

Agenda for a meeting of the Bradford District Licensing Panel to be held on Tuesday, 10 May 2022 at 11.30 am in Ernest Saviile Room - City Hall, Bradford

Members of the Committee – Councillors

LABOUR	CONSERVATIVE	GREEN
M Slater	Davies	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.
- 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:

Bryn Roberts
City Solicitor

To:

Agenda Contact: Jill Bell/Jane Lythgow/Farzana Mughal/Kanwal Amrez

Phone: 07929070288

E-Mail: kanwal.amrez2@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.

(Kanwal Amrez - 07929070288)

B. BUSINESS ITEM

3. APPLICATION FOR A PREMISES LICENCE FOR 51 WESTGATE, BRADFORD, BD1 2RD. 1 - 34

The Interim Assistant Director Waste, Fleet and Transport Services will present a report (**Document “AH”**) which outlines an application for the grant of a premises licence for the sale of alcohol for consumption on the premises, the provision of regulated entertainment indoors and the provision of late night refreshment indoors at 51 Westgate, Bradford, BD1 2RD.

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

(Melanie McGurk – 01274 431873)

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Report of the Assistant Director Waste, Fleet & Transport Services to the meeting of the Bradford District Licensing Panel to be held on 10 May 2022

AH

Subject:

Application for a Premises Licence for 51 Westgate, Bradford, BD1 2RD.

Summary statement:

Application for the grant of a premises licence for the sale of alcohol for consumption on the premises, the provision of regulated entertainment indoors and the provision of late night refreshment indoors.

EQUALITY & DIVERSITY

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

Sue Spink
Assistant Director
Waste, Fleet & Transport Services

Portfolio:
Neighbourhoods & Community Safety

Report Contact: Melanie McGurk
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 on the premises, the provision of regulated entertainment indoors and the provision of late night refreshment indoors.

2. BACKGROUND

2.1 The applicant

Mr Ozan Aso. A copy of the application is included at Appendix 1.

2.2 The Premises

51 Westgate, Bradford, BD1 2RD.

2.3 Proposed Designated Premises Supervisor

Mr Ozan Aso.

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
- Provision of regulated entertainment (performance of live music)
- Provision of late night refreshment

Hours of licensable activities:

Sale of alcohol and provision of late night refreshment (from 23.00)

Monday to Sunday: 14.00 to 04.00

Performance of live music

Monday to Sunday: 14.00 to 03.00

2.5 Steps proposed by the applicant to address the Licensing Objectives

a) Prevention of crime and disorder will be achieved by:

None.

b) Public safety will be achieved by:

None.

c) Prevention of public nuisance will be achieved by;

None.

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

None.

e) General – all four licensing objectives

None.

2.6 Relevant Representations Received

Responsible Authorities

A representation has been received from West Yorkshire Police who have been unsuccessful in their attempts to contact the applicant to obtain further information regarding the application.

The Police advise that the premises have been well known to them for a number of years. Incidents involving violence, drugs and concerns for the welfare of children are documented at the premises. Recent crimes include a large scale cannabis set up, a breach of covid restrictions and a male stating that he was assaulted at the premises.

Police enquiries with colleagues at Bradford Council show that a call was received from a gentleman identifying himself as Ozan Aso in May 2020, in relation to business grants, stating that he was the owner of the property and had been since June 2019.

In order to address the prevention of crime and disorder and the protection of children from harm objectives, West Yorkshire Police seek refusal of the application.

The representation is attached at Appendix 2.

Individual, Body or Business

Three letters of representation and a petition have been received which raise concerns of noise nuisance from entertainment and from patrons loitering outside the premises. Residents also have concerns regarding anti-social behaviour, criminal activity and litter problems.

The representations are attached at Appendix 3.

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 4 (prevention of crime and disorder), Part 6 (prevention of public nuisance) and Part 7 (protection of children from harm).

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 CHILDREN AND YOUNG PEOPLE

There are no apparent implications.

7.8 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

There are no apparent 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 certificate 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.

11. APPENDICES

1. Application form received 17 March 2022. 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 the website).
2. Representation from West Yorkshire Police.
3. Representations and petition from Individual, Body or Business

12. BACKGROUND DOCUMENTS

Application form, plan etc.



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 OZAN ASO APPLYING FOR PREMISES LICENCE (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: 51 WESTGATE 1ST FLOOR BRADFORD BD1 2RD. Post town: BD1 2RD. Post code: BD1 2RD.

Telephone number of premises (if any): [Redacted]. Non domestic rateable value of premises: £ [Redacted].

Part 2 – Applicant Details

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

- a) an individual or individuals* [] please complete section (A)
b) a person other than an individual*
i. as a limited company/limited liability partnership [] please complete section (B)
ii. as a partnership (other than limited liability) [] please complete section (B)
iii. as an unincorporated association or [] please complete section (B)
iv. other (for example a statutory corporation) [] please complete section (B)
c) a recognised club [] 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
 - o statutory function or
 - o 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

ASO

OZAN

Please tick yes

Date of Birth

[Redacted]

I am 18 years old or over

Nationality

[Redacted]

Current postal address if different from premises address

[Redacted] HOT DEAL AVENUE
LEEDS

Post Town

LEEDS

Postcode

LS16 7SF

Daytime contact telephone number

[Redacted]

Email address (optional)

[Redacted] @OUTLOOK.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)

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

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
2	0	03 20 22

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)

THIS PLACE HAS TURNED INTO PARTY HALL
IS GOING TO BE MUSIC AND BIRTHDAY PARTY
AND TRADITION

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)
- 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

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur			State any seasonal variations for performing play (please read guidance note 5)		
Fri					
Sat					
Sun			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)		

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Fri					
Sat					
Sun			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)		

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			
Fri			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)
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)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			Please give further details here (please read guidance note 4)	
Thur				
Fri				
Sat				
Sun			State any seasonal variations for the boxing or wrestling entertainment (please read guidance note 5)	
			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)	

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	14:00	03-00	Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue	14:00	03-00			
Wed	14:00	03-00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	14:00	03-00			
Fri	14:00	03-00	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	14:00	03:00			
Sun	14:00	03-00			

THIS PLACE IS OPEN AT THIS TIME
BUT IT WILL START AT 07.00 PM
SOME TIME MAY OPEN LATER THEN

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
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"/>
Day	Start	Finish		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 dance (please read guidance note 5)		
Thur					
Fri			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)		
Sat					
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																										
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr><td>Mon</td><td></td><td></td></tr> <tr><td>Tue</td><td></td><td></td></tr> <tr><td>Wed</td><td></td><td></td></tr> <tr><td>Thur</td><td></td><td></td></tr> <tr><td>Fri</td><td></td><td></td></tr> <tr><td>Sat</td><td></td><td></td></tr> <tr><td>Sun</td><td></td><td></td></tr> </tbody> </table>			Day	Start	Finish	Mon			Tue			Wed			Thur			Fri			Sat			Sun			Will the entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
			Day	Start	Finish																								
			Mon																										
Tue																													
Wed																													
Thur																													
Fri																													
Sat																													
Sun																													
Outdoors	<input type="checkbox"/>																												
Both	<input type="checkbox"/>																												
Please give further details here (please read guidance note 4)																													
State any seasonal variations for the entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)																													
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)																													

I

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)								
<table border="1"> <thead> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr><td>Mon</td><td>04:00</td><td>02:00</td></tr> </tbody> </table>			Day	Start	Finish	Mon	04:00	02:00		Indoors	<input type="checkbox"/>
			Day	Start	Finish						
			Mon	04:00	02:00						
Outdoors	<input type="checkbox"/>										
Both	<input type="checkbox"/>										
Please give further details here (please read guidance note 4)											

Tue	14:00	02:00 AM	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)
Wed	14:00	04:00 AM	
Thur	14:00	04:00 AM	
Fri	14:00	04:00 AM	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	14:00	04:00 AM	
Sun	14:00	04:00 AM	
		AM	

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 type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)	Both	<input type="checkbox"/>
Mon	14:00	04:00			
Tue	14:00	04:00 AM	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)		
Wed	14:00	04:00 AM			
Thur	14:00	4:00 AM			
Fri	14:00	04:00 AM			
Sat	14:00	04:00 AM			
Sun	14:00	04:00 AM			
		AM			

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 OZAN ASO

Address  HOT DAB'L AVENUE
LEEDS

Postcode LS16 7SF

Personal licence number (if known) 209511

Issuing licensing authority (if known) 03 - JUNE 2021

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)

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	14:00	04:00 AM	14:00 TO 04:00 AM
Tue	14:00	04:00 AM	
Wed	14:00	04:00 AM	
Thur	14:00	04:00 AM	
Fri	14:00	04:00 AM	
Sat	14:00	04:00 AM	
Sun	14:00	04:00 AM	

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)

b) **The prevention of crime and disorder**

c) **Public safety**

d) **The prevention of public nuisance**

a) **The protection of children from harm**

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)

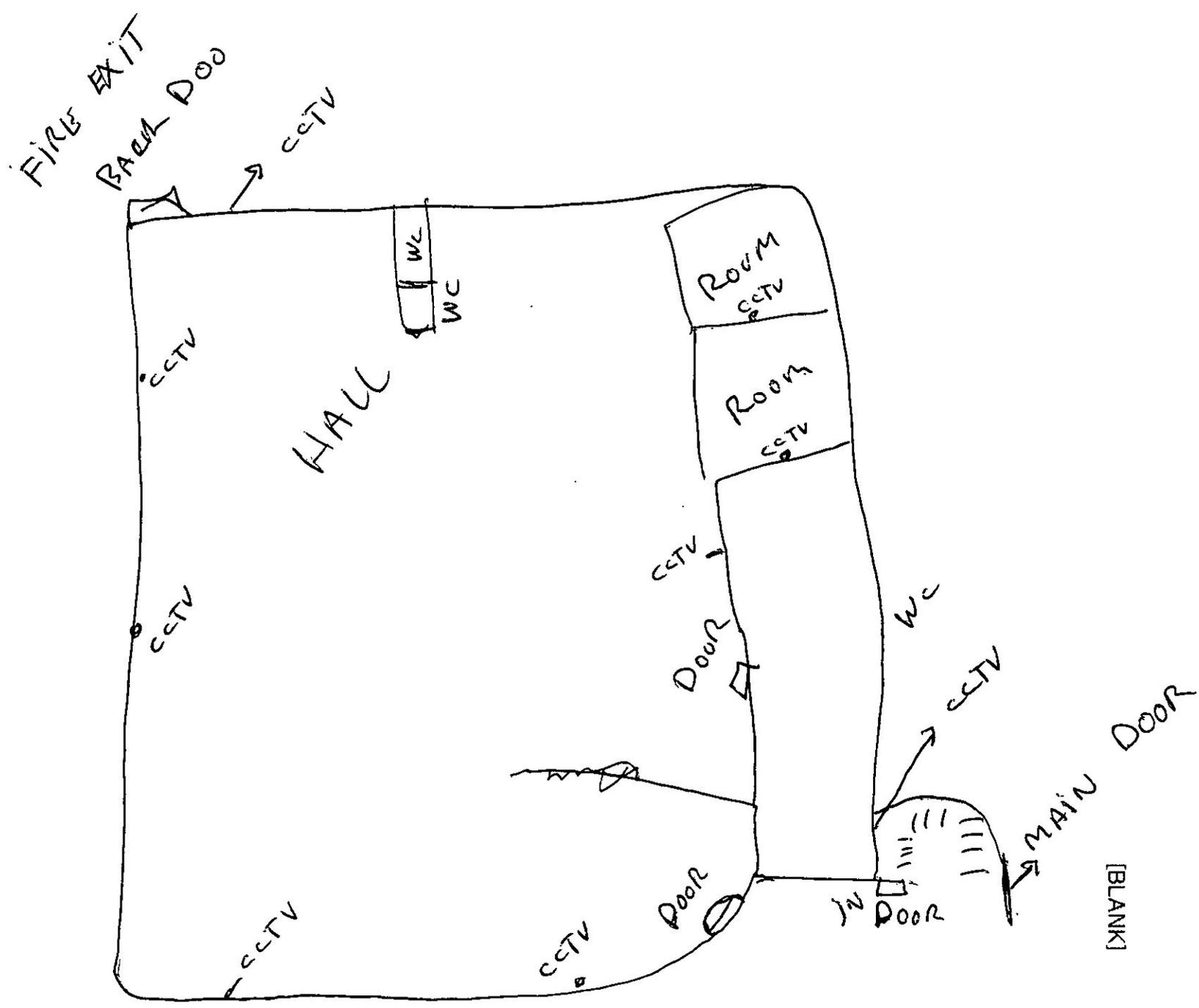
Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Declaration	<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	14/03/2022
Capacity	OWNER OCCUPIED

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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13 April 2022

**Bradford Council Licensing
Britannia House,
Bradford
BD1 1HX**

**RE: 51 Westgate (First Floor), Bradford, BD1 2RD
Application by Mr Ozan ASO**

**APPLICATION FOR A PREMISES LICENCE – LICENSING ACT 2003:
POLICE – LETTER OF REPRESENTATION – ‘QUALIFIED’ OBJECTION:**

West Yorkshire Police are of the opinion that the application contains insufficient information about how the applicant intends to meet the licensing objectives, insufficient information as to what the intended use of the premises will be and concerns over the operating hours of the proposed premises.

We therefore confirm that we are submitting a formal representation against the application on the grounds of:-

1. the prevention of crime & disorder.
2. Public Safety
3. The prevention of public nuisance
4. The protection of Children from harm.

We received the application, via an email from yourselves, on 17 March 2022. Having read and reviewed the application, there appeared to be a lack of information in regards to the ways in which the applicant would look to uphold the 4 licensing objectives and also some confusion over the proposed use of the premises and operating hours. Due to this I attempted to contact the applicant, using the telephone number provided on the application. On one occasion the phone was answered and the person who answered hung up the phone when I introduced myself. Due to this, on 24 March 2022, I sent an email to the address provided on the form asking for the applicant to reply or make contact (providing my contact details) and, to date, have not received a reply or a call. A letter, addressed to the applicant was also sent to his home address, as listed on the form, on 24 March 2022 with, to date, no response.

I have been informed, when checking the contact details for the applicant with yourselves that the applicant replied recently to an email from yourselves which would demonstrate that the email address on the form is, indeed, correct.

Due to this I am unable to address the concerns I have over the application, some of which I will outline below:

1 – The Applicant

Firstly, the named applicant is Mr Ozan ASO (dob 02/02/1983). From Police records I am led to believe that this person also goes by the name of Mr Ahmad Ali HUSSAIN (dob 02/02/1983) and also shown to live at the same address as provided on the application form. Mr HUSSAIN was the Designated Premises Supervisor for an off licence premises at 1041

Bolton Road, Bradford between 2017 and early 2020. During this period the premises were visited at least twice by Trading Standards officials and Police Officers and, on each occasion, suspected counterfeit goods were seized. Trading Standards have successfully prosecuted for these offences. Whilst Mr HUSSAIN was not present on these occasions or prosecuted, he was the responsible person for the premises.

Secondly, should Mr Hussain be the applicant, as suspected, then he is also currently under investigation for relevant offences (as defined in the Licensing Act 2003). Unfortunately, as these offences are still being investigated, we are unable to disclose further information at this stage in relation to these.

2 – The proposed use and operating hours of the premises

On the application there are comments written by the applicant which are a little ambiguous or confusing. For example “***This place (sic) is open at this time but it will start at 07.00pm sometime may open later then***” The previous quote is unclear as to whether the applicant is stating that their aim is to open beyond the hours requested or not.

When describing the premises, the applicant states “***This place has turned into party hall is going to be music and birthday party and tradition (sic)***” Again, this does not give a great amount of detail and is, again, confusing.

Being unable to contact the applicant by the phone number provided and with no reply to the email sent to him, I am unable to clarify any of these points to any degree of satisfaction.

3 – The proposed plan of the premises

Again, in the Home Office Revised Guidance issued under Section 182 Licensing Act 2003, under the section “Plans” Subsection 8.34, it states;

Plans, for written and electronic applications, will not be required to be submitted in any particular scale, but they must be in a format which is “clear and legible in all material respects”, i.e. they must be accessible and provides sufficient detail for the licensing authority to be able to determine the application, including the relative size of any features relevant to the application. There is no requirement for plans to be professionally drawn as long as they clearly show all the prescribed information.

Unfortunately, whilst there is a plan submitted with the application, it is crude to say the least, with no sizes noted or details as to what each room is to be utilised as. Similarly there does not appear to be a bar or sales area etc, so it is difficult to determine where any alcohol or late night refreshments will be served or sold from to patrons.

4 – The premises in question have been well know to Police for a number of years. Incidents involving violence, drugs and concerns for the welfare of children are documented at the premises whilst it was being used as a Snooker Hall with rooms for hire for patrons. This was until very recently and would suggest that the persons utilising the premises may well be attracted to any new business located at the same premises, raising concerns relating to safeguarding and crime prevention.

Noted events include;

24/05/2020 – During Covid restrictions, officers attended at the premises and found a number of males playing poker in the premises.

17/11/2021 – Following intelligence to state that there was a cannabis farm at the venue, officers attended and located a large scale cannabis set up. One male was detained and stated that he had come to the UK illegally and was employed at the premises to cultivate the plants being grown.

13/08/2021 – A male states that he was assaulted at the premises during a “sparring” event where boxers and wrestlers would spar with each other.

The above events are crimes recorded at the venue (the Snooker Hall) in recent months. Enquiries with our colleagues at Bradford Council show that they received a call from a gentleman identifying himself as Ozan ASO in May 2020, in relation to business grants, stating that he was the owner of the property and had been since June 2019. This is the same name given as on the application form and demonstrates that the applicant has been in control of these premises at the times of the offences listed above.

5 – The Licensing Objectives

In the Home Office Revised Guidance, issued under section 182 Licensing Act 2003, section “Steps to promote the licensing objectives” sub sections 8.41 – 8.42, the guidance clearly states that;

In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

- the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;***
- any risk posed to the local area by the applicants’ proposed licensable activities; and***
- any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.***

Section M of the application states “Describe the steps you intend to take to promote the licensing objectives” with individual boxes for;

- A – General – all four licensing objectives
- B – The prevention of crime and disorder
- C – Public Safety
- D – The Prevention of public nuisance

E – The protection of Children from harm

The applicant has taken the decision to leave all of the above sections blank. Due to this I would draw the conclusion that the applicant is either naïve towards to the licensing objectives, ignorant to the objectives or simply has no intention of promoting the licensing objectives, nor following the guidance issued and demonstrated above. Either conclusion would leave me with absolutely no confidence that the licensing objectives will be met should this application be granted. Indeed, if my above conclusion is correct in regards to the name of the applicant being an alias for Mr HUSSAIN, then it would also demonstrate that the applicant has previously been a responsible person at a licensed premises where some of the above licensing objectives have been proven to have been breached.

Based on the circumstances outlined above, West Yorkshire Police seeks the refusal of the granting of a new premises licence in this instance.

Kind Regards

PC3607 Brown

Licensing Officer, West Yorkshire Police, BD District

Appendix 3a

From: [REDACTED]@hotmail.com>
Sent: 13 April 2022 13:30
To: Licensing Team <Licensing@bradford.gov.uk>; Elizabeth Flynn <elizabeth.flynn@bradford.gov.uk>
Subject: 51 Westgate

My name is [REDACTED] of [REDACTED] Baptist court bd1 2ae.

I would like to object to this license as they already play extremely loud music until late hours and have drunken people loitering outside the premises on top of the stairs too shouting and screaming all night. This is a quiet built up neighborhood and I have a baby and young kids who go to school and due to the loud music they can't get to sleep. And when they finally go to sleep, drunken maniacs coming out from this establishment start screaming and shouting, causing my kids to wake up terrified in the middle of the night.

Please do the right thing and stop this license from being granted. This is the only hope we have of the authorities acting on any complaint we make.

Regards
[REDACTED]

From: [REDACTED]@hotmail.com>
Sent: 13 April 2022 22:02
To: Elizabeth Flynn <elizabeth.flynn@bradford.gov.uk>
Cc: Cllr Susan Hinchcliffe <susan.hinchcliffe@bradford.gov.uk>
Subject: Re: Westgate- 51 Westgate LIC222667

Dear Ms Flynn,

Attached is the petition of the residences of Baptist Court, Chain Street and the Business at Perkin house office and Natasha uniform along with the recent image of the black bin litter which are causing rodents to enter our street, garden and inside their kitchen area.

Everyone is astonished that permission for pub just a yard away is been placed for approval in a residential area for alcohol and loud music going on to the early hours of the morning.

No survey was undertaken , residence were not consulted even thou this place has been on high alter for number of reasons, numerous time residence from Baptist court have complaint about noise hazard till early hours of morning involving physical and verbal abuse and recent cannabis farm raid by police.

The club premises faces our home where all the action is visible to school attending children under 10, teenagers, elderly, vulnerable adults and front-line workers. Several mothers are in distressed due to their infant babies unable to sleep peaceful as a result of the loud music, Choirs singing, the verbal and physical drama. Front line worker unable to get their desire sleep as they have to start work at 6 am including myself as I work in the health and wellbeing department at council, my vulnerable son throwing tantrum as he is unable to fall asleep which keeps me awake as well. Our health and wellbeing is affecting our working life. Residence unable to prayer during Ramadhan and lent, cannot have a peaceful conversation with family due to the interference of the loud music, they are all stressed with this situation. During Pandemic we were under lot of stressed, mental health was the priority for every one including the infant to vulnerable adults, we the residence of Baptist court have not had the time to come to normality after the Pandemic. During Pandemic and after pandemic there has been lot of drama at this place. Hoping that you will consider our views before granting /approving this proposal. Lastly on Sunday Palm Sundaypo coming from this place

Regards

■■■■■■■■■■

■ Baptist Court-
BD1 2AE



████████████████████@sdc.org.uk>

Wed 13/04/2022 15:12

██████

I was not aware of this and do please put my name down. If necessary I can submit something online today – I was in meetings until now but available now (although not in Bradford).

Live Music during the day time looks like it is being applied for and this would affect our business due to noise disturbances during working hours.

I also have concerns about Longcroft Place and increased traffic which as you know is a one way street. We have cctv down that side of the building and can report daily occurrences of vehicles going the wrong way down that street. Our garages come out on to that street and in coming out one may not look right as cars are not allowed from that direction, but they do frequently travel that way!

The proposed developments are therefore likely to increase noise, traffic including wrong way travel and also parking and litter in that Longlands Street, Longcroft Place area. The area has improved over time with much less drug dealing, loitering etc. but such a licencing would only reverse such changes.

████████████████████

Chief Executive Officer

Society of Dyers and Colourists

Perkin House, 82 Grattan Road

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M: +44 (0) 7714 ██████████

E: ██████████ W: www.sdc.org.uk

Petition for closure of bar at 51 Westgate Bradford

Printed Name	Signature	Address	Contact Number	Date
[Redacted]	[Redacted]	[Redacted] BAPTIST COURT	[Redacted]	12/4/22
[Redacted]	[Redacted]	[Redacted] " "	[Redacted]	12/4/22
[Redacted]	[Redacted]	[Redacted] BAPTIST COURT	[Redacted]	12/4/22
[Redacted]	[Redacted]	[Redacted] " "	[Redacted]	17/4
[Redacted]	[Redacted]	[Redacted] BAPTIST COURT	[Redacted]	12/04/22
[Redacted]	[Redacted]	[Redacted] " "	[Redacted]	12/4/22
[Redacted]	[Redacted]	[Redacted] -//-	[Redacted]	12.4.22
[Redacted]	[Redacted]	[Redacted] Baptist court	[Redacted]	12-4/22
[Redacted]	[Redacted]	[Redacted] Baptist court	[Redacted]	12/04/22
[Redacted]	[Redacted]	[Redacted] Baptist court	[Redacted]	12.4.22
[Redacted]	[Redacted]	[Redacted] BAPTIST COURT	[Redacted]	12/04/22
[Redacted]	[Redacted]	[Redacted] Baptist court	[Redacted]	12/04/22
[Redacted]	[Redacted]	[Redacted]	[Redacted]	12/4/22
[Redacted]	[Redacted]	[Redacted] BAPTIST COURT	[Redacted]	12/04/22
[Redacted]	[Redacted]	[Redacted] BAPTIST COURT	[Redacted]	12/4/22

I have 3x small kids cannot sleep with loud noise

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Printed Name	Signature	Address	Contact Number	Date
[REDACTED]	[REDACTED]	[REDACTED] bapt st court	[REDACTED]	12/04/22
M	[REDACTED]	[REDACTED] chain street	[REDACTED]	12/04/22
S	[REDACTED]	[REDACTED] chain street	[REDACTED]	12/04/22
	[REDACTED]	[REDACTED] chain street	[REDACTED]	12/04/22
	[REDACTED]	[REDACTED] chain street	[REDACTED]	24/12/04/22
	[REDACTED]	[REDACTED] baptist court	[REDACTED]	4/4/22
	[REDACTED]	[REDACTED] Baptist court	[REDACTED]	12/4/22
	[REDACTED]	[REDACTED] [REDACTED]	[REDACTED]	13-04-22
	[REDACTED]	[REDACTED] Student	[REDACTED]	13/04/22
	[REDACTED]	[REDACTED] Baptist court	[REDACTED]	13/04/22
	[REDACTED]	[REDACTED] vulnerable adult	[REDACTED]	13/04/22
	[REDACTED]	[REDACTED] Baptist court	[REDACTED]	13/04/22
	[REDACTED]	[REDACTED] BDI 2 LU	[REDACTED]	



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