

Minutes of a meeting of the Bradford District Licensing Panel held on Tuesday, 31 October 2023 in Committee Room 1 - City Hall, Bradford

Present – Councillors

LABOUR	LIBERAL DEMOCRAT	ILKLEY INDEPENDENT
Slater	Naylor	Hawkesworth

Hearing

Commenced:	1230
Concluded:	1250

Parties to the Hearing

David Mullens (Trading Standards); Melanie McGuirk (Licensing Officer), Nighat Rasool (Lawyer); Saika Razaq (Lawyer), Asad Shah (Governance Officer)

Representations

Mr Zawad (License Holder)

13. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

14. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

15. APPLICATION FOR A REVIEW OF A PREMISES LICENCE FOR 24 GENERAL MARKET, 489 - 491 LITTLE HORTON LANE, BRADFORD, BD5 9BY.

The Assistant Director Waste, Fleet and Transport Services presented a report (**Document “U”**) which outlined an application for review of a Premises Licence authorising the sale of alcohol for consumption off the premises in respect of General Market, 489-491 Little Horton Lane, Bradford, BD5 9BY.

On February 21 2022, a test purchase of counterfeit cigarettes was made at the

store, and a man working behind the counter retrieved the contraband from the boot of a car on the adjoining street.

390 packs of illegal tobacco were later found in the car.

On March 8, 2023, an inspection visit was made. Illegal tobacco was recovered from black plastic bags hung behind the counter. 363 packets of illegal cigarettes and 41 pouches of rolling tobacco were seized from the car. were also recovered from an unlocked car which was parked in a secure yard at the rear of the store.

On April 3 a test purchase of cigarettes was made by a fifteen-year-old youth. The report to the panel by Trading Standards claimed the tobacco was stored in a car to prevent it being discovered during any visits.

Referring the sale of cigarettes to a 15-year-old, licence holder Ali Zawad told the panel: "The staff member had only recently started working. She said they had a hat on so she couldn't tell they were too young.

She had received basic training but she didn't listen. What can I do?" He claimed the cigarettes in the car had nothing to do with the shop. When asked about the contraband that was found in the shop, he acknowledged that did belong to the shop.

Mr Mullins said it was very unlikely the teen was wearing a hat, as all test purchasers working for Trading Standards are told to keep their faces uncovered.

Referring to the claim that the car had no connection to the shop, and just happened to be parked nearby and filled with counterfeit tobacco, Mr Mullings pointed out the car had been parked in a secure parking space behind the shop.

After a short deliberation members voted to revoke the alcohol licence.

Resolved –

That having considered the Application for Review and all valid representations made by the parties to the hearing; the published statement of licensing policy and relevant statutory guidance; the panel, on the evidence which has been heard, is not satisfied that the Licence Holder has the ability to promote the licensing objectives. Therefore, the panel revokes the Premises Licence in respect of 24 General Market, 489-491 Little Horton Lane, Bradford, BD5 9BY.

Reason - It is considered that the revocation is appropriate and proportionate to ensure promotion of the Prevention of Crime and Disorder objective, the Public Safety objective and the Protection of Children from Harm objective of the Licensing Act 2003.

To be actioned by: Assistant Director Waste, Fleet & 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