

Public Document Pack



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

Julie Muscroft

The Democracy Service

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Huddersfield

HD1 2TG

Tel: 01484 221000

Please ask for: Jenny Bryce-Chan

Email: jenny.bryce-chan@kirklees.gov.uk

Monday 13 July 2020

Notice of Meeting

Dear Member

Licensing Panel

The **Licensing Panel** will hold a **Virtual Meeting - online** at **10.30 am** on **Tuesday 21 July 2020**.

This meeting will be live webcast. To access the webcast please go to the Council's website at the time of the meeting and follow the instructions on the page.

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', on a light-colored background.

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 Amanda Pinnock (Chair)

Councillor David Hall

Councillor Terry Lyons

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

Due to current Covid-19 restrictions, Elected Members and members of the public may submit written questions to members of the Licensing Panel.

Any questions should be emailed to jenny.bryce-chan@kirklees.gov.uk no later than 5pm on Friday 17 July 2020.

In accordance with Council Procedure Rule 51(10) each person may submit a maximum of 4 written questions.

In accordance with Council Procedure Rule 11(5), the period allowed for the asking and answering of public questions will not exceed 15 minutes.

The Panel will provide an oral response to any questions received, or if they are not able to do so, a written response will be provided.

5: Application for Review Hearing under S51 Licensing Act 2003: Rose and Crown, Cop Hill, Slaithwaite, Huddersfield HD7 5XA 3 - 88

To determine the application at 10:30.

Contact: Laura Dobson, Senior Licensing Officer, Tel: 01484 221000

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 21st July 2020, at 10:30 am

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

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	Samantha Lawton as agreed by Sue Proctor
Is it also signed off by the Service Director (Finance)?	Not applicable
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Not applicable
Cabinet member portfolio	Cllr Rob Walker

Electoral wards affected: Colne Valley

Ward councillors: Cllr Donna Bellamy
 Cllr Rob Walker
 Cllr Lesley Warner

Public or private: Public

GDPR Implications: GDPR has been considered and appropriate sections of the report have been amended

1 Summary

1.1 On 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. The application we have received considers that the following licensing objectives have not been met;

- Prevention of crime and disorder
- Prevention of public nuisance
- Protection of children from harm
- Public safety

Full details of the grounds for the review are contained in the attached review application at **Appendix A**.

2 Information required to take a decision

2.1 Background

- 2.1.1 Rose and Crown at Cop Hill, Slaithwaite, Huddersfield HD7 5XA was visited by West Yorkshire Police and Kirklees Licensing on 2nd June following complaints that the premises was trading during the COVID 19 lockdown period.
- 2.1.2 Richard Woodhead attended the premises in this visit. Details of his findings are included in the review application, which can be found at **Appendix A**.
- 2.1.3 A witness statement from Licensing Officer Mike Skelton, is appended to this report at **Appendix B**.
- 2.1.4 Licensing has received 22 pieces of correspondence from members of the public in support of the Rose and Crown. There is also 1 piece of correspondence in support of the Police. These can be seen in **Appendix C**.
- 2.1.5 Current licence PR(A)0453 was issued on 27th August 2015, can be seen at **Appendix D**.

2.2 Licensing Policy

Members considering the application should take note of the Authority's Statement of Licensing Policy, which provides the following guidance on how Members should approach the application and representation:

1.0 – Executive Summary

1.2 In exercising its duties and responsibilities under the terms of the Licensing Act 2003, the Council will operate within the statements and procedures mentioned in this policy statement. Notwithstanding this statement, all applications will be treated on their merits and judged accordingly. The council

will have regard to any relevant guidance issued by the Secretary of State in exercising its powers under the Act.

2.0 – Purpose and Scope of the Licensing Policy

2.7 The Licensing Authority recognises that each licence application must be considered on its own individual merits in the context of the four licensing objectives, and that unless relevant representations are received from responsible authority's or interested parties, there is no provision for a Licensing Authority to impose conditions on a licence other than those proposed within an application. Only conditions which have been volunteered by the applicant or which have been determined at a Licensing Panel hearing can be attached to a licence or certificate. If no relevant representations are made in respect of an application, the Licensing Authority is obliged to issue the licence on the terms sought.

Licensing Objectives.

1. *Public Safety*
2. *Prevention of crime & disorder*
3. *Prevention of public nuisance*
4. *Protection of children from harm*

2.3 Secretary of State Guidance

Members also need to consider statutory guidance issued, by the Secretary of State, under Section 182 of the Licensing Act 2003. As the representations relate to all four licensing objectives, Members attention is drawn to Section 2 of this Guidance, the relevant parts of which may be found at **Appendix E**.

3 Implications for the Council

3.1 Working with People

Residents of Kirklees need to be confident that persons holding licences under the Licensing Act 2003 are in a position to uphold the four licensing objectives. Taking appropriate and necessary action against licence holders where they fall short of their duties under the Licensing Act 2003 will prevent harm to residents

3.2 Working with Partners

The Council's licensing team work closely with partnering agencies, classed as 'Responsible Authorities' under the Licensing Act 2003, these include Planning, West Yorkshire Police, Trading Standards, Environmental Health, Fire Service, and Safe Guarding Children team.

3.3 Place Based Working

Working closely with Responsible Authorities the Licensing Authority can address issues within the districts that make up Kirklees.

3.4 Improving outcomes for children

A key objective of the Licensing Act is the protection of children from harm, and any decision made by the Council, in its capacity as Licensing Authority, have to have regard to this objective.

3.5 Other (e.g. Legal/Financial or Human Resources)

In determining the application Members should have regard to the Authority's licensing policy statement and the Secretary of State's Guidance. The applicant or any other person who made relevant representations in relation to the application have a right of appeal to the Magistrates' court.

4 Consultees and their opinions

Consultation has taken place in accordance with the Act. There have been no matters arising from responsible authorities.

5 Next steps and timelines

5.1 When determining the review application Members, having had regard to the information in the application, may take any of the following steps as they consider appropriate:

- a) Modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
- b) Exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption)
- c) Remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
- d) Suspend the licence for a period not exceeding three months;
- e) Revoke the licence.

5.2 Findings on any issues of fact should be on the balance of probability.

5.3 In arriving at a decision Members must have regard to the relevant provisions of statutory guidance and the licensing policy statement and reasons must be given for any departure.

5.4 The decision should be based on the individual merits of the application.

6 Officer recommendations and reasons

6.1 Members of the Panel are requested to determine the application

7 Cabinet portfolio holder's recommendations

Not applicable

8 Contact officer

Laura Dobson, Senior Licensing Officer, Licensing Service
Tel: 01484 221000 ext. 70595
Email: laura.dobson@kirklees.gov.uk

9 Background Papers and History of Decisions

9.1 Appendix A – Review Application from West Yorkshire Police

9.2 Appendix B – Statement from Licensing Officer Mike Skelton

9.3 Appendix C – Correspondence received from members of the public in support of West Yorkshire Police and in support of the Rose and Crown

9.4 Appendix D - Copy of Premises Licence PR(A)0453

9.5 Appendix E – Relevant sections of Secretary of State Guidance

10 Service Director responsible

Sue Procter
Service Director
Environment
Tel: 01484 221000
Email: sue.procter@kirklees.gov.uk

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APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE 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, (insert name of applicant) **Richard Woodhead**

- **Apply for the review of a Premises Licence under Section 51**
- **Apply for the review of a Club Premises Certificate under Section 87 of the Licensing Act 2003 for the premises described in Part 1 below**

Part 1 – Premises or Club Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description:

The Rose And Crown, Cop Hill, Slaithwaite

Town/City:

Postcode: **HD7 5XA**

Name of premises licence holder or club holding club premises certificate (if known):

Number of premises licence or club premises certificate (if known):

Part 2 – Applicant details

Please 'check' appropriate box(es)

I am:

1. An interested party (please complete A or B below)
 - (a) a person living in the vicinity of the premises
 - (b) a body representing persons living in the vicinity of the premises
 - (c) a person involved in business in the vicinity of the premises
 - (d) a body representing persons involved in business in the vicinity of the premises
2. A responsible authority (please complete C below)
3. A member of the club to which this application relates (please complete A below)

A – Details of individual applicant

Mr

Surname:

Forename(s):

I am 18 years old or over:

Current postal address if
different from premises

address:

Town/City:

Postcode:

Daytime contact telephone number:

E-mail address (optional):

B – Details of other applicant

Surname: Forename(s):
 Address: Town/City: Postcode:
 Daytime contact telephone number:
 E-mail address (optional):

C – Details of responsible authority applicant

Other title, e.g. R: Mr
 Surname: Woodhead Forename(s): Richard
 Address: West Yorkshire Police Licensing, Flint Steet
 Town/City: Huddersfield Postcode: HD1 6LG
 Daytime contact telephone number: [REDACTED]
 E-mail address (optional):

This application to review relates to the following licensing objective(s): (Please 'check' one or more boxes)

- (a) The prevention of crime and disorder
- (b) Public Safety
- (c) The prevention of public nuisance
- (d) The protection of children from harm

State the ground(s) for review (please read Guidance note 1):

On the 2nd June 2020 a joint licensing visit was carried out to the pub after various complaints had been made that the pub was still trading during the covid 19 lock down period, and persons were consuming alcohol in areas that were under control of the licensee.
 At the time of the visit, two of the external benches were occupied by persons consuming alcohol. The alcohol had been sold from the internal bar area but was being consumed in the benched directly to the front of the pub. The customers drinking were in full view of the licensee at all times, who made no effort to ask the customers to cease.
 The licensing visit was made up of myself, PC Katy Jagger, and Mr Mike Skelton from Kirklees licensing. All three of us witnessed the customers drinking.

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

On the 20th March 2020 the Government directed that all pubs and bars offering on sales of alcohol must cease, however off sales, could continue. An off sale is where the alcohol is sold to customers for consumption away from the premises, and not in the area under control of the licensee.

On the 26th March 2020 PC Jagger spoke to you on the telephone and informed you that West Yorkshire Police had received a complaint about persons drinking outside your Premises. On this date you stated that these were passing walkers and they were drinking and eating food they had brought with them.

We discussed that your Premises does have Off Sales so you could sell alcohol, drinks and snacks but only to be consumed away from the Premises and not in the beer garden.

PC Jagger advised you to seal or tape off your beer gardens so that it was clear that they could not be used for the consumption of alcohol.

Intelligence had been received that the Rose and Crown pub was still open, and selling alcohol to customers, on the evening of Friday 27th March 2020 P.C. Jagger and myself visited the pub and spoke to the [REDACTED] about the current situation and the legislation linked to the sale of alcohol.

We confirmed [REDACTED] could carry out off sales, as long as [REDACTED] complied with the Government guidelines covering take away sales, which the premises had become.

PC Jagger and I asked that all the benches in front of the pub be removed, or taped off, to ensure customers were not encouraged to gather and remain at the premises consuming their off sales.

[REDACTED] agreed that all benches would not be used, [REDACTED] would sell alcohol to customers, but it would be for off sales only, and no one would be encouraged to remain at the premises what so ever.

The evidence I will put before you is that the sales of alcohol were not off sales but were carried out in the licensed area, were paid for in the licensed area, and therefore were on sales which are currently illegal. Consumption of alcohol is not a licensable activity, however the sale of alcohol is.

Throughout April and May a number of complaints were made to West Yorkshire police, officers attended and confirmed that the pub could sell alcohol as long as it was only for off sales. The attending officer was told by the licensee they were allowed to sell bottled beers and crisps.

Further complaints were made to Environmental health, and to Kirklees licensing that the pub was flouting the current lock down guidance by allowing people to sit on the benches belonging to the pub and consume their alcohol on site.

A joint partnership licensing visit was put in place with KMC and West Yorkshire police on Tuesday 2nd June at 14.35 hours. When we visited the pub the licensee was sat outside along with [REDACTED] partner at a bench with a [REDACTED] who was consuming alcohol. We questioned as to why alcohol was been consumed on the property [REDACTED] replied it was an off sale.

Another bench had four persons sat on who were also consuming alcohol, two of the drinks had been dispensed into glasses, one being a glass of wine. Two others were drinking bottled cider that had been sold to them from the pub, and a bottle opener had been made available for the bottles to be opened. None of the customers were observing any form of social distancing.

On entering the premises it was noted that the toilets were available for customer use, and a sign was placed in the entrance saying 'one in one out' of the bar area. Current guidelines state, that even offering a take away service all bars must be closed. I have attached a copy of the current guidelines on safe working practices for take away service as append 1, which I will be referring to in support of this

review.

When we entered the bar area, which should have been closed, a number of alcoholic drinks were on display on the bar top, along with two draught ale pumps that were used to dispense cask ale to customers. I asked how I would purchase my take away alcohol and ██████ stated the as a customer I would come into the bar area, select my drink of choice, ██████ would dispense it, then charge me.

The drinks would not be consumed in the bar area, but outside on the benches which were are under control of the licensee. The licensee confirmed that all drinks sales were completed in the bar area via an electronic PDQ machine. This method of retailing alcohol is not an off sale but an on sale.

The government guidelines says that best practice is to have customers phone their order up in advance, or order on line, then when collecting it, wait in their cars till their order has been prepared and brought to them. The customers in this case were just turning up at the pub, buying what was available, then using the seating area provided by ██████ to consume the alcohol. Section 3.3 of the government guidelines states the bar area must be closed. To allow persons into the licensed area, and to have them select their drink of choice is against all guidance.

At the time of the visit ██████ was not in in any form of PPE, there was no evidence of any PPE being used while dispensing the drinks. The customers consuming alcohol were not in any form of PPE, and there was no social distancing going on. There was no evidence of any risk assessment being carried out to protect both customers and staff from any infection. There were no 2 metre markings on any of the floors, only a sign saying ONE IN ONE OUT', on the way into the bar area, which confirms the bar was being used by the general public.

We have brought this review as we feel all four of the licensing objectives have been impacted upon by the decisions and actions carried out by ██████ The pub is a free house, ██████ does not work for any brewer or pub company, so any decision has been made by ██████ All decision are purely financial without any considerations to the general public or the current situation faced by our local communities. ██████ with have been in receipt of the financial grant offered to business' to help protect his business, which has been funded by the local tax payers.

The objectives impacted upon are:

- 1) Protection of Children from harm, the actions of no social distancing carried out by the customers of the pub could impact on local children's health.
- 2) Public Safety, by allowing customers in the bar area, to use the toilet facilities, to sit on the benches provided by ██████ to consume alcohol all help in raising the threat to public safety.
- 3) Crime and disorder. ██████ has failed to observe the law on keeping a bar open to the public the offence under the Health protection (coronavirus and restrictions) (England) regulations 2020.
- 4) Public Nuisance, a number of complaints received from the public states that large numbers of people have been using the pub over the last sunny period, and were still outside after 10pm on a number of occasions. One resident stated that because people had found out the pub was still serving alcohol, there had been a dramatic increase in road traffic in the quiet rural area.

Because the licensee has chosen to continue to offer alcohol for sale, and for seating facilities made available for people to consume alcohol, without any consideration for the current situation, West Yorkshire police request that the panel seriously consider their only option to be revocation. All decisions made, and actions taken were for purely financial reasons, no consideration has been given to the current situation. We request revocation to send a strong message out to all businesses that they

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must follow Government guidelines. It also sends the message to law abiding business' and residents of Kirklees such action will not be tolerated by either West Yorkshire police or the local authority.

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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If you have made representations before relating to this premises, please state what they were and when you made them:

[Empty box for representations]

Please 'check' appropriate box(es)

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 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:

3rd June 2020

Capacity:

Police Licensing Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read Guidance note 5):

Surname:

Forename(s):

Address:

Town/City:

Postcode:

Telephone number (if any):

If you would prefer us to correspond with you using an e-mail address, please state your e-mail address (optional):

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.



HM Government

Append. 1.

Working safely during COVID-19 in restaurants offering takeaway or delivery

Guidance for employers, employees and the self-employed
11 May 2020





Introduction

What do we mean by 'restaurants offering takeaway or delivery'?

This guidance applies to any food preparation or food service setting where food is sold for takeaway or delivery. For example, bars, pubs and restaurants operating as takeaways, cafes, food to go, food delivery, takeaways and mobile catering; and contract catering at the point of service to the consumer such as in offices or similar environments.

It also applies to the food services provided by businesses.

It does not apply to food preparation or food service in clinical or healthcare settings.

This document is to help employers, employees and the self-employed in the UK understand how to work safely during the COVID-19 pandemic, keeping as many people as possible 2 metres apart from those they do not live with. We hope it gives you freedom within a practical framework to think about what you need to do to continue, or restart, operations during the COVID-19 pandemic. We understand how important it is that you can work safely and support your employees' health and wellbeing during the COVID-19 pandemic. We know that many businesses of this type are currently closed for their usual service. We hope this document will help those who are already working because they cannot work from home, as well as help other people think about how to prepare for when they return to work. The government is clear that workers should not be forced into an unsafe workplace.

This document has been prepared by the Department for Business, Energy and Industrial Strategy (BEIS) with input from firms, unions, industry bodies and the devolved administrations in Wales, Scotland and Northern Ireland, and in consultation with Public Health England (PHE) and the Health and Safety Executive (HSE).

Public health is devolved in Northern Ireland, Scotland and Wales; this guidance should be considered alongside local public health and safety requirements and legislation in Northern Ireland, Scotland and Wales. For advice to businesses in other parts of the UK please see guidance set by the Northern Ireland Executive, the Scottish Government, and the Welsh Government..

We expect that this document will be updated over time. This version is up to date as of 11 May 2020. You can check for updates at <https://www.gov.uk/workingsafely>. If you have any feedback for us, please email workingsafely@beis.gov.uk.

This document is one of a set of documents about how to work safely in different types of workplace. This one is designed to be relevant for people who work in or run restaurants offering takeaway or delivery services.

How to use this guidance

This document sets out guidance on how to work safely. It gives practical considerations of how this can be applied in the workplace.

Each business will need to translate this into the specific actions it needs to take, depending on the nature of their business, including the size and type of business, how it is organised, operated, managed and regulated.

This guidance does not supersede any legal obligations relating to health and safety, employment or equalities and it is important that as a business or an employer you continue to comply with your existing obligations, including those relating to individuals with protected characteristics. It contains non-statutory guidance to take into account when complying with these existing obligations. When considering how to apply this guidance, take into account agency workers, contractors and other people, as well as your employees.

To help you decide which actions to take, you need to carry out an appropriate COVID-19 risk assessment, just as you would for other health and safety related hazards. This risk assessment must be done in consultation with unions or workers.



1. Thinking about risk

Objective: That all employers carry out a COVID-19 risk assessment.

Everyone needs to assess and manage the risks of COVID-19. As an employer, you also have a legal responsibility to protect workers and others from risk to their health and safety. This means you need to think about the risks they face and do everything reasonably practicable to minimise them, recognising you cannot completely eliminate the risk of COVID-19.

You must make sure that the risk assessment for your business addresses the risks of COVID-19, using this guidance to inform your decisions and control measures. A risk assessment is not about creating huge amounts of paperwork, but rather about identifying sensible measures to control the risks in your workplace. If you have fewer than five workers, or are self-employed, you don't have to write anything down as part of your risk assessment. Your risk assessment will help you decide whether you have done everything you need to. There are interactive tools available to support you from the Health and Safety Executive (HSE) at <https://www.hse.gov.uk/risk/assessment.htm>.

Employers have a duty to consult their people on health and safety. You can do this by listening and talking to them about the work and how you will manage risks from COVID-19. The people who do the work are often the best people to understand the risks in the workplace and will have a view on how to work safely. Involving them in making

decisions shows that you take their health and safety seriously. You must consult with the health and safety representative selected by a recognised trade union or, if there isn't one, a representative chosen by workers. As an employer, you cannot decide who the representative will be.

At its most effective, full involvement of your workers creates a culture where relationships between employers and workers are based on collaboration, trust and joint problem solving. As is normal practice, workers should be involved in assessing workplace risks and the development and review of workplace health and safety policies in partnership with the employer.

Employers and workers should always come together to resolve issues. If concerns still cannot be resolved, see below for further steps you can take.

Where the enforcing authority, such as the HSE or your local authority, identifies employers who are not taking action to comply with the relevant public health legislation and guidance to control public health risks, they will consider taking a range of actions to improve control of workplace risks. For example, this would cover employers not taking appropriate action to socially distance, where possible. The actions the HSE can take include the provision of specific advice to employers through to issuing enforcement notices to help secure improvements.

How to raise a concern:



Contact your employee representative.



Contact your trade union if you have one.



Contact HSE online using our [working safely enquiry form](#).



Contact HSE by phone on 0300 790 6787.



3.3 Workplaces and workstations

3.3.1 Food preparation

Objective: To maintain social distancing and reduce contact where possible in kitchens and other food preparation areas.

- COVID-19 is a respiratory illness. It is not known to be transmitted by exposure to food or food packaging.

Steps that will usually be needed:

- Following [government guidance](#) on managing food preparation and food service areas.
- Allowing kitchen access to as few people as possible.
- Minimising interaction between kitchen staff and other workers, including when on breaks.
- Putting teams into shifts to restrict the number of workers interacting with each other.
- Spacing workstations 2m apart as much as possible, recognising the difficulty of moving equipment such as sinks, hobs and ovens. Consider cleanable panels to separate workstations in larger kitchens.
- Providing floor marking to signal distances of 2m apart.
- Using 'one way' traffic flows to minimise contact.
- Minimising access to walk-in pantries, fridges and freezers, for example, with only one person being able to access these areas at one point in time.
- Minimising contact at 'handover' points with other staff, such as when presenting food to serving staff and delivery drivers.

3.3 Workplaces and workstations

3.3.2 Food consumption areas

Objective: To maintain social distancing and reduce contact where possible in public spaces. Current guidance for public spaces is as follows:

- Bar areas must be closed.
- Seated restaurants and café areas must be closed.
- All food and drink outlets should be takeaway only.

Steps that will usually be needed:

- Using signage to make clear to customers and the public that these areas are closed.



4.1 Manage contacts

Objective: To minimise the contact resulting from visits to restaurants, bars and cafés offering takeaway or delivery services.

Steps that will usually be needed:

- Providing handwashing and hand sanitiser and encourage visitors to wash their hands regularly.
- Regulating entry so that the premises do not become overcrowded, and placing 2m markers on the floor to maintain social distancing inside the premises.
- Providing clear guidance on social distancing and hygiene to people on arrival, for example, signage, visual aids and before arrival, such as by phone, on the website or by email.
- Determining if schedules for essential services and contractor visits can be revised to reduce interaction and overlap between people, for example, carrying out services at night.

4.1 Manage contacts

4.1.1 Selling food or drink

Objective: To minimise interactions with outside workers and the public when selling food or drinks.

Steps that will usually be needed:

- Minimising contact between kitchen workers and front of house workers, delivery drivers or riders, for example, by having zones from which delivery drivers can collect packaged food items.
- Using front of house staff to serve customers purchasing food and drink, minimising the time they spend in the kitchen.
- Creating a physical barrier such as a screen, between front of house workers and customers where possible.
- Encouraging contactless payments where possible.
- Limiting access to premises for people waiting for or collecting takeaways. Setting out clear demarcation for 2m distances for customers queuing. Asking customers to wait in their cars.
- Asking customers to order online, on apps or over the telephone to reduce queues and stagger pick-up times.
- Making regular announcements to remind customers to follow social distancing advice and clean their hands regularly.

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STATEMENT OF WITNESS

(Criminal Procedure Rules r.27.1(1); Criminal Justice Act 1967 s.9; Magistrates' Courts Act 1980 s.5B)

STATEMENT OF: Mike Skelton

Age of witness: Over 18
(if over 18, enter 'over 18')

Occupation of witness: Licensing & Enforcement Officer
(please print your address on the reverse side of this form)

This statement, consisting of 3 pages each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 17th day of June 2020.....

Signed Signature Witnessed by

I am the above named person and am employed by Kirklees Council as a Licensing and Enforcement Officer. I am making this statement in relation to a visit I recently made to the Rose and Crown public house, Cop Hill, Slaithwaite, Huddersfield, HD7 5XA on 2nd June 2020

At Approximately 13:00hrs on 2nd June 2020, I received a phone call from my senior officer to say that the Council had received a complaint about the Rose and Crown. The complaint was from a member of the public and alleged that the Rose and Crown was open with the beer garden very busy over the previous weekend with no social distancing taking place. On 26th March 2020, the Council had received another complaint from a member of the public alleging something similar at the Rose and Crown. I made PC Katie Jagger, West Yorkshire Police Licensing officer aware of this. PC Jagger reported back to me that she had spoken with the Licensee who explained that it was nothing to do with the pub, and it was just some walkers who were taking a rest on tables in the beer garden area.

After receiving the second allegation that the pub was open, at approximately 13:15hrs on 2nd June 2020, I called PC Jagger to make her aware. It was agreed that PC Jagger, Richard Woodhead also from West Yorkshire Police Licensing and myself would do a joint visit to the premises that afternoon.

At Approximately 14:35hrs on 2nd June 2020, I attended the Rose and Crown public house in

Signed.....

Signature Witnessed by.....

STATEMENT OF: Mike Skelton

Slathwaite with PC Jagger and Richard Woodhead. As I exited my vehicle, I observed a gathering of four people sat on a bench in the grassed beer garden area. I would say they were in their 40's and comprised of two males and two females. They were drinking alcohol with one of the females drinking a glass of wine, one male had a pint of beer and there were also, what appeared to be two bottles of cider on the table. There was no social distancing taking place. As we approached the entrance to the pub, I noticed a further three people sitting on a bench. Again, no social distancing was taking place. A male from the table got up and approached us. I now know this male as [REDACTED] who is the licensee and designated premises supervisor at the Rose and Crown. PC Jagger introduced us to [REDACTED]. As PC Jagger and Richard Woodhead engaged in conversation with [REDACTED] I noticed a sign by the entrance of the pub, that clearly stated 'One in, One Out'. I asked [REDACTED] where the lady in the beer garden drinking wine, got the wine from. [REDACTED] said to me that it was from [REDACTED] wine dispenser. By that I thought [REDACTED] meant, some sort of wine on tap that [REDACTED] had in the pub. We all entered the pub, to talk further. Just through the entrance are the male and Female toilets and to the left is the bar area. Whilst at the bar, I asked [REDACTED] if he could show me [REDACTED] wine dispenser. [REDACTED] then went behind the bar, opened one of the fridges and presented me with an opened bottle of wine. It would appear that [REDACTED] was directly decanting wine into a glass should a customer purchase one. This in my opinion is an 'on' sale. I also asked [REDACTED] what had happened on the previous Friday and Saturday. [REDACTED] admitted that the pub was very busy with customers queuing to get into the bar. [REDACTED] also stated that [REDACTED] could not control where [REDACTED] customers consumed their alcohol. I believe [REDACTED] could have and easily have moved all the outdoor seating so not to encourage groups gathering and consuming alcohol on [REDACTED] property. [REDACTED] also admitted that those customers who were drinking on [REDACTED] property were using the toilet facilities. [REDACTED] did not explain how he kept the toilet areas sanitised after customers had used

Signed

[REDACTED]

.. Signature Witnessed by.....

STATEMENT OF: Mike Skelton

Them. As I returned to my vehicle to leave the premises, I witnessed [REDACTED] go to the table where the four people were sat, with a tray and remove the glasses and bottles, giving further evidence that the drinks were purchased at [REDACTED] premises. As [REDACTED] removed the items, [REDACTED] did not practise any social distancing either. [REDACTED]

Signed

[REDACTED]

Signature Witnessed by.....

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From: [REDACTED]
To: [Licensing](#)
Subject: Rose and Crown Public House
Date: 16 June 2020 17:33:56

Dear Kirklees Licencing,

I spoke to someone this morning regarding the review of the licence of the public house- Rose and Crown, Cop Hill Side, Slaithwaite.

I am a local resident, living [REDACTED] and I have seen an email circulated by some of the local community today asking for support to prevent the above licence being reviewed. This made me feel I need to provide information to support the licence being reviewed as myself and my partner witnessed the owners of the Rose and Crown breaking government guidelines and rules during lockdown/Covid pandemic.

Myself and my partner have noted that the pub was open on several occasions throughout the Covid pandemic lockdown- regularly there would be small groups sat around the picnic benches on the grass area drinking. On one occasion 29th May there were approx 60 people outside on both the patio terrace area and grass drinking, clearly not sticking to any social distancing. While I appreciate the Rose and Crown has advertised take away alcohol throughout- this was clearly not a take away service with any regard for social distancing or offering time slots to collect and take away goods.

I am a [REDACTED] who has been on the front line throughout this pandemic and find it very upsetting and frustrating that some people have no regard for the regulations the government has set out to protect the public.

While I am aware this is a local business for the community, I am very disappointed in the way the Rose and Crown has conducted business throughout this and support the licence been reviewed.

I would appreciate if my details remain anonymous as we are residents but happy to provide any more information should you require it.

Thank you
Kind Regards

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From: [REDACTED]
To: [REDACTED]
Subject: FW: The Rose & Crown, Cop Hill, Slaithwaite HD7 5XA
Date: 16 June 2020 11:31:29

FYI – scanned on

From: [REDACTED]
Sent: 16 June 2020 11:03
To: Licensing <Licensing@kirklees.gov.uk>
Subject: The Rose & Crown, Cop Hill, Slaithwaite HD7 5XA

Dear Sir/Madam

With reference to the news that the license for The Rose and Crown at Cop Hill, Slaithwaite HD7 5XA is under review due to alleged infringements of the temporary Covid Lockdown regulations we wish to make a statement in defence of the [REDACTED] [REDACTED].

Throughout this unprecedented and very difficult period of time [REDACTED] has shown [REDACTED] to be an upstanding and valuable member of our local community in that [REDACTED] has provided a great deal of support by supplying provisions to less mobile residents.

The Rose and Crown is the hub of our local community and will be a great loss to many people if the license is revoked.

Community spirit is of the utmost importance in these trying times and to lose such a valuable local resource would be very damaging to this hillside and a measure of understanding is required.

Many people in this country are in danger of losing their livelihoods and in our opinion we should be pulling together and supporting each other so that we can all find a way forward together.

[REDACTED] consistently strived to follow the regulations relating to Covid 19- [REDACTED] is not someone who would risk [REDACTED] customers health and wellbeing, not to mention [REDACTED] License.

We have been present on an occasion when the police visited and can confirm that there was no mention of any irregularities and a suggestion that the Police made to erect a barrier to the carpark access was implemented immediately.

Please do contact us if you wish to have any further information or discussion regarding this matter.

We are confident that in the local area we are part of a majority who know that losing our local pub would be extremely detrimental to the wellbeing and happiness of the residents in our community.

Yours Faithfully

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [Licensing](#)
Subject: The Rose and Crown Pub, Cop Hill, Slaithwaite, HD7 5XA
Date: 16 June 2020 20:38:34
Importance: High

Dear Sir/Madam

We are writing to express our disappointment that the licence for The Rose and Crown Pub has been suspended. As residents residing closest to the public house we have not observed anything to give us any cause for concern during the Covid 19 situation. Like many other small businesses, the licensee was providing a take away service. We believe that the complainant is malicious rather than founded.

We value our local licenced premises which is an important asset to the local community, and we strongly feel this suspension is jeopardising the future viability of the public house. We therefore would be obliged if you could consider revoking your decision with immediate effect so that the licensee can approach these uncertain times with a degree of confidence that [REDACTED] has a business to return to over the coming and challenging weeks.

Yours faithfully

[REDACTED]

Sent from my Huawei Mobile

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From: [REDACTED]
To: [Licensing](#)
Subject: RE: Kirklees Licensing
Date: 03 July 2020 14:40:44

Hello

On the 14th June we wrote to you regarding the Rose and Crown Public House at Cop Hill Slaithwaite HD7 5XA. We have not received a reply to our email and understand that the Virtual Hearing for the same is scheduled for 10.30 on the 21st July 2020.

We would like to be invited to this hearing and a copy of our initial email is below.

Thank you.

[REDACTED]
[REDACTED]

Copy of initial email sent to you 14th June 2020.

Dear Sir/Madam

We the undersigned understand that the license for the above public house is under review as a result of alleged infringements under the temporary Covid lock down regulations. We feel that this is unwarranted and unfair for the following reasons:

1. The [REDACTED] has, like many other similar public houses, been providing off sales service obeying recommended social distancing and infection control procedures.
2. The [REDACTED] has also been providing an essential supply of provisions for more vulnerable members of society unable to get to the shops themselves.
3. Alcohol sold via the off license service has been consumed off the licensed premises, occasionally in the adjacent field.
4. We have been present when the police have visited and confirmed that there was no infringement of the guidelines.

The Rose and Crown provides an extremely valuable community service and in the opinion of the community [REDACTED] is to be congratulated rather than pilloried.

Yours faithfully

[REDACTED] and [REDACTED]

From: Licensing <Licensing@kirklees.gov.uk>

Sent: 14 June 2020 15:27

To: [REDACTED]

Subject: Kirklees Licensing

Thank you for your enquiry, the Licensing Service will aim to respond within 5 working days. Due to the current COVID 19 outbreak all Driver & Vehicle renewals will be looked at, and responded to as soon as we can. Due to the amount of applications, this may not be within the same day. If you require any further information on how to apply during this time please visit our website at Kirklees.gov.uk for all the latest updates. We thank you for your patience and cooperation.



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This email and any attachments are confidential. If you have received this email in error – please notify the sender immediately, delete it from your system, and do not use, copy or disclose the information in any way. Kirklees Council monitors all emails sent or

received.

From: [REDACTED]
To: [REDACTED]
Subject: FW: the rose and crown cop hill slaithwaite
Date: 15 June 2020 14:55:06

Please see below

From: [REDACTED]
Sent: 15 June 2020 14:54
To: Licensing <Licensing@kirklees.gov.uk>
Subject: the rose and crown cop hill slaithwaite

dear sir/madam i understand that the license for the above public house is under review ,for alleged contravention of covid 19 regulations.I have availed myself of [REDACTED] takeaway service [REDACTED] brought my 2.5 litre plastic flaggon out to me .the few people who there ,maybe 6 or 8 were definitely observing social distancing. I could not see any thing wrong and the [REDACTED] told me that police had called in several times ,due to one local households complaints.In closing I would also like to state the fact that [REDACTED] keeps very orderly pub ,never any trouble and relaxed atmosphere in which to have a drink and a meal .the pub and the [REDACTED] are an asset to our community .I trust you will bear these facts in mind in your deliberations yours [REDACTED]
[REDACTED]

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From: [REDACTED]
To: [Licensing](#)
Subject: Rose & Crown Cop Hill, Slaithwaite. Licensing - [REDACTED]
Date: 24 June 2020 14:54:05

Dear sir/madam

I write in connection with the above public house and the associated licensee.

I would like to take this opportunity to express my support for [REDACTED], the [REDACTED] of the Rose & Crown, Cop Hill, Slaithwaite, for providing a great community service to our rural community.

I sincerely hope that we are able to see [REDACTED] reopen, within COVID guidelines, on or after the 4th July 2020. If this is not the case it will be a great loss to us at Upper Holme and the surrounding hamlets.

Kind regards

[REDACTED]

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From: [REDACTED]
To: [Licensing](#)
Subject: Rose and Crown Slaithwaite
Date: 18 June 2020 15:34:29

I understand that the license for the above public house is under review as a result of alleged infringements under the temporary Covid 19 lockdown regulations. I feel strongly that this is unwarranted and unfair as the [REDACTED] has simply been out-selling beer to customers, some of whom have been socially distancing in the field below the pub where there are picnic tables with plenty of space around them for them to consume the beer if they didn't want to take it home in the hot weather.

[REDACTED] is a thoughtful and kind [REDACTED] who runs a very good pub so it's no surprise that [REDACTED] has also been providing essential supplies for vulnerable members of society unable to get to the shops themselves. To deprive [REDACTED] of [REDACTED] license would be a blow to the community.

Yours sincerely

[REDACTED]

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From: [REDACTED]
To: [REDACTED]
Subject: FW: Rose and Crown Cop Hill Slaithwaite
Date: 16 June 2020 09:26:28

FYI - scanned on anite

-----Original Message-----

From: [REDACTED]
Sent: 15 June 2020 20:46
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Rose and Crown Cop Hill Slaithwaite

I have been very grateful to be able to use the takeaway service from the above public house for my Gluten Free bottles of beer (which I can find difficult to Obtain) during the Covid 19 pandemic. I was not allowed in the premises and I paid with my card. Over the years I have been a regular Customer and have always found the [REDACTED] to be pleasant, polite and very helpful in everything [REDACTED] does (especially doing a great deal of work for charity).

[REDACTED]

Sent from my iPad

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From: [REDACTED]
To: [Licensing](#)
Subject: Rose & crown Cope Hill Slaithwaite
Date: 24 June 2020 09:31:07

Dear Reader,

It has been brought to our attention that [REDACTED] who is license to sell alcohol at the Rose and Crown is under review as alleged infringements under the temporary Covid lockdown regulations have occurred. We write in support of [REDACTED] whom we have know for several years. [REDACTED] is a responsible [REDACTED] who cares deeply about [REDACTED] customers and [REDACTED] community. In making a judgment on the allegation we would be obliged if you would take in to consideration the point raised below.

During lockdown the service offered by the [REDACTED] [REDACTED] to people like ourselves, “shielded and shielding [REDACTED] action over the past three months have been exemplary. My [REDACTED] has been able to phone orders in for both delivery and collection. Social distancing measures are always adhered to buy the [REDACTED] as [REDACTED] provides this off sales service. As a “vulnerable person” I am unable to shop therefore the service [REDACTED] offers is essential to my [REDACTED] and myself.

During collections, the [REDACTED] takes great care to ensure [REDACTED] remained well away from My [REDACTED] by placing our purchases in the car boot for us. Deliveries to our home are made in an equally safe way via our garage door by our [REDACTED] wearing a mask. Bacs payment are made to cover the cost. This is lockdown made bearable by a local [REDACTED] prepared to go the extra mile for [REDACTED] customers.

People all over the world are experiencing unprecedented hardships as we all painfully feel our way around this pandemic and struggle with the need to stay apart. Like many publicans [REDACTED] is doing [REDACTED] bit to keep this community together while working within the law. [REDACTED] should be commended for [REDACTED] action, not pilloried. [REDACTED] will not making money selling off sales as [REDACTED] will be unable to sell the volumes. [REDACTED] is however offering a very welcome service to [REDACTED] customers.

I understand from others that the police have visited the Rose and Crown several times over [REDACTED] alleged actions but have never seen fit to reprimand [REDACTED] in any way. Nore has [REDACTED] been subject to any warning. This does not surprise me as [REDACTED] is a [REDACTED] who endeavours to run a clean legal house at all times. I find it incredibly that [REDACTED] license is now under review. It's a pity there are not more folk around Like [REDACTED]. [REDACTED] is a pillar of society up here on this hill always seeking to do the right things for [REDACTED] customers and the community of Cop Hill.

I urge you to carefully consider the many letters of support [REDACTED] will no doubt have had as like others we feel it would be a sad day for Slaithwaite if [REDACTED] license was revoked.

Kind regards

[REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: FW: Rose and crown cop hill
Date: 15 June 2020 14:49:22

Please see below

From: [REDACTED]
Sent: 15 June 2020 10:39
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Rose and crown cop hill

I am in support of rose and crown [REDACTED] has give a good take way service in times of us all being at home and pubs have been shut all the time I have been up to collect [REDACTED] has stuck to rules i have come to learn there is alot of small minded folk in the world who want to see some folk fail it was the way [REDACTED] was to keep afloat doing take away [REDACTED] went out of [REDACTED] way [REDACTED] text me to say it's ok to pop up for your take away it's all ready on the table out side I went up collected paid and enjoyed I was all so getting wine for [REDACTED] who is a haed teacher it made life ezy in hard times only living down rd ment I did not have to visit a busy village selling out take coffee food and other pubs doing take out so rose and was only doing same has every one else ps I know there is [REDACTED] who has a grudge [REDACTED] and I think that person is a silly selfish person commer inner in real terms

I want to thank you for reading this and I look forward to popping to my local for a take out real soon .all the best [REDACTED] cheers

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From: [REDACTED]
To: [Licensing](#)
Subject: [REDACTED], Rose and Crown, Cop Hill, Slaithwaite
Date: 27 June 2020 11:51:01

To the Licensing Department

I am a resident of Cop Hill and neighbour of [REDACTED] at the Rose and Crown. I understand from other neighbours that [REDACTED] licence is under review.

I don't know the detail of why [REDACTED] licence is under review, I would however make the following plea.

[REDACTED] and the Rose and Crown are a crucial part of our local community and economy. Being a rural community we rely on the local pub for meeting our widely dispersed neighbours and critically for local employment.

Whilst I don't know any details of the review I would ask that any decision takes account of the impact it would have on our community and its potential loss of employment. At this very difficult time for everyone I would hope that these factors will be considered most seriously.

Thank you for your time.

[REDACTED]

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From: [REDACTED]
To: [REDACTED]
Subject: FW: The Rose & Crown, Cop Hill Slaithwaite
Date: 16 June 2020 09:53:06
Attachments: [Untitled-7.jpg](#)

FYI – scanned on

From: [REDACTED]
Sent: 16 June 2020 09:44
To: Licensing <Licensing@kirklees.gov.uk>
Subject: The Rose & Crown, Cop Hill Slaithwaite

Dear Sirs/Madam,

I am writing in support of the Public House, The Rose & Crown at Cop Hill in Slaithwaite.

I understand that their license is under review and I support this business for the following reasons >>

1. The pub provides support for the locals. It is a great place to meet up with fellow neighbours and has great community spirit.
2. It offers jobs for locals and gives back to the community through locally sourced produce.
3. The pub is one of the very few traditional pubs in the area which provides food and drink for not just locals, people travel to this from miles away showing that this would be a significant loss if the pub was not open.

As a local business I am keen to support a local business and especially at this time they need our support more than ever. They have been offering a take away service which I have felt has helped vulnerable locals until recently when it has been closed.

If this pub is closed it would be a significant loss to the community, I, along with many others beg you not to do this.

Please do not hesitate to contact me should you require anything further.

Thanks

[REDACTED]

[REDACTED]

[REDACTED]

Tel: [REDACTED]



From: [REDACTED]
To: [Licensing](#)
Subject: Rose & Crown Cop Hill Slaithwaite
Date: 18 June 2020 19:20:29

Dear Licensing Authority,

Just heard that the license of our pub [REDACTED], [REDACTED], could be revoked by yourselves.

Whatever [REDACTED] did, it was in the best interests of the local community.

[REDACTED] acted within the spirit of the 'lockdown', providing takeaways which some people consumed in the gardens of the pub, with social spacing.

This no different to the CoOp in Slawit selling alcohol which people could drink while they fed the ducks on the canal bank.

If [REDACTED] loses [REDACTED] license then the people of West Slawit will loose their community centre, with the nearest pubs some 3 miles to the West and 1.5 miles to the South, hardly walking distance!

To my mind, [REDACTED] did nothing wrong and the question of losing [REDACTED] license should be thrown out of the window.

Regards,

[REDACTED]

Sent from my iPhone

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From: [REDACTED]
To: [Licensing](#)
Subject: Rose and Crown Slaithwaite
Date: 18 June 2020 11:57:47

The Rose and Crown at Cop Hill is my local pub and [REDACTED] is the [REDACTED] and [REDACTED] license is currently in question.

I would like to tell you that [REDACTED] is the most upstanding member of our local community and would never knowingly break the law or indeed break any lockdown rules. [REDACTED] customer service is second to none, [REDACTED] is the epitome of a traditional [REDACTED]' with all the great qualities you could wish for. During lockdown [REDACTED] operated within the guidelines and was diligent in every way. I was present on two occasions and was very impressed how [REDACTED] operated [REDACTED] take out service and social distancing.

Please do not let [REDACTED] lose [REDACTED] license.. this pub is a vital part of our community and [REDACTED] [REDACTED] is an upstanding law abiding individual.

Thank you.

[REDACTED]

[Sent from Yahoo Mail on Android](#)

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From: [REDACTED]
To: [Licensing](#)
Subject: Rose And Crown Cop Hill Licensing Review
Date: 30 June 2020 19:17:47

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] 30/06/20

To the review committee or to whom it may concern. I have been advised that the licence for the Rose and Crown public house is to be reviewed following a visit from the West Yorkshire Police.

Unfortunately, I live abroad in Andorra and cannot appear in person (*if required*) to defend the actions of myself or that of the [REDACTED] [REDACTED] but would like to make a statement to be read out at any review.

During the start of the COVID situation I was working offshore on the oil rigs and when I came onshore the lockdown was in place and I had no means or opportunity to travel back home but managed to find accommodation and help from and through close friends who I had known for many years two of which were [REDACTED] and [REDACTED]. I took the isolation and lockdown seriously as the severity of it could impact greatly on the type of work I do on the rigs. However when it was allowed that exercise could be taken each day I took the opportunity to go walking on the moors as often as was allowed.

I was on one of my walks on the 2nd June which took me past the Rose and Crown, a route I often took as it provided me with access up onto Marsden Moor. On this particular day I noticed [REDACTED] and his [REDACTED] [REDACTED] sitting outside. I have known them both for around 12 years and our two families have been on holiday together. I also rely heavily on them both as they take care of my [REDACTED] when I am not around and who they are also good friends with especially now as [REDACTED] is living alone since my [REDACTED] passed away and they have taken the responsibility to look after [REDACTED].

Having arrived at the top of the hill on such a hot day [REDACTED] in [REDACTED] typical generous self-offered me a coffee something [REDACTED] has done in the past but on this day I declined [REDACTED] offer due to the heat but [REDACTED] then offered me a cold drink and I agreed to a Shandy which was served in a plastic glass and to which [REDACTED] would not accept any payment from me.

I was invited to sit with them outside at a large long bench table which gave more than ample social distancing. The three of us were talking when [REDACTED] left the table to go and talk with three people who arrived. I decided it was a good time for me to continue my walk. It was not until later that night when I called to thank [REDACTED] for the drink and that it was much appreciated that [REDACTED] explained that the people who arrived were in fact the Police following up on a complaint?

[REDACTED] appeared very shaken up with this and could not understand what the issue was and I certainly did not consider that any rules or regulations pertaining to the COVID restrictions were being broken. I apologised to [REDACTED] for my being there but [REDACTED] said that I was not a problem as not only was I a close friend but almost family and that we were adopting a more than generous distance while we chatted.

In all the years I have known [REDACTED] I have never met a more upstanding, generous caring human being who goes out of [REDACTED] way to help people and [REDACTED] offer to me of a cool drink on such a hot day was typical of [REDACTED] nature.

I thank you for considering this statement and I trust you will see the positive side of [REDACTED] actions during these very difficult and unusual times

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [Licensing](#)
Subject: The Rose and Crown, Cop Hill Side, Slaithwaite, Huddersfield. A flour oasis during difficult times.
Date: 18 June 2020 17:49:28

To whom It may concern,

I would like to bring to your attention the sterling essential service [REDACTED] is providing at the Rose and Crown, Slaithwaite, Huddersfield During the current crisis [REDACTED] has been providing flour of all types to the community in and around Slaithwaite. As you can appreciate, flour is a very scarce commodity at the supermarkets these days and the convenience of being able to buy flour locally is a real bonus.

[REDACTED] notified people via Facebook and word of mouth that [REDACTED] was providing this service. All one has to do is give [REDACTED] a call with your order and it is there waiting for you to pick up at the pub. The deal is done in an ultra safe manner with correct distancing procedures and card payment and of course courtesy from [REDACTED].

Its good to know we are all pulling together during this crisis and [REDACTED] is doing just that going the extra mile providing this service. if you would convey your thanks to [REDACTED] officially it would be very much appreciated.

Thanks In anticipation.

[REDACTED]

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From: [REDACTED]
To: [REDACTED]
Subject: FW: Rose and crown Slaithwaite
Date: 15 June 2020 14:49:45

Please see below

From: [REDACTED]
Sent: 15 June 2020 12:14
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Rose and crown Slaithwaite

Hi

I'd would like to add my support for [REDACTED] our [REDACTED] at the rose and crown, slawit.

I understand [REDACTED] license is under review for covid 19 transgressions.

The rose is the heart of the community at cop hill,

[REDACTED] does a fabulous job looking after the locals and it would be a disaster for the area if [REDACTED] were to lose [REDACTED] license.

Rural pubs like [REDACTED] need support, now more than ever, and there would be hundreds of outraged residents if such actions were taken against [REDACTED]

Regards

[REDACTED]
[REDACTED]
[REDACTED]

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From: [REDACTED]
To: [Licensing](#)
Subject: The Rose & Crown Pub & Restaurant, Cop Hill, Slaithwaite, HD75XA
Date: 18 June 2020 10:31:53

We understand that the licensee of the a/m establishment has been advised that [REDACTED] must re-apply for [REDACTED] license due to alleged infringements of Covid-19 Lockdown Regulations.

Our understanding is that there have been no infringements of these requirements, and that social distancing has been maintained at all times. Further, that people present during the visit of Police have confirmed that fact & that the Police were satisfied in that regard. Every safeguard with regard to reducing chance of infection had been implemented.

For many years, the Licensee, [REDACTED] has most professionally managed & run [REDACTED] establishment , to the benefit of the local community. In the recent months of the Covid-19 lockdown, [REDACTED] has on many occasions obtained essential supplies for vulnerable local people.

It is to be hoped that good sense will prevail & that the license will be renewed without delay & the licensee will be able to continue to provide [REDACTED] excellent service to the community.

We thank you in advance for your logical consideration of this matter.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

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From: [REDACTED]
To: [Licensing](#)
Subject: Fwd: Rose and Crown Cop Hill Slaithwaite HD75XA
Date: 17 June 2020 22:11:47

Message

----- Forwarded message -----

From: [REDACTED]
Date: Wed, 17 Jun 2020 at 22:04
Subject: Rose and Crown Cop Hill Slaithwaite HD75XA
To: <licencing@kirklees.gov.uk>

Dear Sir/Madam

We have been advised that the licence for the above is under review over alleged abuse of the temporary lock down regulations.

We have purchased off-sales in support of the premises which were provided in a safe and controlled manner as advised.

The [REDACTED], is also providing delivery services for many local people for which [REDACTED] should be thanked and [REDACTED] actions appreciated .

The local community ,in general, respect and appreciate the presence of the Rose and Crown which provides a long standing friendly and safe meeting place and has done so for many years .

We feel that any review should take into account all the positive actions that are taking place rather than the alleged negative ones.

Yours Faithfully

[REDACTED]

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From: [REDACTED]
To: [REDACTED]
Subject: FW: Rose and Crown
Date: 15 June 2020 14:48:57

Please see below

From: [REDACTED]
Sent: 15 June 2020 10:38
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Rose and Crown

Dear Sir/Madam

I am writing in support of the Rose and Crown Cop Hill.

I understand that the licence is under review due to alleged inappropriate activity during the current circumstances.

[REDACTED] has provided a take away service(like many other local businesses in the village) selling beer, wine, tonics and even flour which other wise would have gone in the bin or down the drain. [REDACTED] has provided an invaluable service to this part of the village to people who may other wise have been unable to get supplies. [REDACTED] has tried to keep [REDACTED] business afloat.

[REDACTED] has done all of this with appropriate social distancing in place.

I have been to work every day through this pandemic as a key worker in school without any special preferences in supermarkets etc. The take away service at the Rose and Crown has meant that i havent had to queue for hours in supermarket queues to buy a well deserved bottle of wine.

It has also meant that I didnt have to be in close proximity to many others having been in school all day risking spreading/ contracting the virus.

In usual circumstances, the Rose and Crown is at the heart of the Upper Holme/ Cop Hill Community and without it many people will be isolated and lonely.

I urge you to disregard the small minded opinions of a very small minority (some of whom may have a personal grudge) and consider the impact on the wider community.

Thank you for your consideration.

Yours faithfully

[REDACTED]
[REDACTED]
[REDACTED]

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From: [REDACTED]
To: [Licensing](#)
Subject: The Rose and Crown. Cop Hill, Slaithwaite, HD7 5XA. Without Prejudice.
Date: 23 June 2020 14:24:42

Sir / Madam.

I'm writing to you regarding the review of the premise licence, section 51, as per served to the rose and crown cop hill slaithwaite HD7 5XA. The rose, as commonly known to the locals has been an institute and pillar to our local community since having been acquired by its current [REDACTED] [REDACTED]. Not only has the [REDACTED] brought new jobs and opportunities to the local community [REDACTED] also fully supports our economy in slaithwaite by actively getting involved in local events to raise the profile of the village commerce. [REDACTED], the licensee, has tirelessly and without question made and continues to make a positive impact on the local community of cop hill and slaithwaite. The rose and crown has always operated in the manner that [REDACTED] and [REDACTED] family conducted themselves and that is professional, courteous, friendly, customer and most importantly community focused. [REDACTED] excellent track record as the [REDACTED] speaks for itself. Therefore it is my personal viewpoint that the review of his licence during these already stressful times of covid 19 and the impending recession should only direct you as a committee to one conclusion. Reinstate the licence in accordance to the government guidelines regarding Covid 19 and ensure that the exemplary leadership and responsible licensee holder, [REDACTED], can continue to serve the local committee in the manner [REDACTED] has done during his 15 year tenure as the "local" [REDACTED]. Feel free to contact me if you have and questions regarding the rose and crown. Regards.

[REDACTED]
[REDACTED]

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From: [REDACTED]
To: [Licensing](#)
Subject: Rose and Crown, Cop Hill, Slaithwaite
Date: 23 June 2020 11:04:28

Dear Sir/Madam,

I am writing to you regarding the licensee of the above mentioned [REDACTED], where I'm informed there is an indiscretion regarding [REDACTED] license.

As an ex police officer I can inform you that [REDACTED] is a pillar of our society and a very law abiding citizen and maintains a strict regime in the running of [REDACTED] public house. [REDACTED] pub is the total hub of the local community with a lovely clientele of local upstanding people.

[REDACTED] is always going the extra mile to support local charities which [REDACTED] has done over the years.

I am proud to be a local friend with [REDACTED].

Yours Sincerely

[REDACTED]

Sent from Samsung Mobile on O2

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18.6.20.

Licensing Dept.,
Flint St Depot,
Flint St.
Huddersfield.
HD1 6LG.

Dear Sirs

Review of the Rose and Crown, Cophill, West Slaithwaite. License.

I am writing to report and reflect the very real concerns of many local residents in connection with the above, following reported contravention of Corvid 19 Restrictions.

The services which prompted these complaints were only the same as those offered by many other rural pubs around the country and much appreciated by their communities.

Whilst applauding the diligence of the Police in rightly responding to these reports, one feels that the apparent frequency of these reports amount to little more than 'wasting Police time'.

I have lived in West Slaithwaite since 1982 and have seen the fortunes of the Rose and Crown rise and fall with every change of [REDACTED]. Previous to [REDACTED] taking charge of the premises, it was in danger of closing down due to a lack of local support. This was due to the previous [REDACTED] destroying the sense of 'Community' that the Pub had always previously engendered. Under the stewardship of [REDACTED] the Pub has once again become the 'hub' of local life. This is in no small part due to the support [REDACTED] has offered to many various local groups, associations and charities.

If one requires any confirmation of [REDACTED] competency and high professional standards one only needs to look at the Rose and Crowns 'sister' pub – The Scapehouse Inn at Scapegoat Hill. Previous to [REDACTED] ownership the premises enjoyed minimal local support, being regarded by many as virtually a 'Wild West Saloon' – very different to the popular 'family hostelry' reputation it now enjoys.

I find it very difficult to believe [REDACTED] would have knowingly undertaken any actions [REDACTED] would have considered against current Corvid restrictions (in letter or spirit).

It will be very sad if the future of a much loved and appreciated local facility and livelihood of its owner is jeopardized by the action of one individual.

I hope these local concerns can be taken into account when any decision over the license is arrived at.

Yours faithfully,

[REDACTED]

[REDACTED]

Licensing Act 2003
Premises Licence
PR(A)0453

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION
Rose & Crown

Cop Hill, Slaithwaite, Huddersfield, West Yorkshire, HD7 5XA.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors)	Monday to Sunday Playing of recorded music is permitted during opening hours		
I. Late night refreshment (Indoors)	Monday to Saturday Applies to Dining Room on the Ground Floor and the Disco/Diner on First Floor ONLY.	11:00pm	1:00am The following morning
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Saturday Special Hours Certificate until 01.00 the following morning for the Dining Room (ground floor) and the Disco/Diner (first floor) ONLY.	10:00am	11:00pm
	Sunday	Noon	10:30pm
	Good Friday	Noon	10:30pm
	Christmas Day	Noon	3:00pm
	Christmas Day	7:00pm	10:30pm
	New Year's Eve	10:00am	10:00am
	The following morning		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday		None stated

Licensing Act 2003
Premises Licence**PR(A)0453****WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE[Redacted]
[Redacted] Telephone [Redacted]**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)****NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

[Redacted] Telephone [Redacted]

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. [Redacted] Issued by [Redacted]



Licensing Act 2003
Premises Licence**PR(A)0453**

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS**Alcohol:****Mandatory Condition 1**

Only individuals licensed by the Security Industry Authority may be used at the premises to guard against:-

- a. unauthorised access or occupation (e.g. through door supervision), or
- b. outbreaks of disorder, or
- c. damage

Mandatory Condition 2

No supply of alcohol may be made under this licence

- a. At a time when there is no designated premises supervisor in respect of the premises licence, or
- b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Mandatory Condition 3

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory Condition 4

The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made

- a. By the British Board of Film Classification (BBFC,) Where the film has been classified by the Board, or
- b. By the Licensing Authority where no classification certificate has been granted by the BBFC, or,
- c. where the licensing authority has notified the licence holder that section 20 (3) (b) (74 (3) (b) for clubs) of the Licensing Act 2003 applies to the film.

Mandatory Condition Eff 01/10/2014

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

- a. games or other activities which require or encourage, or are designed to require or encourage individuals to -



Licensing Act 2003
Premises Licence**PR(A)0453****ANNEXES continued ...**

- i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- ii. drink as much alcohol as possible (whether within a time limit or otherwise);

b. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee other public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

c. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

d. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorize anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

e. dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Mandatory Condition Eff01/10/2014

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Mandatory Condition Eff 01/10/2014

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- a. a holographic mark, or
- b. an ultraviolet feature.

Mandatory Condition Eff 01/10/2014

The responsible person must ensure that -

- a. where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:



Licensing Act 2003
Premises Licence**PR(A)0453**

ANNEXES continued ...

- i. beer or cider: ½ pint;
- ii. gin, rum, vodka or whisky: 25 ml or 35 ml; and
- iii. still wine in a glass: 125 ml;

b. these measures are displayed in a menu; price list or other printed material which is available to customers on the premises; and

c. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Mandatory Condition Effective 26/05/2014

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1 of this condition -

- a. "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);
- b. "permitted price" is the price found by applying the formula $P = D + (D \times V)$ where -
 - i. P is the permitted price,
 - ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- c. "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - i. the holder of the premises licence,
 - ii. the designated premises supervisor (if any) in respect of such a licence, or
 - iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- d. "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- e. "value added tax" mean value added tax charged in accordance with the Value Added Tax Act 1994(b).

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Alcohol shall not be sold or supplied except during permitted hours.
In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.



Licensing Act 2003
Premises Licence

PR(A)0453

ANNEXES continued ...

- e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.
- f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.
- g. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there; or
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None

ANNEX 4 - PLANS OF PREMISE

As outlined in the Operating Schedule and attached plan



Licensing Act 2003

Premises Licence

PR(A)0453

Date granted: 27/09/2005

Date commences/varied: 27/08/2015



Head of Planning and Building Control Services



Licensing Act 2003

PR(A)0453

Premises Licence Summary

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Rose & Crown

Cop Hill, Slaithwaite, Huddersfield, West Yorkshire, HD7 5XA.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

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	Christmas Day	Noon	3:00pm
	Christmas Day	7:00pm	10:30pm
	New Year's Eve	10:00am	10:00am
	The following morning		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday		None stated

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises



Licensing Act 2003

PR(A)0453**Premises Licence Summary**

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

[REDACTED]

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

[REDACTED]

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (1) He is the child of the holder of the premises licence.
 - (2) He resides in the premises, but is not employed there.
 - (3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (4) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.
- In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Any conditions applicable to these premises are attached to the Licence

Date granted: 27/09/2005

Date commences/varied: 27/08/2015



Head of Planning and Building Control Services



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Relevant Sections of Secretary of State Guidance – Under Section 182 of Licensing Act 2003

Crime and disorder

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority (“SIA”) as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular

premises, poor management competency could give rise to issues of crime and disorder and public safety.

2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

Public safety

2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.8 A number of matters should be considered in relation to public safety. These may include:

- Fire safety;*
- Ensuring appropriate access for emergency services such as ambulances;*
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);*
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;*
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);*
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;*
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and*
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).*

2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

2.11 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

2.12 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.

2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act¹, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of those premises should be.

2.14 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.

Public nuisance

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the morning.

2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.

2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Protection of children from harm

2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to

consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- restrictions on the hours when children may be present;*
- restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;*
- restrictions on the parts of the premises to which children may have access;*
- age restrictions (below 18);*
- restrictions or exclusions when certain activities are taking place;*
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult);*
- full exclusion of people under 18 from the premises when any licensable activities are taking place.*

2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons

under 18 years old with alcohol- related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

2.30 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

2.32 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

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