

Agenda for a meeting of the Bradford District Licensing Panel to be held on Thursday, 3 February 2022 at 10.00 am in the Ernest Saville Room, City Hall, Bradford

Members of the Committee – Councillors

LABOUR	CONSERVATIVE	GREEN
M Slater	Nazam	Love

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 jane.lythgow@bradford.gov.uk by **mid-day on Tuesday 1 February 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

To:

Agenda Contact: Jill Bell/Jane Lythgow/Farzana Mughal
Phone: 01274 432270/ 07811 504164
E-Mail: jane.lythgow@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.

(Jane Lythgow - 01274 432270)

B. BUSINESS ITEMS

3. SELFISH SPIRITS COMPANY, UNIT 10, 42A NELSON ROAD, ILKLEY LS29 8HN 1 - 38

The Interim Assistant Director Waste, Fleet and Transport Services will present a report (**Document “V”**) which outlines an application for a new Premises Licence for the sale of alcohol for consumption off the premises at Selfish Spirits Company, Unit 10, 42a Nelson Road, Ilkley, LS29 8HN

Members are invited to consider the information and documents referred to in Document “V” 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 3 February 2022.

V

Subject:

Application for a Premises Licence for Selfish Spirits Company, Unit 10, 42a Nelson Road, Ilkley, LS29 8HN

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

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 sale of alcohol for consumption off the premises.

2. BACKGROUND

2.1 The applicant

The Selfish Spirits Company Limited. A copy of the application is included at Appendix 1.

2.2 The Premises

Selfish Spirits Company, Unit 10, 42a Nelson Road, Ilkley, LS29 8HN.

2.3 Proposed Designated Premises Supervisor

Mr Frederick Robert Harman.

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.

Monday to Sunday: 08.00 to 22.00

2.5 Steps proposed by the applicant to address the Licensing Objectives

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

The unit will not be open to the public, preventing any instances of criminal activity that could normally take place in licensed premises. It is located in a secure complex, with a main gate at the entrance which only select people will have a key for (those people who are utilising the other storage units and offices). The unit itself is alarmed and has an electric roller shutter door, operated by a key which only I and the landlord will have possession of.

- b) Public safety will be achieved by;

As the public will not be allowed entry into the unit, this greatly decreases any risk in the first instance. In cases of deliveries of pallets and other goods, they



will be placed appropriately out of the way of any major thoroughfares to avoid any tripping hazards. They will be dismantled promptly or moved into the storage unit itself as soon as practically possible. Inside the unit, everything will be organised onto shelving or shifted next to the interior walls to ensure a clear floor and workspace, again to avoid any hazards and to keep clear for an easy entrance and exit of the premises.

The rolling shutter door is the only entry/exit, and therefore must be kept clear at all times in the case of a fire. It is easily operated through the use of a button from the inside, and will of course be tested upon every entry to ensure it is working as intended. The storage unit has concrete floors and brick walls, providing a low chance of a fire spreading this way. As we are dealing with spirits, all stock will be kept away from any potential ignition sources, including electrical sockets/equipment and naked flames.

A first aid kit will be present on the premises in case of minor injuries and access will be provided for emergency vehicles and kept free from obstructions at all times for more serious injuries.

c) Prevention of public nuisance will be achieved by;

There will be no issues of late night disturbances of intoxicated people going home at night, as no members of the public will be allowed in the property. Additionally, there will not be any instances of loud music being played, bright flashing or loud noises outside of normal waking hours.

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

The public are not allowed on the premises, including children. Potential issues arise when it comes to the sale of alcohol through our online shop, however. Age verification checks will be implemented on the website, one as soon as you enter the site and another when they are going to check out. We will be using third party deliver companies to deliver the product, who should have their own operating procedures when it comes to delivering alcohol to underage recipients.

e) General – all four licensing objectives

Public won't be allowed on the property – greatly reducing risks from all 4 licensing objectives.

Appropriate security measures are in place to prevent any instances of crime and disorder.

Premises will be kept in a tidy and organised state to prevent any potential harm to the public.

Age verification checks will be conducted to ensure there are no instances of underage consumption of alcohol.



2.6 Relevant Representations Received

Individual, Body or Business

Two representations have been received from local residents, which raise concerns that the proposed opening hours seven day a week would increase the amount of traffic to and from the area causing noise and disturbance, as use of the premises for distribution or as a depot would attract more frequent traffic activity and more frequent visits to the site than just storage.

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:

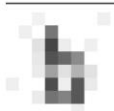
Article 1 First Protocol to the Convention – Right to peaceful enjoyment of possessions subject to the state's right to control the use of property in accordance

with the general interest. The Council's powers set out in the recommendations fall within the state's 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 16 December 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 local residents.



12. BACKGROUND DOCUMENTS

Application form, plan etc.



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* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

Selfish Spirits Co Premises Licence

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Frederick

* Family name

Harman

* E-mail

[REDACTED]@selfishspiritscompany.com

Main telephone number

[REDACTED]

Include country code.

Other telephone number

☒ Indicate here if you would prefer not to be contacted by telephone

Are you:

- ☒ Applying as a business or organisation, including as a sole trader
☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

12340943

Business name

The Selfish Spirits Company Limited

If your business is registered, use its registered name.

VAT number

- none

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

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

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

[Documents that demonstrate entitlement to work in the UK](#)

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

The premises is a new storage unit (B8 class - storage and distribution) located on Nelson Road, not far from Ilkley town center situated with other businesses in a mostly domestic housing area. There are five other similar storage units of varying sizes in the same building, all alarmed with electric roller shutter doors. As well as these storage units, there are also a number of offices located on the other end of the complex, all of which are part of the 42 Nelson Road address. The plan of

Continued from previous page...

the premises shows the shape, size and location of these. Please note the unit will be used as a base to sell alcohol online and to other establishments (pubs, bars etc.) and will not be a location for alcohol to be consumed onsite.

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☐ Yes ☒ No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☐ Yes ☒ No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☐ Yes ☒ No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Continued from previous page...

Will you be providing performances of dance?

☐ Yes ☒ No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes ☒ No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes ☒ No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the sale of alcohol be for consumption:

☐ On the premises ☒ Off the premises ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /

Continued from previous page...

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number
(if known)

Issuing licensing authority
(if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

Public won't be allowed on the property - greatly reducing risks from all 4 licensing objectives.
Appropriate security measures are in place to prevent any instances of crime and disorder.
Premises will be kept in a tidy and organised state to prevent any potential harm to the public.
Age verification checks will be conducted to ensure there are no instances of underage consumption of alcohol.

b) The prevention of crime and disorder

The unit will not be open to the public, preventing any instances of criminal activity that could normally take place in licensed premises. It is located in a secure complex, with a main gate at the entrance which only select people will have a key for (those people who are utilising the other storage units and offices). The unit itself is alarmed and has an electric roller shutter door, operated by a key which only I and the landlord will have possession of.

c) Public safety

As the public will not be allowed entry into the unit, this greatly decreases any risk in the first instance. In cases of deliveries of pallets and other goods, they will be placed appropriately out of the way of any major thoroughfares to avoid any tripping hazards. They will be dismantled promptly or moved into the storage unit itself as soon as practically possible. Inside the unit, everything will be organised onto shelving or shifted next to the interior walls to ensure a clear floor and workspace, again to avoid any hazards and to keep clear for an easy entrance and exit of the premises.

The rolling shutter door is the only entry/exit, and therefore must be kept clear at all times in the case of a fire. It is easily operated through the use of a button from the inside, and will of course be tested upon every entry to ensure it is working as intended. The storage unit has concrete floors and brick walls, providing a low chance of a fire spreading this way. As we are dealing with spirits, all stock will be kept away from any potential ignition sources, including electrical sockets/equipment and naked flames.

A first aid kit will be present on the premises in case of minor injuries, and access will be provided for emergency vehicles and kept free from obstructions at all times for more serious injuries.

d) The prevention of public nuisance

There will be no issues of late night disturbances of intoxicated people going home at night, as no members of the public will be allowed in the property. Additionally, there will not be any instances of loud music being played, bright flashing or loud noises outside of normal waking hours.

e) The protection of children from harm

The public are not allowed on the premises, including children. Potential issues arise when it comes to the sale of alcohol through our online shop, however. Age verification checks will be implemented on the website, one as soon as you enter the site and another when they are going to check out. We will be using 3rd party delivery companies to deliver the product, who should have their own operating procedures when it comes to delivering alcohol to underage recipients.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

Continued from previous page...

- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

Continued from previous page...

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Rateable Value Band No rateable value to £4,300 A £4,301 to £33,000 B £33,001 to £87,000 C £87,001 to £125,000 D £125,001 and above E Rateable Value Band ABCD * E * Application fee £100 £190 £315 £450 £635

In addition, a multiplier will be applied to premises within bands D and E, where they are exclusively or primarily in the business of selling alcohol. * Premises within band D Fee shall be the application fee or annual charge x 2 * Premises within band E Fee shall be the application fee or annual charge x 3

* Fee amount (£)

100.00

DECLARATION

Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] 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, if appropriate (please see note 15)

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

Frederick Harman

* Capacity

Managing Director/Founder

* Date

16 / 12 / 2021
dd mm yyyy

Add another signatory

Continued from previous page...

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/bradford/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

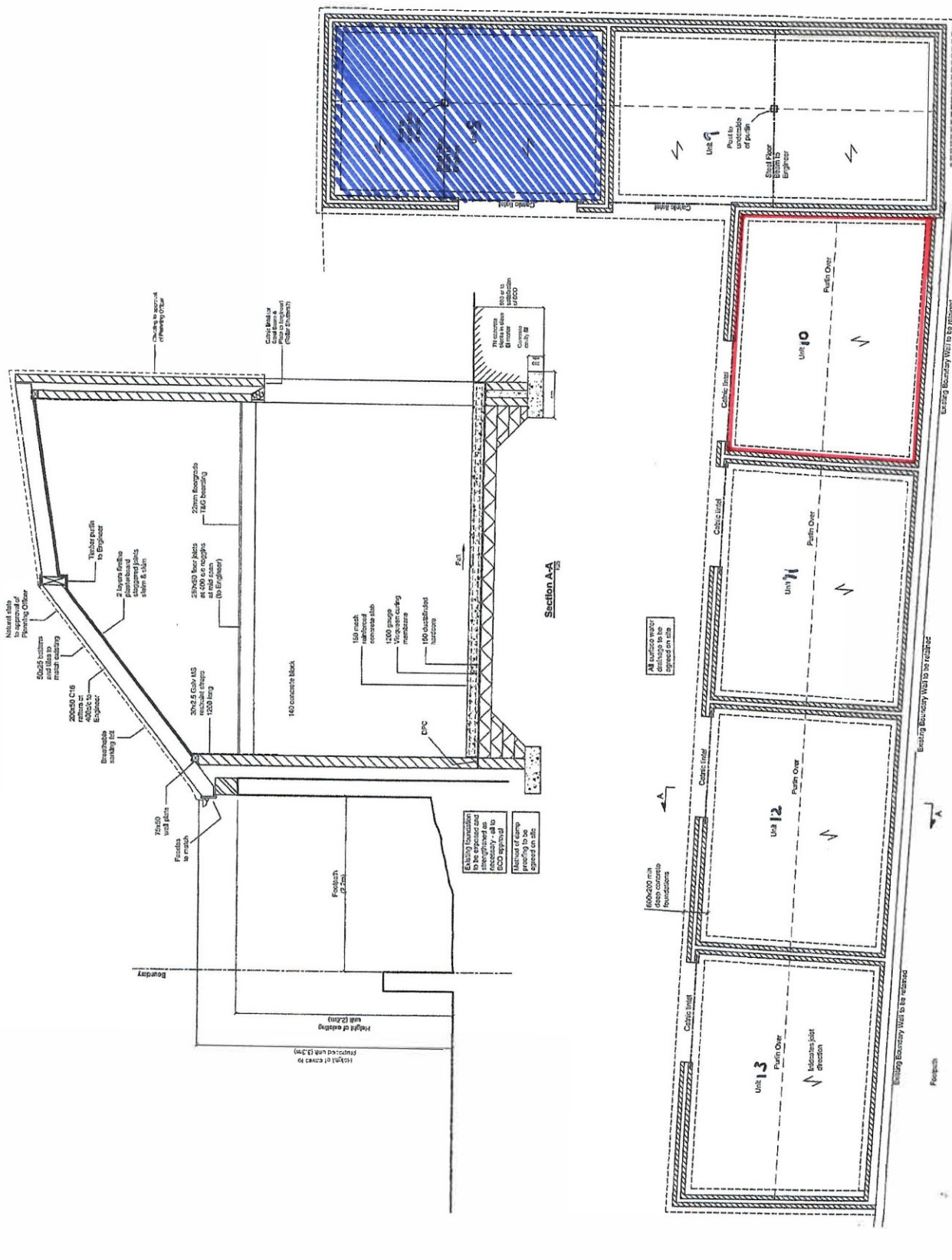
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION


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 PURSUANT 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

OFFICE USE ONLY

Applicant reference number	Selfish Spirits Co Premises Licence
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

123456789101112131415161718192021Next >

[illegible]

Client	Teton & Country Properties
Project	Proposed Storage Units 42A Nelson Road, Riley
Drawing Title	Proposed Plan & Section
	
Domestic Architectural Design Services 26 Lynton Park Avenue, Redwood, United Kingdom 01143 246666 or 01927 228115 e1443@prohausdesign.co.uk or www.prohausdesign.co.uk	
Project No.	2548
Drawing No.	32
Scale	1:50, 1:25
Issue	March 2020
Created	



[REDACTED]

[REDACTED]

From: [REDACTED]@icloud.com>
Sent: 04 January 2022 20:18
To: Licensing Team <Licensing@bradford.gov.uk>
Subject: application no 222027 submitted by Fred Harman in relation to Unit 10, 42A Nelson Road

CAUTION: This email has originated from outside Bradford Council.
Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs,

I hope this email finds you well.

I am writing in regards to **application no 222027** submitted by Fred Harman on 17th December 2021 for a premises license for the sale by retail of alcohol under the company 'The Selfish Spirits co', from the premises of Unit 10, 42A Nelson Road, Ilkley, LS29-8HN.

Along with my neighbours I wish to object to the premises license for the sale of alcohol and recommend it be declined, I have outlined my reasons below:

Firstly, the premises is unsuitable for the use as a retail space. The storage units at this location were recently re-built with planning permission granted that included conditions of use, stating that the premises are to be used for storage purposes only. I refer to the Bradford Council Planning portal case reference 17/01668/FUL: "In view of the restrictions of the site, and proximity to residential properties, it is suggested that a planning condition be attached to limit the use of the Units to storage purposes only and they shall not be used for distribution purposes within the B8 Use Class. Use for distribution or as a depot would attract more frequent traffic activity and more frequent visits to the site than just storage."

The conditions outlined by the Bradford Council Planning office, Ilkley Town Council and Ilkley Parish Council have been put in place to protect the residential properties that are in close proximity to these units. As mentioned above the use of this storage garage as a retail space is inappropriate and causes great concern to my neighbours and myself. I understand that it can be difficult to get a true representation for the type of property this is solely by written word only, therefore I have attached several photographs to illustrate the location of the storage garages, specifically unit 10 at 42A Nelson road, and the close proximity of such garages to the residential homes of Nelson Road that would be negatively effected by a retail space/distribution of alcohol.

Secondly, The use as a retail space with proposed opening hours of 8am to 10pm 7 days a week would increase the amount of traffic to this area considerable from businesses only visiting one or twice a week/month, usually between the hours of 9am-5pm. The increased traffic to the area and the sale of alcohol from this storage unit puts the households at greater risk of crime and infringes further of the households privacy. Currently the only people with access to this area are those that own and rent the storage units, which is currently locked at night.

The increased traffic caused by this storage unit becoming a retail space would also cause public nuisance and noise disturbance. The acoustics of the yard means sounds is greatly increased, a lot of the houses in this block are occupied by families with children who would be disturbed by this potential change in use, more frequent access and greater hours of access.

I note that there is already a parking issue and limited parking on Nelson Road, which has been restricted by parking permits. Furthermore the very limited parking spaces in the yard where the garage unit 10 is located (which were added as another condition to planning) are already in use by other storage units. If the storage unit was used for retail or distribution this would further add to the already existing parking issues.

Finally, there are plenty of retail spaces available to rent across Ilkley which I believe would be more suitable for the sale of alcohol by retail.

As Mr Harman has not applied or been granted change of use from a storage unit the granting of this licence would be in conflict of the conditions put on the premises at 42A Nelson Road. I confirm I will be contacting Bradford Council Planning office to make them aware of this violation in the planning conditions in regards to this proposed premise license application.

In conclusion, the granting of this license would be inappropriate and I therefore recommend that it be declined.

Yours sincerely,

LICENSING ACT 2003
PUBLIC NOTICE OF APPLICATION FOR
GRANT OF A PREMISES LICENCE

APPLICATION HAS TODAY BEEN MADE TO THE COUNCIL
FOR THE ABOVE LICENCE BY:

Name of Applicant: FRED HARMAN

Address of Premises: Unit 10 42a Nelson Road, Ickley
LS29 8HN

(If no postal address, state a description of the premises which enables the location and extent of the premises to be identified)

Date: 17/12/21

(This notice must be displayed following the day after the application was submitted to the Council for a period of 28 days on or near the premises in a position where it can easily be read by the public.)

For: the sale by retail of alcohol

(Please state type of licensable activity/ies - the sale by retail of alcohol / provision of regulated entertainment / provision of late night refreshment)

Proposed Hours of Operation: 8am - 10pm 7 days
a week

REPRESENTATIONS SHOULD BE MADE IN WRITING WITHIN
28 DAYS OF THE ABOVE DATE TO:

LICENSING TEAM, ARGUS CHAMBERS, HALL INGS,
BRADFORD, BD1 1HX

Persons wishing to inspect the licensing register may do so at
the above address between the hours of 09.00 - 17.00 Monday
to Thursday and 09.00 - 16.30 Friday. The licensing register is
also available online at www.bradfordlicensing.org.uk

It is an offence to knowingly or recklessly make a false
statement in connection with an application which carries an
unlimited fine.

Note: This notice must be printed on pale blue paper.

10:21



17/01668/FUL | Demolition of 13 existing lock up ga...

★ Track

🔗 Share

Reference	17/01668/FUL
Alternative Reference	PP-05929782
Application Validated	Tue 21 Mar 2017
Address	42A Nelson Road Ilkley West Yorkshire LS29 8HN
Proposal	Demolition of 13 existing lock up garages and construction of 7 new units for storage use only.
Status	Granted
Decision	Granted
Decision Issued Date	Wed 19 Jul 2017
Appeal Status	Unknown
Appeal Decision	-

There are 13 documents associated with this application.

 planning.bradford.gov.uk



01/01/2022, 10:09

All Media

development. The units will serve solely as storage spaces, and so are likely only to attract occasional and infrequent visits as owners visit at various times to collect or drop off items for storage. Indeed, some storage units may be visited only very infrequently.

A revised layout has been submitted that proposes a marking out of the yard area to demarcate drop off areas where parking will be discouraged so as to protect the space for loading and unloading, as and when the units are being accessed. The revised markings would allow vehicles to turn within the site without conflicting with parked vehicles.

The size of the storage units is not large, so none is likely to be of use to large business operators and the applicant envisages that many will be rented by householders for domestic storage purposes. Indeed the reduction from 13 to 7 units could well lead to fewer vehicular movements at the site overall. Furthermore, the restriction of the archway entrance would physically limit the width, height and type of vehicle that can visit the site. It is not expected that the level of vehicle movements and demand for parking would differ greatly from past levels of activity.

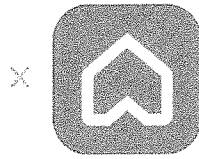
In view of the restrictions of the site, and proximity to residential properties, it is suggested that a planning condition be attached to limit the use of the Units to storage purposes only and that they shall not be used for distribution purposes within the B8 Use Class. Use for distribution or as a depot would attract more frequent traffic activity and more frequent visits to the site than just storage.

The applicant has agreed with such a restriction to the use, confirming his intention that the use is intended only for storage, possibly for small businesses but mostly by householders.

On this basis, the proposal would not be considered likely to result in any significant intensification of traffic activity or noise and disturbance. The Council's Highway Officer is therefore supportive of the proposal subject to the appropriate condition limiting the use to storage, and requiring the setting out of the yard as shown on the amended plan.



10:04



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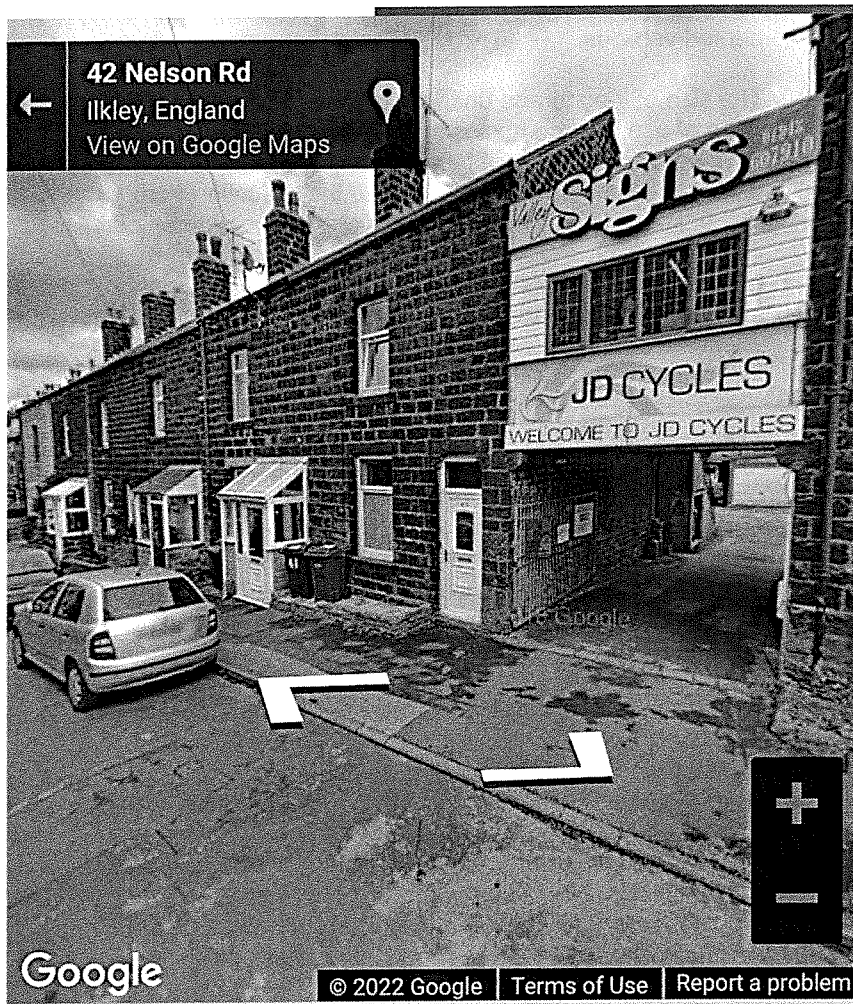


Exit map

Nelson Road, Ilkley, LS29 8HN

Map

Street View

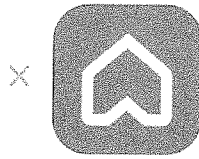


AA

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10:01



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 Call

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Conservation Comments

Application Number: 17/01668/FUL

Location/Proposal: adaptation of existing and construction of new units 42A Nelson Rd Ilkley

Consultation Date:

Planning Officer: Paul Verity

Conservation Officer: Jon Ackroyd Date: 28/4/2017

This 'behind the scenes' area of garaging and 2 storey incremental development is situated in the 'Railway Town' part of Ilkley conservation area, predominantly characterised by terraced dwellings. Although the whole block of Nelson Road and Wellington Road is overwashed with a positive contribution to character definition, the garages and yard in reality would be concluded to make a neutral contribution, due to their limited age and aesthetic value.

The proposals result in comprehensive reconstruction of the single storey structures, and re-elevating of the 2 storey block. The plans provide very little information on the proposed materials, although it appears that blockwork and profiled sheeting is predominant. The garages appear to become slightly taller with roof forms varying from those existing.

The new structures will become more evident due to amended form. This presents an opportunity to improve on the existing appearance and make a better contribution to the conservation area. The information provided does not suggest this is achieved or give sufficient detail to properly assess the resultant impact.

The proposed new form and finishes have potential to harm the character of the conservation area and do not give sufficient confidence that the character of the conservation area would be maintained or enhanced. The proposals fail to accord with the NPPF and policies D1, UDP3 and BH7 of the RUDP.

[REDACTED]

From: [REDACTED]<[REDACTED]@gmail.com>
Sent: 06 January 2022 10:05
To: Melanie McGurk <melanie.mcgurk@bradford.gov.uk>
Subject: Re: license application concern - Unit10, 42A Nelson Road

Hi Melanie,

Apologies our address is the below...

[REDACTED] Nelson Road
Ilkley
LS29 8HN

Kind Regards,
[REDACTED]

On 6 Jan 2022, at 09:22, Melanie McGurk <melanie.mcgurk@bradford.gov.uk> wrote:

Good Morning

Please supply your full postal address, as I am unable to proceed with your representation until it has been received.

Kind regards

Melanie McGurk
Senior Licensing Officer
Licensing Team

Tel: 01274 431873 • Fax: 01274 432109
Mobile: 07971 926355

Britannia House, 3rd Floor, Argus Chambers, Hall Ings, Bradford, BD1 1HX

City of Bradford Metropolitan District Council
Department of Place

The Licensing Register can be viewed at: www.bradford.gov.uk/business/licensing/licensing-register

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

This e-mail, and any attachments, may contain Protected or Restricted information and is intended solely for the individual to whom it is addressed. It may contain sensitive or protectively marked

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<image001.jpg>

From: [REDACTED]@gmail.com>
Sent: 05 January 2022 19:52
To: Licensing Team <Licensing@bradford.gov.uk>
Subject: Re: license application concern - Unit10, 42A Nelson Road

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Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello,

I hope you are well. Happy new year.

I am emailing after a conversation with a colleague in your department on Tuesday morning via telephone call.

We live on a residential street in Ilkley - LS29 8HN and have noticed an application for a premise licence on a lamppost regarding a storage unit in Unit10 42A Nelson Road. We have concerns regarding this due to the proposed hours of operation for the sale of alcohol and the increased traffic and noise this will cause to the area. Due to the potential public nuisance order we would like to dispute this application.

Based on the planning application report for the units it states the below...

'In view of the restrictions of the site, and proximity to residential properties, it is suggested that a planning condition be attached to limit the use of the Units to storage purposes only and that they shall not be used for distribution purposes within the B8 Use Class. Use for distribution or as a depot would attract more frequent traffic activity and more frequent visits to the site than just storage'

As your colleague stated on Tuesday I will also notify planning enforcement on the above.

Kind Regards,

[REDACTED]



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