

Contact Officer: Jenny Bryce-Chan

## KIRKLEES COUNCIL

### LICENSING PANEL

**Tuesday 21st July 2020**

Present: Councillor Amanda Pinnock (Chair)  
Councillor David Hall  
Councillor Terry Lyons

In attendance: David Stickley, Senior Legal Advisor  
Laura Dobson, Senior Licensing Officer

**1 Interests**

No interests were declared.

**2 Admission of the Public**

All agenda items were considered in public session.

**3 Deputations/Petitions**

No deputations or petitions were received.

**4 Questions by members of the Public (Written Questions)**

No questions were received.

**5 Application for Review Hearing under S51 Licensing Act 2003: Rose and Crown, Cop Hill, Slaithwaite, Huddersfield HD7 5XA**

The Panel considered a report which outlined an application from West Yorkshire Police for a review hearing under S51 of the Licensing Act 2003, Rose & Crown, Cop Hill, Slaithwaite, HD7 5AX.

The Licensing Officer outlined the application advising the Panel that on the 3rd June 2020, the Licensing Department received an application for the review of the premises licence at Rose and Crown, Cop Hill, Slaithwaite, Huddersfield HD7 5XA under Section 51 of the Licensing Act 2003. The application was made on behalf of West Yorkshire Police, who considered that the licensing objectives in respect of prevention of crime and disorder, prevention of public nuisance, protection of children from harm and public safety had not been met.

The Panel also received a statement which gave an account of a joint visit undertaken by the Licensing Department and West Yorkshire Police Licensing Officers on the 2 June 2020. The visit to the establishment was prompted by complaints from members of the public that the premises appeared to be trading during the Covid-19 lockdown.

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West Yorkshire Police Solicitor outlined the reason for the review application confirming that following various complaints that the pub was still trading during the Covid-19 lockdown, a joint licensing visit was undertaken on the 2 June 2020. At the time of the visit, two of the external benches were occupied by people consuming alcohol. The alcohol had been sold from the internal bar area and was being consumed at the bench directly in front of the pub. The customers were drinking in full view of the licensee who made no effort to ask the customers to cease.

A representative of the licensee and the licensee made representations informing the Panel that the licensee had held the premises license for the past 13 years and is now seen an important part of the local community. There had been no recorded issues or concerns with the running of the establishment up until the lockdown commenced.

The Panel was informed that over 20 letters of support had been received and several supporters made representations at the hearing on behalf of the licensee. The supporters explained that the Rose and Crown is a well-run establishment that provides employment to approximately 20 people and is an important part of the local community.

### **RESOLVED**

Following careful consideration of all the representations, the Panel made the following decision:

**That the premises licence be suspended for a period of 28 days**

In reaching its decision the Panel decided that there had been a failure on the part of the licensee to follow the legislation and guidance issued by the government in respect of Covid-19 and felt a clear message should be given that failure to abide by the law is not without consequence.