

Minutes of a meeting of the Bradford District Licensing Panel held on Thursday, 21 September 2023 in Council Chamber - City Hall, Bradford

Present – Councillors

LABOUR	ILKLEY INDEPENDENT
Slater Dodds	Hawkesworth

Hearings

224 TOLLER LANE, BRADFORD BD9 5BU - APPLICATION FOR A PREMISES LICENCE

**RECORD OF A HEARING FOR APPLICATION FOR A PREMISES LICENCE 224
TOLLER LANE, BRADFORD BD9 5BU**

Commenced:	11.00
Adjourned;	12.05
Reconvened:	12.10
Concluded:	12.15

Present

Member of the Panel:

Bradford District Licensing Panel: Councillors M Slater, J Dodds & A Hawkesworth

7. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

8. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

**9. 224 TOLLER LANE, BRADFORD BD9 5BU - APPLICATION FOR A
PREMISES LICENCE**

The Assistant Director Waste, Fleet and Transport Services presented a report (**Document “N”**) outlining an application for the grant of a premises licence for the sale of alcohol for consumption off the premises in respect of 224 Toller Lane, Bradford BD9 5BU.

Members were advised that there had been one representation received from individuals which raised concerns of anti-social behaviour; criminal activity; noise and disturbance and the potential negative impact on the quality of life in the area creating an unsafe environment for the public and neighbourhood. Details of the representation were appended to the report.

The applicant addressed the meeting claiming that the representation had been made by people who had a personal interest as they owned a shop next door to the applicant's premises and were fearful of competition. He maintained that he, and his wife who would be running the premises together, held personal licences and were experienced and responsible owners. The premises would have the benefit of CCTV cameras and would that 80% of the sales would be of groceries.

The business' proximity to other premises in the area was reported and it was explained that there were three shops located in a terrace. The premises had previously operated as a supermarket and had no detrimental impact on the area.

It was stressed that the business would be selling essential items to the local community; it would not be promoted as a shop selling alcohol and there were many shops in the area which also sold alcohol.

It was claimed that there were no other shops in the area selling English groceries and that the provision of those goods would be of benefit to the community. The premises would include an ATM machine for the benefit of locals and the provision of essential groceries would prevent locals having to travel long distances for essential goods.

It was confirmed that all staff would be trained in the sale of alcohol; the business would create jobs in the local area and would be operated safely.

Following the applicants opening statement he was asked to identify the exact location of the business and neighbouring properties on a map included with the report. The applicant pointed out his premises and explained that his shop was the middle one of three premises. Properties to the side of his were a food takeaway business and an Asian halal shop.

The applicant's thoughts on the representation made were questioned and he reported his belief that couple making those representations, who were family members of the owners of the next-door shop, did not want them to gain their licence as they felt the shop was in competition with theirs. The claims that the sale of alcohol in the area would cause disturbance and violence in the area were disputed and Members were assured that sales would not be made to people who were inebriated, and there would be no disturbance from people outside of the shop.

The intention to open for 24 hours per day was questioned and the applicant reported that between 10pm and 6am there would be three people working on the premises.

Access to flats located above the parade of shops were discussed and Members were advised that access to those residences was at the rear of the shops.

In response to questions the applicant reported that maintenance was currently being conducted on his premises and it was hoped that the shop would open within the next one to two months.

In relation to the control of activity in the area the applicant reiterated that he had held a personal licence since 2007 and his wife had held hers since 2009. He maintained that they had much experience in the running of licensed premises; they had never had any nuisance in their shops and they were capable of running the premises for 24 hours per day.

The ability to control activities outside of the premises was questioned and it was confirmed that the large forecourt outside of the shop was owned by the applicants. In previous businesses they had always taken a friendly approach and maintained good relationships with local residents and customers. They were confident that they could manage any issues which may arise.

In response to questions the Council's Licensing Officer explained that it would be difficult to place conditions on the licence regarding potential disruption outside, but the use of CCTV and lighting would deter any criminal element.

The rationale for opening 24 hours per day was questioned and the applicant reported that the shop would service people working late into the night or starting work early in the morning. It was also reported that the premises were located near to a large hospital. It was believed that the opportunity to shop for essential items without having to pay inflated prices at petrol stations would provide a good service for the community.

The Council's Legal Officer raised a number of issues and asked if the applicant had experience of running a premises for 24 hours per day and he explained that this was the first business operating those times. He reiterated his considerable experience and that there was the opportunity for people to request a review of the licence if problems arose in the future.

The applicant was asked if he was aware of criminal activity in the area and confirmed that the police had raised no objection to the application and that people in the local community were happy that the shop was opening for the hours requested.

Staffing arrangements were queried, and it was reported that between 8am and 10pm there would be two employees on the premises and between 10pm and 8am there would be three. If it was felt that additional staff were required more people would be recruited. All staff would be consistently and continually trained on the sale of alcohol.

In summation the applicant reiterated the belief that the premises would provide a good service to the local community. It was explained that there were many takeaway food outlets in the area, but the business proposed would provide essential goods and cater to all members of the community both young and old. It was believed that the shop would be a safer place than the empty property it had previously been and would have the benefit of CCTV.

Resolved –

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 as applied for.

ACTION: Assistant Director, Waste, Fleet and Transport Services

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Bradford District Licensing Panel.

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