

Public Document Pack



**Service Director – Legal, Governance and
Commissioning**

Julie Muscroft

The Democracy Service
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High Street
Huddersfield
HD1 2TG

Tel: 01484 221000

Please ask for: Yolande Myers

Email: yolande.myers@kirklees.gov.uk

Wednesday 17 January 2018

Notice of Meeting

Dear Member

Licensing Panel

The **Licensing Panel** will meet in the **Meeting Room 3 - Town Hall, Huddersfield** at **1.30 pm** on **Thursday 25 January 2018**.

A car will depart from the Town Hall, Huddersfield to undertake a site visit at 12:30pm. The meeting to consider the applications will start at 1:30pm.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read "Julie Muscroft".

Julie Muscroft

Service Director – Legal, Governance and Commissioning

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

The Licensing Panel members are:-

Member

Councillor Carole Pattison (Chair)

Councillor Karen Allison

Councillor Michael Watson

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Committee

This is where Councillors who are attending as substitutes will say for whom they are attending.

2: Minutes of Previous Meeting

1 - 2

To approve the Minutes of the meeting of the Panel held on 12 October 2017.

3: Interests

3 - 4

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests.

4: Admission of the Public

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

5: Deputations/Petitions

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

6: Public Question Time

The Committee will hear any questions from the general public.

7: Member Question Time

To consider questions from Councillors.

8: Objection to transfer premises licence to be granted AND to vary a premises to specify an individual as designated premises supervisor under Section 37 of the Licensing Act 2003 at International Express, 27 John William Street, Huddersfield, HD1 1BL 5 - 24

To consider the application at: 1.30pm

Contact: Stephanie Mashiter, Licensing Officer 01484 221000

9: Objection to vary a premises to specify an individual as designated premises supervisor under Section 37 of the Licensing Act 2003 at Ryan's Newsagents, 13 Kirkgate, Huddersfield, HD1 1QS 25 - 36

To consider the application at: 2:30pm

Contact: Stephanie Mashiter, Licensing Officer 01484 221000

10: Application for the GRANT of a premises licence on behalf of The Manor House, 1 Lidget Street Lindley, Huddersfield, HD3 3JB 37 - 62

To consider the application at: 3:30pm

Contact: Anwar Butt, Licensing Officer 01484 221000

Contact Officer: Yolande Myers

KIRKLEES COUNCIL

LICENSING PANEL

Thursday 12th October 2017

Present: Councillor Carole Pattison (Chair)
Councillor Amanda Pinnock
Councillor Michael Watson

1 Minutes of Previous Meeting

The minutes of the meetings held on 29 August, 6 September and 12 September 2017 were approved as a correct record.

2 Interests

No interests were declared.

3 Admission of the Public

The Panel considered admission of the public and determined that in accordance with the Licensing Act 2003 (Hearing) Regulations 2005 Regulation 14 the hearing should be heard in public as this was in the public interest.

4 Deputations/Petitions

No deputations or petitions were received.

5 Public Question Time

No questions were asked.

6 Application for Review Hearing Under S51 Licensing Act 2003 - Wisla Store, 31-33 John William Street, Huddersfield, HD1 1BL

The Panel considered an application made by West Yorkshire Police for the review of the premises licence for Wisla Store, under Section 51(1) of the Licensing Act 2003. The applicant believed that the following licensing objectives were not being met at the premises:-

- The prevention of crime and disorder
- Public safety

The Panel was advised that the application made by West Yorkshire Police followed a joint operation with Trading Standards on 22nd July 2017 where large amounts of non-duty paid tobacco products were discovered. The tobacco products were incorrectly marked and were not compliant with the Tobacco and Related Product Regulations 2016. The Panel was advised that a sniffer dog was used to help identify areas within the shop where tobacco was stored. The dog located a number of hidden compartments in the rear kitchenette area, as well as in the cellar area. The Panel was informed that a large quantity of cash was found in a safe in the building, which had subsequently been confiscated by the police under the Proceeds of Crime Act 2002.

A condition of the stores licence was that they must be a member of the Huddersfield Retail Radio Scheme, and that staff must have access at all times licensable activities are taking place to a retail radio. The Panel was advised that at the time of the hearing, the store had not become a member of the scheme.

Licensing Panel - 12 October 2017

The Panel heard representation against the review application and was advised that an employee of the store had admitted that he was responsible for obtaining the non-duty paid cigarettes and for secreting them at the premises. This employee had subsequently been dismissed. The Panel also heard that the £12,000 cash that was found at the premises had been generated in the proper course of business, and that the sum seized was due to be used to pay for rent, wages, suppliers and business rates.

The Panel having carefully considered all the representations made both verbally and in writing; and the options available to it decided that the licence be revoked.

In arriving at its decision, the Panel considered the written representations made by the objectors, the evidence presented at the hearing, the Council's Statement of Licensing Policy, the Licensing Act 2003, Regulations made there under; and the guidance issued by the Secretary of State under the Act.

RESOLVED -

The Panel determined that the licence should be revoked.

7 Application for Review Hearing Under S51 Licensing Act 2003 - Kingsgate News, 14 Cross Church Street, Huddersfield. HD1 2PT

The Panel considered an application made by West Yorkshire Police for the review of the premises licence for Kingsgate News, under Section 51(1) of the Licensing Act 2003. The applicant believed that the following licensing objectives were not being met at the premises:-

- The prevention of crime and disorder
- Public safety

The Panel was advised that the application made by West Yorkshire Police followed a joint operation with Trading Standards on 22nd July 2017 where large amounts of non-duty paid tobacco products were discovered. The tobacco products were incorrectly marked and were not compliant with the tobacco and related product regulations 2016. The Panel was advised that a sniffer dog was used to help identify areas within the shop where tobacco was stored. The dog indicated that a secret room was behind wooden panelling on the first floor of the shop. To gain entry to the room a compact disc had to be entered into a slot that tripped a micro switch which then released the magnetic door locks.

That Panel heard that despite a condition on the licence which stated that footage from the CCTV should be made available on request to a police constable or a representative of a responsible authority no-one at the premises at the time of the operation was able to operate the CCTV.

The Panel heard no representation against the review application by West Yorkshire Police.

The Panel having carefully considered all the representations made both verbally and in writing; and the options available to it decided that the licence be revoked.

In arriving at its decision, the Panel considered the written representations made by the objectors, the evidence presented at the hearing, the Council's Statement of Licensing Policy, the Licensing Act 2003, Regulations made there under; and the guidance issued by the Secretary of State under the Act.

RESOLVED -

The Panel determined that the licence should be revoked.

KIRKLEES COUNCIL				
COUNCIL/CABINET/COMMITTEE MEETINGS ETC				
DECLARATION OF INTERESTS				
Licensing Panel				
Name of Councillor				
Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest	

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Name of meeting: Licensing Panel

Date: Thursday 25 January 2018, at 13:30 Meeting Room 3, Huddersfield Town Hall, Ramsden Street, Huddersfield

Title of report: Objection to transfer premises licence to be granted AND to vary a premises to specify an individual as designated premises supervisor under Section 37 of the Licensing Act 2003 at International Express, 27 John William Street, Huddersfield, HD1 1BL

Purpose of report: To Determine the Application

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Not applicable
The Decision - Is it eligible for call in by Scrutiny?	Not applicable
Date signed off by Strategic Director & name	Not applicable
Is it also signed off by the Service Director - Finance, IT and Transactional Services?	Not applicable
Is it also signed off by the Service Director - Legal Governance and Commissioning?	Not applicable
Cabinet member portfolio	Not applicable

Electoral wards affected: Newsome

Ward councillors: Cllr Karen Allison
 Cllr Andrew Cooper
 Cllr Julie Stewart-Turner

Public or private: Public

1. Summary

On 14 December 2017 an application to transfer the premises licence was received for the above Premises PR(A)1613, International Express, 27 John William Street, Huddersfield, HD1 1BL. The application is in the name of Mohamed Zada. A full copy of the application can be seen at appendix A.

On the 20 December 2017 an application to vary a premises licence to specify an individual as designated premises supervisor was received for the above premises naming Mehdi Karmi as the Designated Premises Supervisor (DPS). A full copy of the application from can be seen at appendix B.

2. Information required to take a decision

West Yorkshire Police have objected to both these applications.

The request to transfer the premises licence into Mr Mohamed Zada, the Applicant's name, is linked to selling non-duty paid tobacco products from this shop. A full copy of the Police objection can be found at appendix C along with evidence at appendix D.

Mr Mehdi Karmi (proposed DPS) was a full time employee at Wisla Store in 2014. While employed the premises was visited as part of a multi-agency enforcement plan where non-duty paid tobacco was found on the premises. Due to the links that Mr Karmi had to Wisla Store during this time, West Yorkshire Police feel Mr Karmi is not suitable to be a Designated Premise Supervisor. A full copy of the objection can be seen at appendix E along with evidence at appendix F.

3. Implications for the Council

3.1 Policy considerations (extracts from Kirklees Licensing Policy 2015-2020).

Para 2.3 Licensing Objectives

The Policy promotes the four licensing objectives contained in the Act and each has equal weight.

- The prevention of crime and disorder.
- Public Safety.
- The prevention of public nuisance.
- The protection of children from harm.

Para 6.9 The Licensing Authority will determine any application by considering the Act, the statutory guidance, this Policy and the four licensing objectives including how it may support other key aims, strategies and objectives.

Para 6.10 The following factors would normally be considered (although other relevant matters may be considered as the individual case dictates):

- The type of use, the numbers and type of customers likely to attend the premises;
- The proposed hours of operation;
- The level of public transport accessibility for customers either arriving or leaving the premises and the likely means of public or private transport that would be used by the customers;
- The adequacy and impact of car parking on local residents or businesses;
- The scope for mitigating any impact;
- How often the activity occurs.

and, in considering any application for a variation the Licensing Authority may also take into account

- historical evidence, whether favourable or adverse, relating to activities carried out at the premises, especially on local residents or businesses;

- and where adverse impact has been caused, appropriate measures have been agreed and put into effect by the applicant to mitigate that adverse impact.

3.2 The following provisions of the Secretary of State's guidance apply to this application:

Paras 2.1 - 2.5 Crime and disorder

Paras 2.6 – 2.13 Public safety

Paras 2.14 – 2.20 Public nuisance

Paras 2.21 – 2.30 Protection of children from harm

4. **Consultees and their opinions**

West Yorkshire Police –Objections

3. **Next steps**

Not applicable

4. **Officer recommendations and reasons**

Members of the Committee are requested to determine the application

5. **Cabinet portfolio holder's recommendations**

Not applicable

6. **Contact officer**

Stephanie Mashiter, Licensing Officer, Licensing Service

Tel: 01484 221000

Email: Stephanie.Mashiter@kirklees.gov.uk

9. **Background Papers and History of Decisions**

Application form for transfer of premises licence– Appendix A

Application from to vary the designated premises supervisor – Appendix B

Objection from WYP for the transfer application – Appendix C

Evidence from WYP for the transfer application – Appendix D

Objection from WYP to vary the DPS application – Appendix E

Evidence from WYP to vary the DPS application – Appendix F

10. **Assistant Director responsible**

Joanne Bartholomew, Service Director – Commercial, Regulatory and Operational Services

Tel: 01484 221000

Email: joanne.bartholomew@kirklees.gov.uk

£23.00 CARD
NO 1404
14/12/17

£23.00
TRANSFER,
14/12/17.



Application to transfer 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 that 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 MOHAMED ALI ZADA
(Insert name of applicant)

apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PRCA) 1613.

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description <u>27 John William St</u>	
Post town <u>Huddersfield</u>	Post code <u>HDI 1BL</u>
Telephone number at premises (if any)	

Please give a brief description of the premises (see note 1) off licence

Name of current premises licence holder
Mohammed Rashidzadeh

Part 2 - Applicant details

In what capacity are you applying for the premises licence to be transferred to you?

- Please tick yes
- a) an individual or individuals* please complete section (A)
 - b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership 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) an individual 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 respect of 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:

Please tick yes

- 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
 - statutory function or
 - 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

ZADA .

First names

MOHAMMED ALI

Date of birth

I am 18 years old or over

Please tick yes

Nationality

Current residential address if different from premises

16, Jade Place,
FARTOWN
HO2 1BE .

address

Post town

Post code

Daytime contact telephone number

E-mail address
(optional)

SECOND INDIVIDUAL APPLICANT (fill in as applicable)

Mr

Mrs

Miss

Ms

Other title

(for example, Rev)

Surname

First names

Date of birth

Nationality

Current residential address if different from premises address

Post town

Post code

Daytime contact telephone number

E-mail address
(optional)

Please tick yes

I am 18 years old or over

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the 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

Please tick yes

Are you the holder of the premises licence under an interim authority notice?

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

Day Month Year

Please tick yes

I have enclosed the consent form signed by the existing premises licence holder

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?

Please tick yes

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

Please tick yes

I have enclosed the premises licence

If you have not enclosed premises licence referred to above please give the reasons why not.

- I have made or enclosed payment of the fee
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today
- I have sent a copy of this form to Home Office Immigration Enforcement today

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, PURSUANT 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.

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 2)

Part 4 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date 14-12-17

Capacity

For joint applicants signature of second applicant, second applicant’s solicitor or other authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
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)	

Notes for Guidance

1. Describe the premises. For example the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives.
2. **Right to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership which is not a limited liability partnership who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the



Consent of premises licence holder to transfer

I/we MOHAMMED HOSSAIN RASHIDZADEH
[full name of premises licence holder(s)]

the premises licence holder of premises licence number PR (A) 1613
[insert premises licence number]

relating to

27 JOHN WILLIAM STREET, HUDDERSFIELD, HD1 1BL
[name and address of premises to which the application relates]

hereby give my consent for the transfer of premises licence number

PR (A) 1613
[insert premises licence number]

to

MOHAMMAD ALI ZADA
[full name of transferee].

signed _____
name
(please print) Mohammed Rashidzadeh
dated 14.12.2017

Application to vary a premises licence to specify an individual as designated premises supervisor 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 that 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

ALI ZADA
I, *Mohammed* Being the premises licence holder, apply
(full name(s) of premise licence holder)
to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003

Premises licence number

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description <i>27, Jotham St Hudders</i>	
Post town	Post code <i>H01 1BL</i>
Telephone number (if any)	

Description of premises (please read guidance note 1)
OFF LICENCE

Part 2

Full name of proposed designated premises supervisor
mehdi KARMI mehdi Karimi

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)
KMCA 3403.

Full name of existing designated premises supervisor (if any)
—

Please tick ✓ yes

I would like this application to have immediate effect under section 38 of the Licensing Act 2003

I have enclosed the premises licence or relevant part of it

(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it

LICENCE PRODUCED FOR RECENT transfer.

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I will give a copy of this application to the chief officer of police
- I have enclosed the consent form completed by the proposed Premises supervisor
- I have enclosed the premises licence, or the relevant part of it or explanation
- I will give a copy of this form to the existing premises supervisor, if any
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 2)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 3).

If signing on behalf of the applicant please state in what capacity

Signature

.....

Date

20.12.17

Capacity

.....

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or authorised agent (please read guidance note 4). **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 5)

.....

Post town

Post code

Telephone number (if any)

If you would prefer us to correspond with you by email your email address (optional)

Guidance notes

1. Describe the premises. For example the type of premises it is
2. The application form must be signed
3. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application

Part A - Consent of individual to being specified as premises supervisor

I Mehdi Karmi
 [full name of prospective premises supervisor] of

INTERNATIONAL EXPRESS
27, JOHN WILLIAM ST.
HUDDESFIELD HO1 1RL.
 [home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor
 in relation to the application for PREMISES LICENCE. PRA) 1613 - JAGY OPS.
 [type of application]

by MR. MOHAMMAD ALI ZADA
 [name of applicant]

relating to a premises licence PRA) 1613.
 [name of existing licence, if any]

for INTERNATIONAL EXPRESS.
27, JOHN WIM ST. HUDDS.
 [name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

 [insert name of applicant]

concerning the supply of alcohol at

INTERNATIONAL EXPRESS
 [name and address of premises to which the application relates].

I also confirm that I am applying for, intend to apply for or currently hold a personal licence,
 details of which I set out below.

Personal licence number KMCPL 3403. [insert personal licence number, if any]

Personal licence issuing authority KIRKLESS COUNCIL.

 [insert name and address and telephone number of personal licence issuing authority, if any]

Signed: _____

Name (please print): Mehdi Karmi

Dated: 20/12/17.



West Yorkshire Police.
Licensing Dept.
Flint Street.
Huddersfield.

27/12/2017.

Objection to Premises licence transfer.

Dear Licensing.

We wish to make a formal objection to the transfer of the premises Licence for International Express, 27 John William Street, Huddersfield. HD1 1BL.

The reason we wish to object is that the applicant, Mr Mohammed Zada, 01/01/1987 is linked to selling none duty paid tobacco products from the shop. This is impacting on both the public safety licensing objective, as well as crime and disorder objective. It is also a straight forward criminal act of evasion duty.

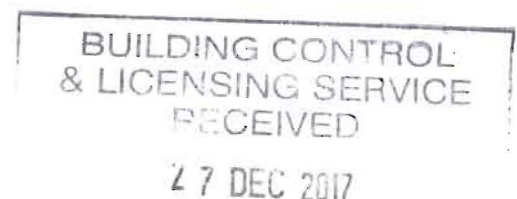
Mr Zada has been involved in running the shop since May 2017, during that time a number of incidents involving none duty paid cigarettes have been witnessed by West Yorkshire police, culminating in a joint operation between West Yorkshire Police and trading standards, with assistance from Kirklees licensing dept.

Application was made to remove the old DPS from the shop on the 18/12/2017.

On the 19th /12th /2017 the joint visit was carried out where a vast amount of none duty paid cigarettes were discovered in the shop. They were hidden in a closed compartment by the rear door that was opened by a trip switch. The shop assistant opened the compartment when requested to do so by trading standards officers. The exact amount will be forwarded to myself from trading standards as they seized them, but it was around 2 large bin bags full. On the 20/12/17 (the day after) a further visit was carried out where another cache was discovered behind a mirror. Again the exact amount will be disclosed by trading standards, however it was in the region of between 400 to 600 cigarettes.

Due to the actions of the persons working in the shop we feel we cannot allow Mr Zada to be premises licence holder and so wish to object to the transfer.

Richard Woodhead, West Yorkshire Police Licensing Officer.



RESTRICTED

Objection to Mohammed Zada taking on the Premise Licence for International Express

Intelligence had been received that a number of town centre shops were selling counterfeit and none duty paid tobacco products with Huddersfield town centre. One of the shops was International Express, on 27 John William Street, A joint operation was put into place where the illegal products were found to be hidden and secreted in the shop.

What I need to demonstrate to you is that the Mr Zada at the time was complicit in the sales, and the shop was and still is a place of distribution for illegal, none duty paid products.

Mr Zada put an application in to the local authority to become the premise licence holder on the 18th Dec 2017, the day before the visit was made.

However Mr Zada has worked in the shop since it was granted a licence and the evidence I submit today will clear up and doubt that Mr Zada is not just a new shop owner who inherited the illegal stock.

I can confirm that Mr Zada has been arrested 4 times from within the shop from the 28th April 2017 to Dec 2017.

2 arrests for assault, and two for public order offences while working in the shop.

The dates of the arrests are:

28th April 2017 Assault

23rd June 2017 Public Order Offence

29th June Public Order Offence.

2nd Sept 2017 Assault

West Yorkshire police also have an intelligence report from the 4th June 2017 naming Mr Zada as selling illegal cigarettes from International Express.

Since 13th April 2016 the shop has had six assaults and three public order offences committed within the premises.

Because of the strong possibility that the International Express shop was selling illegal products town centre officers started to observe the shop and the sales made from within the licensed area.

On the 29th Nov PC Nicholls observed a sale made to a customer, of illegal cigarettes, the customer made a statement to PC Nicholls that they had definitely bought the cigarettes from the shop.

Further sales were witnessed by PC Nichols on the 30th Nov, and on the 7th Dec 2017. Statements were taken from the customers stating the shop had sold the illegal cigarettes.

Because of these incidents a joint operation was set up between West Yorkshire

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Trading Standards, West Yorkshire Police and Kirklees Licensing Department.
On the 18th Dec a test purchase was made by a plain clothes trading standards officer where a packet of none duty paid cigarettes were bought.

On the 19th Dec 2017 the shop was visited by the joint operation team, where the following products were found to be secreted in a false panel above the back door exit of the shop.

316 packets of counterfeit and none duty paid cigarettes, with an approximate retail value of £3060.

Also 145 pouches of counterfeit tobacco, 50grams with a retail value of £1404.

The shop assistant who was in the shop at the time stated he had only been working for one day, and Mr Zada was in overall control.

On the day after, the 20th Dec 2017, a second visit was carried out to the same shop, where a further stash was discovered behind a mirror, to open this cache you needed to trip an electronic switch.

Within the alcove was discovered 37 packets of counterfeit cigarettes and 12 pouches of tobacco, with a combined retail value of £602.

Mr Zada has a complete disregard to UK law, and is willing to put the people of Huddersfield's health at risk by selling counterfeit and none duty paid tobacco products. He is also defrauding the UK government of much needed revenue by not paying excise duty on the tobacco. This is why we have objected to this application.

The guidance on section 144 of the licensing act, keeping smuggled good on licence premises states that this is a serious offence.

Have you made an application for review relating to this premises before? NO

If 'YES', please state the date of that application:



West Yorkshire Police.
Licensing Dept.
Flint Street.
Huddersfield.

04/01/2017.

Objection to D.P.S. Change .

Dear Licensing.

We wish to make a formal objection to the transfer of the D.P.S for International Express, 27 John William Street, Huddersfield.

The proposed DPS is Mr Mehdi Karimi, a Kirklees personal licence holder.

Mr Karimi was granted his personal licence 29/07/2012 and was a full time employee of Wisla Store in 2014. On the 30/10/2014 a multi-agency visit was carried out to the Wisla Stores where none duty paid cigarettes were found at the premises.

The premise licence holder, Mohammed Zada made the application for change of DPS on the 20th Dec 2017. The day before, the 19th Dec 2017 a substantial amount of counterfeit and none duty paid tobacco products were found at the International Express Shop.

Also on the date of the 20th Dec 2017 a return visit was made by myself and trading standards officers where a further 37 packs of none duty paid cigarettes along with 12 pouches of illegal tobacco products.

Also seized were 112 bottles of Smirnoff vodka, which could not be proved by the owner that it was meant for retail sale in the U.K.

Due to the actions of the premises licence holder, and the proposed DPS having strong links to the Wisla store where counterfeit tobacco products were found, we are objecting to this transfer.

Richard Woodhead, West Yorkshire Police Licensing Officer.

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Please provide as much information as possible to support the application (please read Guidance note 2)

Objection to Mehdi Karimi Becoming DPS for International Express

Intelligence had been received that a number of town centre shops were selling counterfeit and none duty paid tobacco products with Huddersfield town centre. One of the shops was International Express, on 27 John William Street, A joint operation was put into place where the illegal products were found to be hidden and secreted in the shop.

An application to transfer the DPS was received on the 20th Dec 2017 into the name of Mehdi Karimi, Kirklees personal licence holder (KMCPL3403)

On the day after, the 20th Dec 2017, a visit was carried out to the shop, where a large amount of illegal tobacco products were discovered behind a mirror, to open this cache you needed to trip an electronic switch.

Within the alcove was discovered 37 packets of counterfeit cigarettes and 12 pouches of tobacco, with a combined retail value of £602.

Mr Karimi was DPS at the shop the time the cigarettes and tobacco were discovered. The premise licence holder Mr Mohammed Zada put the application in to transfer the DPS, Mr Zada has been linked to the sale of none duty paid goods from International Express, and we feel that has over all day to day control, and that Mr Karimi would be DPS in name only, and not have control over the alcohol sales.

The guidance on section 144 of the licensing act, keeping smuggled good on licence premises states that this is a serious offence.

Have you made an application for review relating to this premises before? NO

If 'YES', please state the date of that application:

This page is intentionally left blank

Name of meeting: Licensing Panel

Date: Thursday 25 January 2018, at 14:15 Meeting Room 3, Huddersfield Town Hall, Ramsden Street, Huddersfield

Title of report: Objection to vary a premises to specify an individual as designated premises supervisor under Section 37 of the Licensing Act 2003 at Ryan’s Newsagents, 13 Kirkgate, Huddersfield, HD1 1QS.

Purpose of report: To Determine the Application

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Key Decision - Is it in the Council’s Forward Plan (key decisions and private reports?)	Not applicable
The Decision - Is it eligible for call in by Scrutiny?	Not applicable
Date signed off by Strategic Director & name	Not applicable
Is it also signed off by the Service Director - Finance, IT and Transactional Services?	Not applicable
Is it also signed off by the Service Director - Legal Governance and Commissioning?	Not applicable
Cabinet member portfolio	Not applicable

Electoral wards affected: Newsome

Ward councillors: Cllr Karen Allison
 Cllr Andrew Cooper
 Cllr Julie Stewart-Turner

Public or private: Public

1. Summary

On 28 December 2017 an application to vary a premises licence to specify an individual as designated premises supervisor was received for the above premises PR(A)1628, Ryan’s Newsagents, 13 Kirkgate, Huddersfield, HD1 1QS. The application is in the name of Raikan Hiwa appointing a Mr Mohammed Rashidzadeh as the Designated Premise Supervisor (DPS). A full copy of the application form along with the signed consent form can be seen at appendix A.

2. Information required to take a decision

West Yorkshire Police have objected to this application. Mr Mohammed Rashidzadeh used to be the DPS at International Express. This premises was targeted as part of a joint operation with Trading Standards and the Police, where a large amount of Counterfeit and non-duty paid tobacco was found hidden in various locations. Due to this, West Yorkshire Police feel that Mr Rashidzadeh is not suitable to be a

Designated Premises Supervisor if this is what goes on while he is named as the DPS. A full copy of the objection can be seen at appendix B.

3. Implications for the Council

3.1 Policy considerations (extracts from Kirklees Licensing Policy 2015-2020).

Para 2.3 Licensing Objectives

The Policy promotes the four licensing objectives contained in the Act and each has equal weight.

- The prevention of crime and disorder.
- Public Safety.
- The prevention of public nuisance.
- The protection of children from harm.

Para 6.9 The Licensing Authority will determine any application by considering the Act, the statutory guidance, this Policy and the four licensing objectives including how it may support other key aims, strategies and objectives.

Para 6.10 The following factors would normally be considered (although other relevant matters may be considered as the individual case dictates):

- The type of use, the numbers and type of customers likely to attend the premises;
- The proposed hours of operation;
- The level of public transport accessibility for customers either arriving or leaving the premises and the likely means of public or private transport that would be used by the customers;
- The adequacy and impact of car parking on local residents or businesses;
- The scope for mitigating any impact;
- How often the activity occurs.

and, in considering any application for a variation the Licensing Authority may also take into account

- historical evidence, whether favourable or adverse, relating to activities carried out at the premises, especially on local residents or businesses;
- and where adverse impact has been caused, appropriate measures have been agreed and put into effect by the applicant to mitigate that adverse impact.

3.2 The following provisions of the Secretary of State's guidance apply to this application:

Paras 2.1 - 2.5 Crime and disorder

Paras 2.6 – 2.13 Public safety

Paras 2.14 – 2.20 Public nuisance

Paras 2.21 – 2.30 Protection of children from harm

4. Consultees and their opinions

West Yorkshire Police –Objections

3. Next steps

Not applicable

4. Officer recommendations and reasons

Members of the Committee are requested to determine the application

5. Cabinet portfolio holder’s recommendations

Not applicable

6. Contact officer

Stephanie Mashiter, Licensing Officer, Licensing Service
Tel: 01484 221000
Email: Stephanie.Mashiter@kirklees.gov.uk

9. Background Papers and History of Decisions

Application form – Appendix A
Police objection – Appendix B
Police evidence – Appendix C

10. Assistant Director responsible

Joanne Bartholomew, Service Director – Commercial, Regulatory and Operational Services
Tel: 01484 221000
Email: joanne.bartholomew@kirklees.gov.uk

Kirklees Council, Licensing Department
Flint Street Depot, Flint Street, Fartown, Huddersfield, HD1 6LG

Application to vary a premises licence to specify an individual as designated
Premises supervisor 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 that 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 RAIKAN NEWSAGENT RAIKAN HIWA Being the premises licence holder, apply
(full name(s) of premise licence holder)
to vary a premises licence to specify the individual named in this application as
the premises supervisor under section 37 of the Licensing Act 2003

Premises licence number

PRCA1628

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description 13 KirkGate HD1 1QS	
Post town HUDDERSFIELD	Post code HD1 1QS
Telephone number (if any) 075	

Description of premises (please read guidance note 1)
NEWS agent

BUILDING CONTROL & LICENSING SERVICE RECEIVED

BUILDING CONTROL & LICENSING SERVICE RECEIVED
28 DEC 2017

Allocated To _____
 Issued By _____
 Copies To _____
 Copies Made _____

Part 2

Full name of proposed designated premises supervisor

Mohammed Rashidzadeh

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)

Full name of existing designated premises supervisor (if any)

/

Please tick ✓ yes

I would like this application to have immediate effect under section 38 of the Licensing Act 2003

I have enclosed the premises licence or relevant part of it

(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it

ACHTT

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I will give a copy of this application to the chief officer of police
- I have enclosed the consent form completed by the proposed Premises supervisor
- I have enclosed the premises licence, or the relevant part of it or explanation
- I will give a copy of this form to the existing premises supervisor, if any
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 2)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 3)

If signing on behalf of the applicant please state in what capacity

Signature

.....

Date

.....

Capacity

.....

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or authorised agent (please read guidance note 4). **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 5)

Post town

Post code

Telephone number (if any)

If you would prefer us to correspond with you by email your email address (optional)

Guidance notes

1. Describe the premises. For example the type of premises it is
2. The application form must be signed
3. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application

Part A

Consent of individual to being specified as premises supervisor

Mohammed Rashidzadh
 [full name of prospective premises supervisor] of

~~10 New Lath Close~~ 10 NEW LATH CLOSE
 [home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor

in relation to the application for RYAN'S NEWSAGENT [type of application].

by RAIKAN HIWA RYAN'S NEWSAGENT
 [name of applicant]

relating to a premises licence PR(A)1628
 [name of existing licence, if any]

for RYAN'S NEWSAGENT

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

RYAN'S NEWSAGENT RAIKAN HIWA
 [insert name of applicant]

concerning the supply of alcohol at

Above.
 [name and address of premises to which the application relates].

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number KMC PL4509 [insert personal licence number, if any]

Personal licence issuing authority Kirklees Council

[insert name and address and telephone number of personal licence issuing authority, if any]

Signature: 

Name (please print): Mohammed Rashidzadh

Dated: 28/12/2017



West Yorkshire Police.
Licensing Dept.
Flint Street.
Huddersfield.

03/01/2017.

Objection to D.P.S. Change .

Dear Licensing.

We wish to make a formal objection to the transfer of the D.P.S for Ryan's Newsagent 13 Kirkgate Huddersfield. Licence number PR(A)1628. The application was made on 28th Dec 2017.

The person who wishes to take up the position of D.P.S. IS Mr Mohammed RASHIDZADEH, a Kirklees personal licence holder.

Mr Rashidzadeh was the D.P.S at International Express up until the 18th Dec 2017.

International Express was the target of a joint operation with trading standards on the 19th Dec 2017, the day after he resigned, where a large amount of Counterfeit and none duty paid tobacco products were discovered in various hidden locations within the shop over 7000 cigarettes and 700 grams of hand rolling tobacco which was counterfeit..

The reason the operation had been put into place was due to the fact on previous occasions the sales of none duty paid tobacco products had been witnessed.

The licence was granted 28th /12/2016, to Mr Rashidzadeh, and also became DPS from that day, so was in day to day control of the building and the business.

On the 22nd July 2017 Trading Standards carried out a test purchase where 200 none duty paid cigarettes were found, along with 200 grams of rolling tobacco.

On the 29th Nov 2017 PC Nichols of West Yorkshire Police witnessed a sale made of none duty paid cigarettes.

On the 7th Dec 2017 Pc Nichols again witnessed a sale of none duty paid cigarettes from the shop.

On the 18th Dec 2017 a plain closed trading standards officer made a purchase of none duty paid tobacco products. On the 18th Dec 2017 Mr Rashidzadeh resigned as DPS from International express.

On the 19th the joint operation was put into effect where the 7000 cigarettes and the hand rolling tobacco was discovered.

I feel that Mr Rashidzadh is complicit in the sales of illegal, none duty paid products, and if he takes over the responsibility of being D.P.S. of 13 Kirkgate, that shop too will become another outlet for illegal activities.

Richard Woodhead, West Yorkshire Police Licensing Officer



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Objection to Mr Mohammed Rashidzadeh Becoming D.P.S. for Ryans Store, 13 Kirkgate Huddersfield

Intelligence had been received that a number of town centre shops were selling counterfeit and none duty paid tobacco products with Huddersfield town centre. One of the shops was International Express, on 27 John William Street, at the time the intelligence was received, Mr Rashidzadeh was the DPS for this shop. A joint operation was put into place where the illegal products were found to be hidden and secreted in the shop.

What I need to demonstrate to you is that the d.p.s. at the time was complicit in the sales, and the shop was and still is a place of distribution for illegal, none duty paid products.

West Yorkshire police also have an intelligence report from the 4th June 2017 stating that illegal cigarettes from International Express were been sold from this shop..

Since 13th April 2016 the shop has had six assaults and three public order offences committed within the premises while Mr Rashidzadeh was the DPS and in day to day control.

In July 2017 trading standards attended the shop where 10 packets of none duty paid cigarettes were found.

Because of the strong possibility that the International Express shop was selling illegal products town centre officers started to observe the shop and the sales made from within the licensed area.

On the 29th Nov PC Nicholls observed a sale made to a customer, of illegal cigarettes, the customer made a statement to PC Nicholls that they had definitely bought the cigarettes from the shop.

Further sales were witnessed by PC Nichols on the 30th Nov, and on the 7th Dec 2017. Statements were taken from the customers stating the shop had sold the illegal cigarettes.

Because of these incidents a joint operation was set up between West Yorkshire Trading Standards, West Yorkshire Police and Kirklees Licensing Department.

On the 18th Dec a test purchase was made by a plain clothes trading standards officer where a packet of none duty paid cigarettes were bought.

On the 18th Dec 20196 Mr Rashidzadeh contacted the licensing office want to resign as DPS of the International Express.

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Mr Rashdzadeh has a complete disregard to UK law, and is willing to put the people of Huddersfield's health at risk by selling counterfeit and none duty paid tobacco products. If he is given the opportunity to run another shop in the town centre, and become responsible for the day to day control of that shop he will carry on with the sale of illegal goods. He has also been defrauding the UK Government of much needed revenue by not paying excise duty on the tobacco. This is why we have objected to this application.

The guidance on section 144 of the licensing act, keeping smuggled good on licence premises states that this is a serious offence.

Have you made an application for review relating to this premises before? NO

If 'YES', please state the date of that application:

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Name of meeting: Licensing Panel

Date: Tuesday 25th January 2018 at 15:30, Huddersfield Town Hall, meeting room 3

Title of report: Application for the GRANT of a Premises Licence on behalf of The Manor House, 1 Lidget Street Lindley, Huddersfield, HD3 3JB

Purpose of report: To determine the application

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not Applicable
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports)?	Not Applicable
The Decision - Is it eligible for "call in" by Scrutiny?	Not Applicable
Date signed off by Director & name	
Is it also signed off by the Assistant Director for Financial Management, IT, Risk and Performance?	No
Is it also signed off by the Service Director - Legal Governance and Commissioning?	No
Cabinet member portfolio	Cllr Naheed Mather

Electoral wards affected: Lindley

Ward councillors consulted: Cllr Cahal Burke
Cllr Gemma Wilson
Cllr Richard Eastwood

Public or private: Public

1. Summary

On 28th November 2017 the Licensing Department received an application for the grant of a Premises Licence for The Manor House Lindley. The application was made by John Gaunt Solicitors on behalf of the applicant The Manor House Ltd. A copy of this application may be seen at **APPENDIX 1**.

2. Information required to take a decision

This application is for a premises Licence. The site has undergone redevelopment and will operate as a bespoke luxury hotel with related accommodation, dining and function facilities. The following hours and licensable activities have been applied for:

The supply of Alcohol: Mon – Thursday: 07:00 – 00:00
Fri - Sunday: 07:00 - 02:00

**Live &
Recorded Music:** Mon – Thursday: 07:00 – 00:00
Fri - Sunday: 07:00 - 02:00

Performance of Dance: Mon – Thursday: 07:00 – 00:00
Fri - Sunday: 07:00 - 02:00

Films: Mon – Thursday: 07:00 – 00:00
Fri - Sunday: 07:00 - 02:00

Late Night Refreshment: Mon – Thursday: 23:00 – 00:00
Fri - Sunday: 23:00 - 02:00

Hours of Opening: Mon – Sun 00:00 – 24:00 (24 hours seven days per week)

The application has been advertised in accordance with the requirements of the Licensing Act 2003 and the closing date for representations was **27/12/2017**. The Council have received 2 Representations from residents stating that they do not believe the following licensing objective will be achieved:

- **The prevention of public nuisance.**

All the representations can be seen at **Appendix 2**.

3. Implications for the Council

3.1 Early Intervention and Prevention (EIP)

N/A

3.2 Economic Resilience (ER)

N/A

3.3 Improving Outcomes for Children

N/A

3.4 Reducing demand of services

N/A

4. Consultees and their opinions

West Yorkshire Police – No Comments

West Yorkshire Fire and Rescue Authority – No Comments

Kirklees Primary Care Trust – No Response

Environmental Health Service – No comments

Planning Authority – No comments

Kirklees Safeguarding Children Board – No comments

Weights and Measures – No Response

5. **Next steps**
Following the decision of the panel the application will be either: granted, refused or granted with conditions applied.
6. **Officer recommendations and reasons**
N/A

7. **Cabinet portfolio holder recommendation**
N/A
8. **Contact officer**
Anwar Butt – Licensing Officer
9. **Background Papers and History of Decisions**
Appendix 1 – Application Form
Appendix 2 – Representations from local residents
10. **Assistant Director responsible**
Joanne Bartholomew

APPENDIX A

Application for a premises licence to be granted under the Licensing Act 2003

28/11/17
203577
315.00

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 that 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.

We, Manor House Lindley Ltd, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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
The Manor House
1 Lidget Street
Lindley
Post town Huddersfield , Post code HD3 3JB

Telephone number of premises (if any)
Non-domestic rateable value of premises £0

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- a) An individual or individuals*
b) a person other than an individual*
i. as a limited company
ii. as a partnership
iii. as an unincorporated association or
iv. other (for example a statutory corporation)
c) a recognised club
d) a charity
e) the proprietor of an educational establishment
f) a health service body
g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital
h) the chief officer of police of a police force in England and Wales

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- 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
 - Statutory function or
 - 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

Date of Birth: I am 18 years old or over Please tick
Nationality:

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname First names

Date of Birth: I am 18 years old or over Please tick
Nationality:

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

(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 nature (other than a body corporate), please give the name and address of each party concerned.

Name Manor House Lindley Ltd
Address 35 Westgate Huddersfield HD1 1PA
Registered number (where applicable) 11000383
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 – Operating Schedule

When do you want the premises licence to start?

Day Month Year

Upon satisfactory completion of the works.

--	--	--	--	--	--	--	--

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day Month Year

--	--	--	--	--	--	--	--

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

Please give a general description of the premises (please read guidance note 1)

This is a redevelopment site for which no rateable value has been fixed attributable to the proposed development of a Hotel on the site. Building works have commenced and therefore a Band C fee is payable.

It is intended that the premises, when complete, will operate as a bespoke luxury hotel with related accommodation, dining and function facilities.

Both a formal and less formal dining offer will be made available to residents and members of the public. The offers will include a restaurant offering a' la carte fine dining in the evening and a less formal breakfast, brunch, lunch and afternoon tea offer throughout the day in the restaurant, bar and external areas (weather dependant). In room dining will also be available upon request.

The hotel was a former Kirklees Council building formally utilised as a remand home for young persons and was de-commissioned some years ago. It has stood dormant since that time before the sympathetic restoration of the main buildings and redevelopment of the grounds by the Applicant.

The restaurant, bar, multiple function areas, gym and a single luxury bedroom will be located at ground level a further 9 bedrooms and roof terrace area will be located on the first floor. A cellar bar will also be created as described on deposited plans.

The details of the development are shown on the drawings identified below, deposited with this application, in respect of which Planning Permission has been granted.

It is proposed that the permitted hours for licensable activities for these premises should be as follows:

1. For non-residents Monday - Thursday 07.00 - 24.00 and Friday - Sunday 07.00 - 02.00.
2. The sale of alcohol to residents will be available 24 hours per day, seven days per week.

The earlier commencement hour for the sale of alcohol to non-residents is sought to facilitate a limited service of alcohol with breakfast such as a Champagne celebratory breakfast or Bloody Marys, it is not anticipated that traditional bar services would commence before 10:00hrs daily.

This application seeks to licence the premises specifically to authorise under the Licensing Act 2003 the following activities:

1. Exhibition of a film principally non-live television or educational videos.
2. The sale of alcohol.
3. The provision of late night refreshment after 23.00.
4. The provision of regulated entertainment (live and recorded music, performance of dance) as detailed in the appropriate box on the following pages.

The appropriate drawings deposited with this application are the following general arrangement plans:-

- Site layout plan - 2013/38/10 Rev B
- Ground floor licensing plan - 056(LD)01 Rev B
- Basement licensing plan - 056(LD)00 Rev B
- First floor licensing plan - - 056(LD)02 Rev B

Please note that the public area edged red on the licensing drawings are intended to be used (as required) for all licensable activities.

Please further note that the appropriate fire safety precautions will be incorporated within the development in consultation with the Fire Safety Officer and under the Building Regulation approval process and in accordance with a fire safety strategy document and drawings produced for the development. Copies of the fire strategy drawings are included with the application for information purposes only.

It is not anticipated that the proposed development will adversely affect crime and disorder or public nuisance.

It is proposed that the redevelopment of the site in the manner proposed at this location will improve the area by providing jobs for the local community and a new Hotel facility at this location.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick yes

Provision of regulated entertainment (please read guidance note 2)

- 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) performances 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)

Supply 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 {Y} (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			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)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y}(please read guidance note 3).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	07:00	00:00	Please give further details here (please read guidance note 4) Exhibition of a film principally video entertainment on screens and tv screens	Both	
Tue	07:00	00:00			
Wed	07:00	00:00	State any seasonal variations for the exhibition of films (please read guidance note 5) N/A – save as below		
Thur	07:00	00:00			
Fri	07:00	02:00	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)		
Sat	07:00	02:00			
Sun	07:00	02:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

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			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)
Thur			
Fri			
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 {Y}(please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	
Tue					
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)	
Thur					
Fri			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)		
Sat					
Sun					

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 {Y}(please read guidance note 3).	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	07:00	00:00	Please give further details here (please read guidance note 4) Live music and amplified voice as stated in part 3 above.	Both	
Tue	07:00	00:00			
Wed	07:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	07:00	00:00		N/A – save as below	
Fri	07:00	02:00	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) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	07:00	02:00			
Sun	07:00	02:00			

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 {Y} (please read guidance note 3).	Indoors	<input type="checkbox"/>
				Outdoors	
				Both	
Day	Start	Finish			
Mon	07:00	00:00	Please give further details here (please read guidance note 4)		
Tue	07:00	00:00	Recorded music, including juke box, with or without a DJ, during normal business hours or as part of functions and including audience participation as specified in part 3 above.		
Wed	07:00	00:00	State any seasonal variations for playing recorded music (please read guidance note 5)		
Thur	07:00	00:00	N/A – save as below		
Fri	07:00	02:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	07:00	02:00			
Sun	07:00	02:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

G

Performances 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 {Y} (please read guidance note 3).	Indoors	<input type="checkbox"/>
				Outdoors	
				Both	
Day	Start	Finish			
Mon	07:00	00:00	Please give further details here (please read guidance note 4)		
Tue	07:00	00:00	As stated in Part 3 above		
Wed	07:00	00:00	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	07:00	00:00	N/A – save as below		
Fri	07:00	02:00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	07:00	02:00			
Sun	07:00	02:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

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		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	
				Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of 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)		
Sun					

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 {Y} (please read guidance note 3).	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	23:00	00:00	Please give further details here (please read guidance note 4) As stated in Part 3 above		
Tue	23:00	00:00			
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	00:00			
Fri	23:00	02:00	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) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	23:00	02:00			
Sun	23:00	02:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 8)	On the premises	
				Off the premises	
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	07:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	07:00	00:00			
Wed	07:00	00:00			
Thur	07:00	00:00	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)		
Fri	07:00	02:00			
Sat	07:00	02:00	To permit sale of alcohol and such regulated entertainment as authorised hereunder from 10.00 to New Year's Eve - terminal hour on 2 nd January.		
Sun	07:00	02:00			
			The premises shall remain open to permit the sale of alcohol to hotel residents 24 hours a day.		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name: Mark Ayre

Date of Birth: 12th April 1986

Address: 2 Rachael Court, Horbury, West Yorkshire,

Postcode: WF4 6GE

Personal Licence number (if known): PA1728.....

Issuing licensing authority (if known): Scarborough Borough Council.....

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)

NONE save for the presence of gaming machines the use of which is not permitted by persons under the age of 18

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variation (please read guidance note 5) Please see box J above
Day	Start	Finish	
Mon	00:00	24:00	
Tue	00:00	24:00	
Wed	00:00	24:00	
Thur	00:00	24:00	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Fri	00:00	24:00	The premises will be open 24 hours per day, seven days per week as a hotel.
Sat	00:00	24:00	
Sun	00:00	24:00	

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)

The steps which we have identified in relation to the four licensing objectives are listed below

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below:

1. The use of door staff will be risk assessed on an ongoing basis by the licence holder of premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
2. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
3. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
4. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 25 years.
5. The management of the premises will liaise with police on issues of local concern or disorder.
6. CCTV will be installed with recording facilities such recordings shall be retained for a period of 28 days and made available within a reasonable time upon a suitable request by the police which accords with the terms of Data Protection legislation.
7. There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.

c) Public safety

No further risks have been identified which need to be addressed, save as below:

1. To comply with the reasonable requirements of the fire officer from time to time.
2. The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.

3. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
4. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
5. Toughened glasses will be used in the premises where appropriate.
6. Fire Exits and means of escape shall be kept clear and in good operational condition.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below:

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
2. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
3. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
4. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.

e) The protection of children from harm

No further risks have been identified which need to be addressed, save as below:

1. The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.
2. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
3. Children under the age of 16 shall not be permitted to enter or remain at the premises after 21:00 unless resident, dining with an adult or attending a pre booked function.
4. There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
5. The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.
6. Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee
- 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 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 a 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 (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 PURSUANT 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. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • {Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership} 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, if appropriate (please see note 15)
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Signature: John Gaunt & Partners..

Date: 27th November 2017

Capacity: Solicitors

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)	
John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) cgrunert@john-gaunt.co.uk	

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the

relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (Indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK {please see note below about which sections of the passport to copy}.
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

General Notes

THIS PLAN AND ALL INFORMATION HEREON ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. ALL RIGHTS ARE RESERVED. THIS PLAN IS THE PROPERTY OF BARRAZZ ARCHITECTURAL LTD. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS TO BE KEPT IN CONFIDENCE AND NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. ALL RIGHTS ARE RESERVED.



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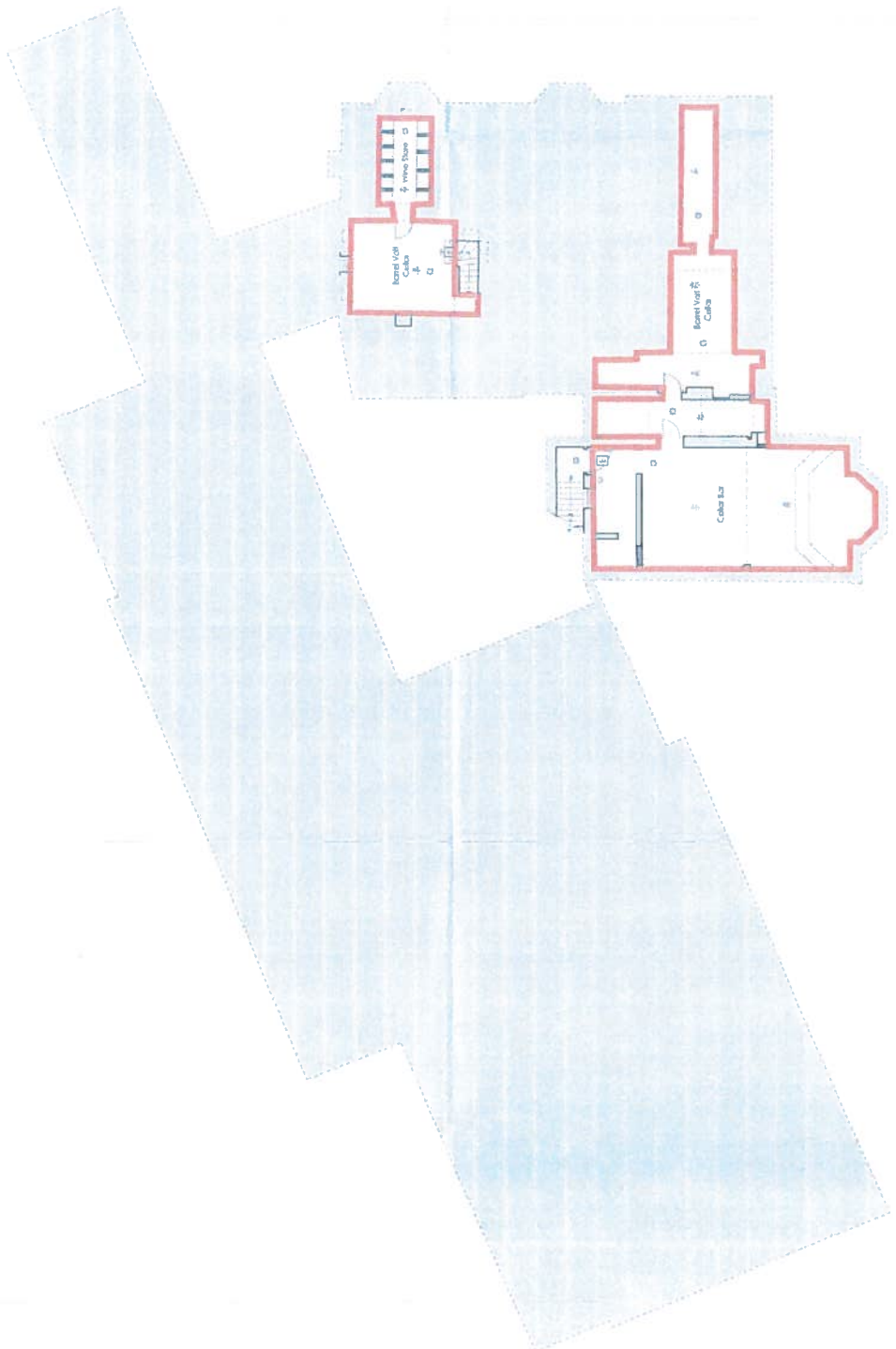
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General Notes

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Project No.	061	Drawing No.	061
Client	[Redacted]		

BA Baramba Architects Ltd.
 10/10/2024
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APPENDIX B

25th Jan.
16th Jan.

Anwar Butt

From: Cllr Cahal Burke
Sent: 26 December 2017 18:22
To: Anwar Butt
Subject: FW: The Manor House license application

Dear Anwar,
I have received the e-mail below objecting to the Manor House licence, can these comments be included in the decision making process and can they the residents be kept updated?

Thank you,
Cahal

Cllr Cahal Burke
Liberal Democrat, Lindley ward
www.cahalburke.co.uk

Sent from my Windows 10 phone

From: Marie-Claire Micuta
Sent: 26 December 2017 17:50
To: Cllr Cahal Burke
Subject: The Manor House license application

Dear Cahal

We would like to oppose the application of license by The Manor House to sell/provide alcohol and play music until 2am on Fridays, Saturdays and Sundays. The Manor House is in the heart of Lindley's residential area and is surrounded by homes. It is not appropriate that a venue in a residential area is allowed to be open, sell alcohol and play music until the early hours of the morning. A similar venue in Mirfield, Northorpe Hall, which is also in a residential area has a very limited license and we think that The Manor House should also be subjected to the same rules.

There are now a number of late night venues in the heart of Lindley which are causing problems for the residents in the early hours of the morning, i.e after midnight, including anti social behaviour by intoxicated people; beeping of taxis etc. Lindley is a mixed use locality for living, shopping and socialising however, it seems that some late night businesses forget that people also live here. Due to the location of our home, we are already disturbed most weekends by noise associated with people who have drunk far too much alcohol.

We would like to strongly oppose this license and ask the Council to reject this application.

Regards

Marie-Claire Micuta and Martin O'Halloran
11 Lidget Street
Lindley
Huddersfield
HD3 3JB

Sent from my Samsung device

Mark Scaramuzza

From: [REDACTED]
Sent: 23 December 2017 21:18
To: Licensing
Subject: Application143924 Manor House Lindley

Dear Chairperson

Application 143924 Manor House, Lindley.

I live at 2A Lidget Street, Lindley, directly opposite this new venue. I wish to make several objections to the application 143924.

1) I object to the supply of alcohol for consumption on and off the premises until 2.00am for the following reasons:

a) I live directly opposite this venue, my house is slightly below the level of the road, this means that cars and taxis leaving the venue will shine their headlights directly into the 2 main bedrooms in my house and cause us to wake up.

b) Allowing the venue to sell alcohol until 2am and allowing for drinking-up time, will mean that taxis will be arriving and leaving, along with some of the guests until 3am in the morning.

c) Allowing this to happen on a Sunday evening/Monday morning has an impact on those of us trying to sleep ready for work or school on Monday morning. It is unacceptable.

d) Some people already use the Clock Tower as a convenient place to arrange to be picked up in a taxi after a night out "on Lindley". So, those of us living there are woken by car doors and voices between 11.30 and 12.30 as people are collected.

Others use the Clock Tower as a convenient drop off point after an evening out in Huddersfield, this involves lots of slamming car doors, shouts of goodbye and often loud conversations about other people or the cost of going out etc. These happen between about 12.30 -2.00 am. Allowing Manor House to sell alcohol until 2.00am just extends all of this noise and disruption for another hour.

e) Allowing Manor House to sell alcohol for consumption off the premises just makes it permissible for the local Sainsburys store to ask for an extension to their licensing hours.

Please spare a thought for the ordinary people who have to live here. This is not in a city centre where you might expect hours to be extended if you chose to live there. This is a residential area which is very quickly being turned into a commercial area with all the disadvantages of noise, pollution from busy roads and disruption.

Yours
Lynne Moran

H03 3JB



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