

Record of a Hearing of the Bradford District Licensing Panel held on Wednesday, 28 September 2022 in Committee Room 4 - City Hall, Bradford

Procedural Items

DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents

Hearings

RECORD OF A HEARING FOR EURO FRESH SUPERMARKET, 6 SOUTHFIELD ROAD, BRADFORD BD5 9ED - APPLICATION FOR A NEW PREMISES LICENCE

**EURO FRESH SUPERMARKET, 6 SOUTHFIELD ROAD, BRADFORD BD5 9ED -
APPLICATION FOR A NEW PREMISES LICENCE**

Commenced: 1000
Adjourned: 1045
Reconvened: 1100
Concluded: 1105

Parties to the Hearing:

Members of the Panel:

Councillors Slater (Chair), Nazam & Winnard

Applicants:

Mr A Karim – Applicant
Shamal Rostam

Representing the Applicant:

Mr G Dixon – Manchester License Training Company

The Assistant Director Waste, Fleet and Transport Services presented a report (**Document “I”**) which outlined an application for a new premises licence for the sale of alcohol for consumption off the premises at Euro Fresh Supermarket, 6 Southfield Road, Bradford BD5 9ED.

It was reported that five representations had been received from Ward Members and residents which raised concerns of alcohol related anti-social behaviour, noise and disturbance being caused to local residents if the opening hours were not restricted and concerns regarding potential litter problems.

The applicant’s representative addressed the meeting and referred to an email he had sent in response to the representations, which had been circulated to all parties. It was explained that the email had been to a Ward Member for discussion with the concerned residents. The email provided a suggested amendment to the hours that alcohol was sold and conditions on the licence to prevent deliveries being made to the premises between the hours of 20.00 and 07.00. It was confirmed that the Ward Member had not withdrawn his objections despite the amendments suggested.

In supporting the applicant, it was maintained that the applicant and Designated Premises Supervisor were experienced operators and confirmed that they were Personal Licence holders.

It was reported that the premises were located on a busy ring road leading to the motorway and that the applicant could not control the level and noise of traffic in the area. It was believed that the Ward Members concerns were based on his experience of anti-social behaviour at other licensed premises and did not relate to the premises under discussion.

In response to a question from the Chair the applicant’s representative described the location of the premises; its proximity to residents’ homes and the road layouts in the area. He confirmed that he did not believe that residents would be adversely affected by the

business as the previous business operating from the premises had deliveries from articulated lorries throughout the day. He referred to conditions to prevent deliveries being made, or refuse collections undertaken, after 8pm.

To clarify for Members', the applicant's representative confirmed that Mr Karim would operate the premises and that the supermarket had already begun trading. In response to further questions it was explained that the size of the premises allowed the applicant to trade for 24 hours per day seven days per week. It was felt it would be detrimental to the business if the licence was not approved as it would not be able to compete with other premises operating for 24 hours.

A Member asked what assurances could be given that operating for 24 hours would not be detrimental to residents and that they would not be disturbed by noise and impacted by anti-social behaviour. The applicant's representative explained that the premises were operating as a supermarket and not a local corner shop. He believed that it was not an establishment that young people would frequent or gather outside. He referred to the review process available to residents if the business was not operated satisfactorily and believed there were adequate conditions on the licence to safeguard local residents.

In response to questions it was explained that the business had 24 CCTV cameras in operation.

When questioned the applicant's representative confirmed that the applicant would agree to a condition that the sale of alcohol would cease at 0100 hours despite competitors trading for longer hours.

In response to a question from the Council's legal representative it was confirmed that the business had been trading as a supermarket for a period of three days. Staff were trained in the Challenge 25 initiative and new recruits would be trained before they commenced their roles. Training documents, posters and incident books were provided on the premises.

In conclusion the applicant's representative questioned if the Ward Member had discussed the suggested conditions as he believed that they would be assured by the conditions proposed. In response the Council's Licensing Officer confirmed that his email had been forwarded to residents and they had been asked if they wished to withdraw their objections. It was explained that no response had been received.

Decision -

That having considered all valid representations made by the parties to the hearing; valid written representations received during the statutory period, the published statement of licensing policy and relevant statutory guidance; the panel grants the application subject to the following conditions:

- 1. That the permitted hours for the supply of alcohol for consumption off the premises shall be restricted to Monday to Sunday 07.00 to 01.00**
- 2. That the Licensee shall ensure that the external areas around the perimeter of the premises are kept clear of litter and refuse.**

Reason – it is considered that the above conditions are necessary to minimise noise disturbance to nearby residents – prevention of public nuisance objective and to deter and ameliorate any anti-social behaviour – prevention of public nuisance objective.

ACTION: Assistant Director, Waste, Fleet and Transport Services

Chair

Note: This record is subject to approval as a correct record at the next meeting of the Licensing Committee.

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