

Public Document Pack



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

Julie Muscroft

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Huddersfield
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Please ask for: Yolande Myers

Email: yolande.myers@kirklees.gov.uk

Monday 26 March 2018

Notice of Meeting

Dear Member

Licensing Panel

The **Licensing Panel** will meet in the **Meeting Room 1 - Town Hall, Huddersfield** at **10.00 am** on **Tuesday 3 April 2018**.

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 James Homewood

Agenda

Reports or Explanatory Notes Attached

Pages

1: Interests

1 - 2

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.

2: 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.

3: 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.

**4: APPLICATION FOR THE GRANT OF A PREMISES
UNDER S51 LICENSING ACT 2003 - SK24 Hours 283 Old
Wakefield Road, Huddersfield, HD5 8AG**

3 - 66

To consider the application at: 10.00am

Contact: Anwar Butt, Licensing Officer 01484 221000

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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: Tuesday 3rd April 2018 at 10.00am, Huddersfield Town Hall, meeting room 1

Title of report: Application for the GRANT of a Premises Licence on behalf of SK24 Hours 283 Old Wakefield Road, Huddersfield, HD5 8AG

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 <u>Council's Forward Plan (key decisions and private reports)?</u>	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 Assistant Director - Legal Governance and Monitoring?	No
Cabinet member portfolio	Cllr Naheed Mather

Electoral wards affected: Dalton

Ward councillors consulted: Cllr Musarrat Khan
Cllr Naheed Mather
Cllr Peter McBride

Public or private: Public

1. Summary

On 7th February 2018 the Licensing Department received an application for the grant of a Premises Licence for Sk 24 Hours 283 Old Wakefield Road. The application was made by Hanmant Singh Mashiana. A copy of this application may be seen at **APPENDIX A**.

2. Information required to take a decision

This application is for a premises Licence, the premises will operate as a 24 hour off licence. The following hours and licensable activities have been applied for.:

The supply of Alcohol: Mon – Sunday: 00:00 – 00:00

:

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

The application has been advertised in accordance with the requirements of the Licensing Act 2003, the closing date for representations was **7/03/2018**. The Council has received 1 Representation from West Yorkshire Police and a further representation from a local business stating that they do not believe the following licensing objective will be achieved:

- **The prevention of public nuisance.**
- **Prevention of Public Safety**

West Yorkshire Police representations can be seen at **Appendix B**.

Representations from local business can be seen at **Appendix C**.

In addition Environmental Health have put forward suitable conditions which they believe will ensure that the prevention of public nuisance objective will met. These may be seen at **Appendix D**.

Further to the original Police objection, the applicant has been in discussion with Richard Woodhead from West Yorkshire Police and an agreement has been reached to reduce the licenced hours and apply suitable voluntary conditions to address the original Police concerns. These conditions may be seen at **Appendix E**.

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

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 – **Representation and conditions**
West Yorkshire Fire and Rescue Authority – No Comments
Kirklees Primary Care Trust – No Response
Environmental Health Service – **Conditions**
Planning Authority – No comments
Kirklees Safeguarding Children Board – No comments
Weights and Measures – No Response
Home Office (Immigration) – 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 – Representation from West Yorkshire Police.

Appendix 3 – Representations from local Business.

Appendix 4 – Environmental Health Conditions.

Appendix 5 - Police Conditions.

10. Assistant Director responsible

Joanne Bartholomew

APPENDIX – A

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

005 = 07/03/18

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** HANMANT SINGH MASHIANA
 (Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/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			
283 ^{OLD.} WAKEFIELD ROAD SK 24 HOURS.			
Post town	MIDDERSFIELD	Postcode	HDS 8AG

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

Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate Please tick as appropriate

- | | |
|--|---|
| a) an individual or individuals * | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> 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) a person 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 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 (by ticking yes to one box below):

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 <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname MASHIANA			First names HANMANT SINGH		
Date of birth over		I am 18 years old or		<input checked="" type="checkbox"/> Please tick yes	
Nationality BRITISH					
Current residential address if different from premises address		[REDACTED]			
Post town	HUDDERSFIELD			Postcode	[REDACTED]
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)		[REDACTED]			

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

(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 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

The Premises will be used as a 24 hour Convenience Store for the sale of milk, bread, eggs, alcohol and tobacco products. There will be one counter which faces the door with spirits behind the counter along with the tobacco products. To the rear there is a kitchen, bathroom storage room, with 2 rooms downstairs which will be for storage.

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

NA

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

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	<input type="checkbox"/>

- 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 (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
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 (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur					
			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)	
Day	Start	Finish		
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)	
Tue				
Wed				
Thur				<u>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</u> (please read guidance note 6)
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur								
Fri						<u>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</u> (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 (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
			State any seasonal variations for the performance of live music (please read guidance note 5)		
Wed					
Thur					
			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)		
Fri					
Sat					
Sun					

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 (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat								
Sun								

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)			
Thur						
Fri						
Sat						
Sun						

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 (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Thur			Non standard timings. Where you intend to use the premises for the entertainment of a 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)		
Fri					
Sat					
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 (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed			<u>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</u> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	00:00	00:00	NA		
Tue	00:00	00:00			
Wed	00:00	00:00			
Thur	00:00	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	00:00	00:00			
Sat	00:00	00:00			
Sun	00:	00:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	HANMANT SINGH MASHIANA
Date of birth	[REDACTED]
Address	[REDACTED]



Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

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).

NA

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	00:00	00:00	NA
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	Non standard timings. Where you intend 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	00:00	NA

SECRET

Sat	00:00	00:00	
Sun	00:00	00:00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

- use CCTV to monitor any suspicious activity and alert the relevant authorities
- use a think 30 Policy to ensure no harm to children
- ensure the premises are equipped with fire safe controls to meet fire regulations
- provide bins to prevent litter
- have a refusal book in addition to an incident book

b) The prevention of crime and disorder

- CCTV system to monitor entrance, exits and other parts of the premises to meet the objective
- clear notices or warnings of potential criminal activity (such as theft) will be prosecuted
- not selling alcohol to intoxicated customers
- prevention and vigilance in illegal drug use on the premises
- staff will be trained to ask customers to use the premises in a lawful, respectful manner

c) Public safety

- internal and external lighting to promote public safety
- training and implementation of overdose 110 checks
- a log book of us repairs made or needing to be made, will be kept on site for those persons who require it
- All parts, fixtures and fittings of the premises will be well maintained at all times and in safe condition

d) The prevention of public nuisance

- noise reduction measures
- deliveries of goods for the operation will be carried out at a time to prevent nuisance
- staff will be trained to conduct themselves in a manner which will not cause any nuisance
- The movement of bins will be minimum after 11pm
- Any exterior lighting will be positioned to not cause nuisance

e) The protection of children from harm

- challenge 25 signs to be displayed, and being vigilant in this approach
- adopting a think 30 mentality to ensure no minors are served alcohol
- well trained staff about requirements for persons 10 and age establishments
- All details of training to be kept on the premises
- the premises will meet health & safety requirements at all times

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 designated 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).

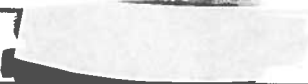
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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 (see guidance note 12). **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)
Signature	
Date	07/02/2018
Capacity	



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 postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
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, 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

APPENDIX – B

Details entered: 8 February 2018 at 10:43 by Mark Scaramuzza
Date requested: 07/02/2018
Date received: 13/02/2018
Appointment date:
Verified By:
Name:
Date commences:

Reason: grant
Appointment time:
Result Date: 13/02/2018
Number:
Date expires:

Notes:

Mark Scaramuzza

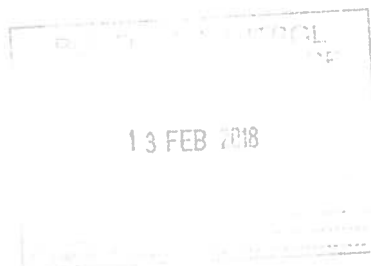
From: Woodhead, Richard
Sent: 13 February 2018 12:02
To: Victoria Thomson; Laura Dobson; Licensing
Cc: Coldwell, David
Subject: 283 Wakefield Rd. New Grant [NOT PROTECTIVELY MARKED]

Classification: NOT PROTECTIVELY MARKED

Dear All,

I wish to object to the application for a 24 hr store to be opened at 283 Wakefield Rd, Huddersfield HD5 8AG. The application has been lodged by Mr H.S. Mashiana, I have tried to contact the applicant but as of yet , have not received a reply. The reason for the objection is that such a grant will impact on the crime and disorder licensing objective, and would impact on West Yorkshire Police resources, along with local residents. If the applicant is willing to reduce the hours and sit down and discuss his business plans then the objection may be lifted.

Richard Woodhead
Divisional Licensing Officer
Mobile 07894601181
Kirklees Partnership
Joint Licensing office.
Flint Street
Huddersfield
HD1 6LG



Read about the West Yorkshire Police Positive Action Recruitment Campaign - click to find out more:
<http://www.westyorkshire.police.uk/recruitment/police-officer/equality-employment>

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Any views or opinions expressed in this message may not be those of the West Yorkshire Police.



APPENDIX - C

Jordan Barrett

From: Stephen Ward [REDACTED]
Sent: 07 March 2018 14:19
To: Licensing
Subject: Fwd: Licensing application 145409

Dear Sir or Madam,

With ref to the licensing application detailed below I would like to raise an objection on the following grounds.

Licensing application Ref 145409

Premises name, SK 24HRS
283 Old Wakefield Road,
Moldgreen,
Huddersfield.

- 1/ There are residential flats above and to the side of this property which on which a negative impact will occur if a 24 hr drinks licence is approved. Not only will Residents be disturbed by the general comings and goings all day and night, they will also be affected by any late night revelry which will occur with late night alcohol sales. Indeed this is a busy way home for people exiting Town and the opportunity to "Fuel up" will only be detrimental to other local residents along the way.
- 2/ The area is already well serviced by two licensed retail outlets serving late into the evenings. Namely "One Stop" and Tesco.
- 3/ The Yard to the rear is already subject to people trespassing and the access door to the street has been repeatedly damaged and made inoperable. The yard to the rear also acts as access to some flats and the likely hood of inebriated people seeking somewhere to consume their purchases is not insignificant.
- 4/ There is a local primary school within a few hundred yards and this type of retail outlet is not a good example to be setting to our future generations. Are there sufficient resources in place to ensure our Youth are not able to access this ready supply of " All Day/Night Alcohol".
- 5/ The Church grounds and nearby bench seats are already subject to being used inappropriately. The onset of better weather to come, will only see an increase in this behaviour when supplied with a ready available supply of alcohol.

Regards Stephen Ward

[REDACTED]
Blackburn's Outdoor
271 Old Wakefield Road
Moldgreen,
Huddersfield
HD5 8AG

[Redacted]

[Redacted]

APPENDIX - D

**Licensing Act 2003
Response to Building Control & Licensing Service
From Environmental Health**

Reference:	WK/201803511
Premises:	Adorn Beauty, Adorn Beauty, 283 Wakefield Road, Moldgreen, Huddersfield, HD5 8AG

Licensable Activity (place X in relevant box)			
Sale by retail of Alcohol		Provision of regulated entertainment	
Provision of entertainment facilities (music, dancing, etc)		Provision of late night refreshment	X

OBSERVATIONS			
Public Safety		No observations	
Date:	22 nd February 2018	Officer/Ext:	Jenny Dineen 01484 221000
Prevention of Public Nuisance		<p>All external lighting shall be directed so as not to cause intrusive illumination or glare to neighbouring residents, business or road users.</p> <p>The application states the following:-</p> <p>Deliveries of goods at a time to prevent nuisance (Pollution and Noise Control suggest not before 07:30 and not after 20:00)</p> <p>The movement of bins will be a minimum after 11pm (Pollution and Noise Control suggest not after 22:00)</p>	
Date:	22 nd February 2018	Officer/Ext:	Lisa Shaw 01484 221000

BUILDING CONTROL
& LICENSING SERVICE

23 FEB 2018

.....

APPENDIX - E

Classification: NOT PROTECTIVELY MARKED

West Yorkshire Police – Proposed Conditions.

Hi Anwar,

I can confirm that West Yorks Police will withdraw the objection as long as the following conditions are attached to the licence.

- 1) Two members of staff to be on duty after 22.00hrs
- 2) The shop will close at 03.00, and reopen at 6 am.
- 3) CCTV to cover the inside area of the shop, as well as the external area to the front. CCTV will be up to current home office guide lines, record for 31 days, and be of evidential quality. It will be made available on request to any responsible authority, or their representatives.

Think those were the agreed timings and conditions.

Cheers

R.Woodhead.

Anwar Butt

From: Hanny Mashiana [REDACTED]
Sent: 20 March 2018 21:45
To: Anwar Butt
Subject: Re: Licensing Hearing - objections [NOT PROTECTIVELY MARKED]

Hi Anwar,

I am happy to accept the conditions imposed by the West Yorkshire Police. Please accept this as my written confirmation of acceptance.

Regards,

Hanmant Mashiana

On 20 Mar 2018, at 14:55, Anwar Butt <Anwar.Butt@kirklees.gov.uk> wrote:

Good afternoon Mr Mashiana,

Please see the email below from Richard of West Yorkshire Police.

Along with the information I have already sent, I also need written acceptance of the conditions listed below. If you can also send this to me by email later today I will then be in a position to accept the withdrawal of the Police objection.

This then leaves one matter for the licensing committee to deal with on 3rd April 2018.

Many thanks,

Anwar

Anwar Butt | Licensing Officer | Licensing | Place – Investment & Regeneration |
Kirklees Council | Flint Street, Fartown, Huddersfield, HD1 6LG |
☎ 01484 221000 | ☎ (Int) 70525 ✉ Anwar.Butt@kirklees.gov.uk
www.kirklees.gov.uk/licensing

From: Woodhead, Richard [<mailto:richard@kirklees.gov.uk>] [REDACTED]
Sent: 20 March 2018 14:26
To: Anwar Butt <Anwar.Butt@kirklees.gov.uk>
Subject: RE: Licensing Hearing - objections [NOT PROTECTIVELY MARKED]

Classification: NOT PROTECTIVELY MARKED

Hi Anwar,

I can confirm that West Yorks Police will withdraw the objection as long as the following conditions are attached to the licence.

- 1) Two members of staff to be on duty after 22.00hrs
- 2) The shop will close at 03.00, and reopen at 6 am.
- 3) CCTV to cover the inside area of the shop, as well as the external area to the front. CCTV will be up to current home office guide lines, record for 31 days, and be of evidential quality. It will be made available on request to any responsible authority, or their representatives.

Think those were the agreed timings and conditions.

Cheers

R.Woodhead.



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