

Minutes of a meeting of the Bradford District Licensing Panel held on Wednesday, 10 January 2024 in Committee Room 1 - City Hall, Bradford

Present – Councillors

LABOUR	LIBERAL DEMOCRAT	ILKLEY INDEPENDENT
Slater	Naylor	Hawkesworth

Hearings

APPLICATION FOR A PREMISES LICENCE FOR 97 GREAT HORTON ROAD, BRADFORD, BD7 1PS

Commenced:	10:05
Adjourned;	10:45
Reconvened:	10:55
Concluded:	10:58

Present

Member of the Panel

Bradford District Licensing Panel: Councillors Slater, Naylor and Hawkesworth

Parties to the Hearing

Mr M Omer – Applicant

Mr G Dixon – Applicant’s Representative

Representations

Cllr Azam

1. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

2. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

3. **APPLICATION FOR A PREMISES LICENCE FOR 97 GREAT HORTON ROAD, BRADFORD, BD7 1PS**

The report of the Assistant Director, Waste, Fleet, Environmental Health and Licensing Services (**Document “Z”**) outlined an application for a new premises licence for the sale of alcohol for consumption off the premises. The Licensing Officer summarised the report and highlighted the proposed operating schedule, the relevant representations that had been received and that were set out in Appendix 2 to **Document “Z”**. Attention was given to the steps proposed by the applicant to address the licensing objectives.

The applicant’s representative outlined the application and told the Panel that the applicant had held licences previously and there had been no issues. Members were told that the proposed hours were the same as the operating schedule of the previous premises licence that was revoked.

The representations that had been received were addressed and the applicant’s representative stated that although the representations received raised concerns about the sale of illicit tobacco Trading Standards had not made a representation. Furthermore, the Panel were informed that Trading Standards had carried out a test purchase and the premises had complied with the legal requirements relating to age restricted products. The concerns relating to anti-social behaviour were acknowledged although the applicant’s representative argued that a single premises could not be blamed for this, and no representation or concerns had been received from the Police.

A Member asked if the applicant took over following the revocation of the previous premises licence on 31 October 2023 and was informed that this was correct although the applicant was not connected to the previous licence holder.

The Legal Officer asked why there had been no steps proposed within the application to address public safety and the applicant’s representative explained that there was a secondary exit route in case of emergency. It was added that the applicant was open to additional conditions if the Panel felt it necessary.

Cllr Azam who had submitted a representation addressed the meeting and acknowledged the test purchase by Trading Standards and said that compliance with legal requirements in relation to age restricted products should always be the case. The Panel were told that the premises had previously caused lots of issues for residents and there was no need for a 24 hour off licence in such close proximity to a residential area and there should be a cut off time.

Councillor Azam also sought clarity from the Licensing Officer regarding how many times a premises licence could be revoked before the premises was closed permanently. The Licensing Officer explained the process in relation to a licence being revoked and the appeal period and clarified that a premises cannot be closed if a previous licence had been revoked and that in this instance since the revocation the applicant had traded under Temporary Event Notices (TENs). The Licensing Officer added that groceries and tobacco could be sold without a licence.

A Member noted that the representation submitted mentioned anti-social

behaviour and asked what the issues were. Members were informed that people were purchasing alcohol and congregating around the premises and other nearby houses. The issue with drug taking in the local area was highlighted and the Panel were told that the premises had contributed to anti-social drinking in the area.

A Member asked if the premises was not there would anti-social behaviour still occur, and Councillor Azam explained that he felt it would be reduced if alcohol was not so readily available at all hours of the day and night.

A Member asked about Temporary Event Notices (TENs) and the Licensing Officer explained how TENs could be used to operate and authorise licensable activity.

Councillor Azam was asked if there had been any change in behaviour since the revocation and the Panel were told that residents were still contacting ward councillors regarding nuisance in the area.

Councillor Azam was invited to make a closing statement and urged the Panel to consider the need for a 24-hour licence and stated that the operating hours should be limited.

The applicant's representative addressed the Panel and stated that since the revocation TENs had been used to authorise the sale of alcohol and that this was within legal parameters. It was highlighted that no representations had been submitted by Trading Standards or the Police and that drug abuse and anti-social behaviour was not directly caused by the premises. It was added that the applicant was open to cease selling alcohol after midnight.

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 in part subject to the following permitted hours (Monday to Sunday 0800 until midnight).

Reason – it is considered that the above permitted hours are necessary to minimise disturbance to nearby residents – Prevention of Public Nuisance Objective

***To be actioned by:* Assistant Director, Waste, Fleet, Environmental Health and Licensing 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