member of the public allowed on the premises.

There are no steps, stairs, elevators or lifts on the premises.

The interpretation of the last point is clearly stated below.

Firstly the fire exit point on the premises is located at the entrance of the property. Secondly fire extinguishers are placed in the utility room , outside the W.C, at the entrance of the property and lastly where the products will be stored. A fire manual glass break point is located next to the sole window. Lastly, the fire exit lit up display is positioned above the entrance/exit of the premises and a first aid kit is located in the utility room.

From: [REDACTED] <[REDACTED]@gmail.com>

Sent: 15 December 2021 08:32

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

Subject: Re: Licensing application at 47 Wilsden Road, Sandy Lane

Hi,

Thanks for confirmation of representation.

I would like to make a representation on behalf of Sandy Lane Parish Council, who strongly object to the licensing application at 47 Wilsden Road, Sandy Lane, Bradford, for the supply of alcohol for consumption off premises Sunday to Thursday 16:00 to 00:00, Friday and Saturday 16:00 to 01.30. Sandy Lane is a small village, with many neighbouring properties housing families who would be disturbed by late night noise and traffic, and it is already far too small for the current busy traffic on Wilsden Road. Specifically the Parish Council objects on the following grounds:

- Prevention of crime and disorder;
- Public safety;
- Protection of public nuisance;
- Protection of children from harm.

Please do not hesitate to contact me if you need any further information or clarification.

Yours,

[REDACTED]

Clerk to Sandy Lane Parish Council

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■ West Avenue

Allerton

Bradford BD15 9AE

9th December 2021

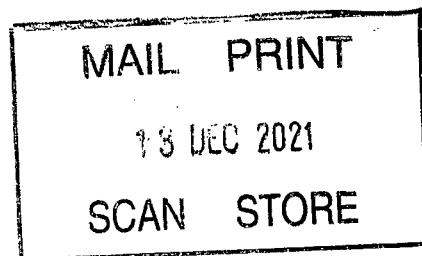
Dear Sirs

Licensing Application for 47 Wilsden Road, Bradford BD15 9AD

I am enclosing a petition on behalf of near neighbours of the above premises who wish to oppose the above application.

Yours faithfully,

■



LICENSING APPLICATION FOR 47 WILSDEN ROAD, BRADFORD BD15 9AD

We, the undersigned are all close neighbours to the above premises and wish to object to the granting of a licence to these premises on the following grounds:

The premises are supposedly opening as an estate agents called Property Ladder Nationwide, we are therefore at a loss to understand why a licence to sell alcohol should be granted to such a business and why the hours of business should run into late evening when this may cause disturbance in the area.

NAME	ADDRESS	SIGNATURE
MRS. [REDACTED]	WEST AVENUE BD15 9AE	[REDACTED]
MRS [REDACTED]	WILSDEN ROAD BD15 9AD	
MR. [REDACTED]	WILSDEN ROAD BD15 9AD	
MR [REDACTED]	Wilsden Road BD15 9AD	
MRS [REDACTED]	Wilsden Road BD15 9AD	
MR [REDACTED]	WILSDEN ROAD BD15 9AD	
MRS [REDACTED]	WILSDEN ROAD BD15 9AD	
MR [REDACTED]	WILSDEN ROAD BD15 9AD	
MRS [REDACTED]	WILSDEN ROAD BD15 9AD	
[REDACTED]	WILSDEN ROAD BD15 9AD	
[REDACTED]	WILSDEN ROAD BD15 9AD	
[REDACTED]	WILSDEN ROAD BD15 9AD	
[REDACTED]	WILSDEN ROAD BD15 9AD	
[REDACTED]	WILSDEN ROAD BD15 9AD	
[REDACTED]	WILSDEN ROAD BD15 9AD	

Mr [REDACTED]

Mrs [REDACTED]

[REDACTED]

Mr [REDACTED]

Mr [REDACTED]

Mr [REDACTED]

[REDACTED]

West Avenue BDIS9AE

West Avenue BDIS9AE

West Ave BDIS9AE

West Ave BDIS9AS

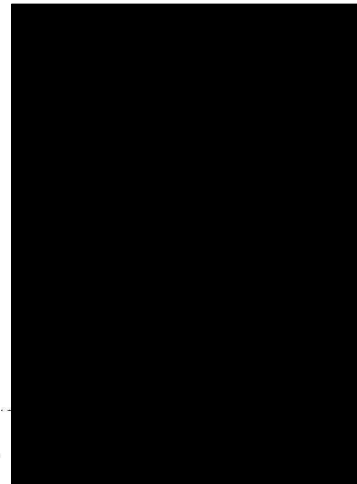
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