

Public Document Pack



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

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Please ask for: Nicola Sylvester

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Tuesday 23 February 2021

Notice of Meeting

Dear Member

Licensing Panel

The **Licensing Panel** will meet in the **Virtual Meeting - online** at **2.00 pm** on **Wednesday 3 March 2021**.

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".

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 James Homewood

Councillor Michael Watson

Agenda

Reports or Explanatory Notes Attached

Pages

1: Minutes of Previous Meeting

1 - 4

To approve the Minutes of the meeting of the Panel held on 7th December 2020

2: Interests

5 - 6

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.

3: 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.

4: 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.

5: 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 Nicola.sylvester@kirklees.gov.uk no later than 5pm on Monday 1 March 2021.

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.

6: Application for Review Hearing under S51 Licensing Act 2003: Woodman Inn, 6 Hartley Street, Dewsbury 7 - 62

To determine the application at 2:00pm.

Contact: Rox Javid, Licensing Officer, Licensing Service Tel: 01484 221000

7: Exclusion of the Public

To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

8: Application for Review Hearing under S51 Licensing Act 2003: Woodman Inn, 6 Hartley Street, Dewsbury

(To consider exempt information in respect of Agenda Item 6)

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

LICENSING PANEL

Monday 7th December 2020

Present: Councillor Amanda Pinnock (Chair)
Councillor Paola Antonia Davies
Councillor Terry Lyons

1 Minutes of Previous Meeting

That the minutes of the meeting held on the 19th November 2020 be approved as a correct record.

2 Interests

No interests were declared.

3 Admission of the Public

All agenda items were considered in public session.

4 Deputations/Petitions

No deputatons or petitions were received.

5 Questions by members of the Public (Written Questions)

No written questions were received.

6 Application for the Grant of a Premises Licence: Northern Sole, 39 Bridge Street, Slaithwaite, Huddersfield, HD7 5JN.

The Panel considered a report which outlined an application for the grant of a premises licence for Northern Sole Café, 39 Bridge Street, Slaithwaite, Huddersfield, HD7 5JN.

The Chair invited the Licensing Officer to outline the application. The Panel was informed that on 25th September 2020, the Licensing department received an application for the grant of a premises licence for Northern Sole Café Limited. The licensable activities applied for were:

- the supply of alcohol for consumption on and off the premises, 7 days a week from 08:00hrs to 23:00hrs.
- Films
- Live Music
- Recorded Music

In response to the application, eight representations were received from local residents who stated that should the licence be granted, the licensing objectives in

Licensing Panel - 7 December 2020

respect of Public Nuisance and Prevention of Crime and Disorder would not be achieved.

The Licensing Officer further advised that on the 19 November 2020, the Panel had convened to consider the application, however, a decision was made to adjourn the hearing in order for a site visit to be undertaken. The Panel felt that in order to do justice to all parties and make an informed decision on the application, a site visit would be beneficial. The hearing was adjourned until the 7 December 2020.

A site visit was undertaken by the Panel on the 30 November 2020.

A representative acting on behalf of the applicant, informed the Panel that as no representations had been received from the Police or any of the other Responsible Authorities it was safe to assume that they had no concerns with the license being granted with the conditions outlined in the application.

The Panel was informed that there had been a previous planning application to change the use of the premises to bar however, this application was discontinued following significant representations from the public. The applicant emphasised that Northern Sole Café limited was in no way connected to the previous planning application and would not be operating as a bar. It would be run as a small family orientated café bistro where food is the main offer and alcohol is ancillary.

A local resident who had initially made representations against the application, informed the Panel that having heard the information presented at the hearing was confident that there would be dialogue between the applicant and the local residents and a positive relationship could develop and therefore no longer wanted to object to the application.

Following careful consideration of all the representations received both verbally and in writing, the Panel decided that:

RESOLVED

The application for the grant of a premises license under the Licensing Act 2003 be granted as set out in the application save for the supply of alcohol which would be amended as follows:

Supply of Alcohol

Sunday – Thursday 1100 - 2130

Friday – Saturday 11:00 – 2200

The licensable activities in respect of film (indoors) live music (indoors) and recorded music (indoor/outdoors) are deregulated by virtue of the premises licence now granted as set out in the Deregulation Act 2015.

The Panel considered that the issues raised by those making representations would be dealt with by the conditions as set out in the application and felt that the

Licensing Panel - 7 December 2020

conditions offered together with the amended hours for the supply of alcohol would not be inconsistent with the licensing objectives.

7 **Application for the Grant of a Premises Licence: Unit 1C The Galleries, Bradford Road, Dewsbury, WF13 1HD.**

The Panel considered a report which outlined an application for the grant of a premises licence for Unit 1C, The Galleries, Bradford Road, Dewsbury, WF13 1HD.

The Chair invited the Licensing Officer to outline the application. The Panel was informed that on 21st October 2020, the Licensing department received an application for the grant of a premises licence for Unit 1C The Galleries.

The licensable activities applied for by the applicant was as follows; the supply of alcohol for consumption off the premises, 7 days a week from 08:00hrs to 23:00hrs.

In response to the application, the Licensing Department received representations from two ward Councillors and the Manager of Safer Kirklees.

The representations suggested that should the license be granted the licensing objectives in respect of Prevention of Public Nuisance, Prevention of Crime and Disorder and Protection of Children from Harm would not be met.

A representative acting on behalf of the applicant, raised a legal matter for consideration by the Panel. The matter related to an unauthorised representation which was subsequently withdrawn. Ensuing actions, showed that additional information was provided by one of the objectors outside the statutory framework and therefore was deemed to be unlawful.

On behalf of the applicant, the representative advised that prior to the application being submitted, liaison with West Yorkshire Police had taken place and their advice and guidance had informed the licence application. Therefore, they had no reason to object to the application and had not objected. Likewise, no other Responsible Authority had objected to the application. The Panel was further advised that West Yorkshire Police were satisfied with the raft of conditions associated with this premises licence which will ensure that the licensing objectives are promoted.

Concerns were raised by the objectors that the premises is next to newly constructed colleges and there could potentially be issues in relation to safeguarding. There are already issues with street drinkers and anti-social behaviour which could be further exacerbated by another licenced premises.

Following careful consideration of all the representations received both verbally and in writing, the Panel decided that:

RESOLVED

The application for a grant of a premises licences be granted as set out in your application with an addendum to the condition in respect of public nuisance, found at paragraph D7 of the application as follows: staff shall monitor the exterior of the

Licensing Panel - 7 December 2020

premises using CCTV and personal observations, and use their best endeavours to deter/disperse people congregating outside **and where necessary report to the appropriate authorities.**

The Panel also determined that the additional information submitted outside of the objection period would be disregarded.

The Panel considered the application contained stringent conditions put forward by the applicant and determined that to grant the licence with the conditions applied as amended by the Panel would not be inconsistent with promoting the licensing objectives.

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

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

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

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

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

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

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

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

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

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

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

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

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

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

Name of meeting: Licensing Panel

Date: Tuesday 3rd March 2021 at 2:00 pm

Title of report: Application for Review Hearing under S51 Licensing Act 2003:
Woodman Inn, 6 Hartley Street, Dewsbury

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	Fiona Goldsmith 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 Paul Davies

Electoral wards affected: Dewsbury East

Ward councillors: Cllr Eric Firth
Cllr Aleks Lukic
Cllr Cathy Scott

Public or private: Public

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

1 Summary

1.1 On 18th January 2021, West Yorkshire Police made an application for the review of the premises licence under Section 51 of the Licensing Act 2003. The applicant believes that the following Licensing Objectives are not being met.

- Prevention of Crime and disorder
- Public Safety
- The Protection of Children from Harm

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

The grounds of the review are that there have been incidents of criminal offences, underage drinking and COVID breaches at The Woodman, Dewsbury within the past 18 months.

The COVID breaches took place at the time all the Public Houses in Kirklees were closed due to Lockdown.

On 10th January 2021 West Yorkshire Police received information that there were people in The Woodman Inn watching the Leeds match. Officers from West Yorkshire Police attended and found the public house had 11 people present, 5 of whom did not live at the address and with no individual wearing PPE or social distancing. All persons received COVID warnings.

- 2.1.1 West Yorkshire Police have submitted all the findings in the Review application which also include statements from Police officers. These can be seen at **Appendix A**.
- 2.1.2 Bodycam footage has also been submitted which clearly indicates that COVID-19 breaches have taken place on the above date.
- 2.1.3 The designated premises supervisor has submitted 3-character references in support of their case, and these can be seen in **Appendix B**.
- 2.1.4 Current licence PR(A)0656 was issued on 24th November 2005, can be seen at **Appendix C**.

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 D**.

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, Public Health, Home Office Immigration Enforcement and Safeguarding 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 requirements under the Licensing Act 2003. Environmental Health being a responsible authority had visited the premises and witnessed COVID-19 breaches. Attached are emails and COVID-19 breach letter sent to the designated premises supervisor, these can be seen at **Appendix E**.

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. **Page 10**

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

Rox Javaid, Licensing Officer, Licensing Service
Tel: 01484 221000 ext. 70545
Email: rox.javaid@kirklees.gov.uk

9 Background Papers and History of Decisions

9.1 Appendix A – Review Application from West Yorkshire Police

9.2 Appendix B – Character References

9.3 Appendix C – Copy of Premises Licence PR(A)065

9.4 Appendix D - Secretary of State Guidance

9.5 Appendix E – Environmental Health COVID-19 breach emails/letter

10 Service Director responsible

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

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APPENDIX A



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) PC 4346 Katie JAGGER

- 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 Woodman Inn, 6 Hartley Street	
Town/City: Dewsbury	Postcode: WF13 2BJ
Name of premises licence holder or club holding club premises certificate (if known):	
The Tadcaster Pub Company Limited, Commer House, Station Road, Tadcaster, LS24 9JF	
Number of premises licence or club premises certificate (if known):	PR(A)0656
<p>Part 2 — Applicant details Please 'check' appropriate box(es)</p> <p>I am:</p> <p>1. An interested party (please complete A or B below)</p> <p style="margin-left: 20px;">(a) a person living in the vicinity of the premises</p> <p style="margin-left: 20px;">(b) a body representing persons living in the vicinity of the premises</p> <p style="margin-left: 20px;">(c) a person involved in business in the vicinity of the premises <input type="checkbox"/></p> <p style="margin-left: 20px;">(d) a body representing persons involved in business in the vicinity of the premises <input type="checkbox"/></p> <p>2. A responsible authority (please complete C below) <input checked="" type="checkbox"/></p> <p>3. A member of the club to which this application relates (please complete A below) <input type="checkbox"/></p>	
A — Details of individual applicant	
Surname:	Forename(s):
I am 18 years old or over:	
Current postal address if different from premises address: Town/City:	
Daytime contact telephone number: E-mail address (optional):	Postcode:

B — Details of other applicant		Forename(s):	
Surname:			
Address:			
Town/City:			
Daytime contact telephone number:		E-mail address (optional):	
		Postcode:	
C — Details of responsible authority applicant			
Other title, e.g. R PC			
Surname:	JAGGER	Forename(s):	Katie
Address:	West Yorkshire Police Licensing, Flint Steet		
Town/City:	Huddersfield	Postcode:	HDI
Daytime contact telephone number:	[REDACTED]		
E-mail address (optional):	[REDACTED]		
This application to review relates to the following licensing objective(s): (Please 'check' one or more boxes)			
(a) The prevention of crime and disorder			<input checked="" type="checkbox"/>
(b) Public Safety			<input checked="" type="checkbox"/>
(c) The prevention of public nuisance			<input type="checkbox"/>
(d) The protection of children from harm			<input checked="" type="checkbox"/>
State the ground(s) for review (please read Guidance note 1):			
There have been incidents of criminal offences, underaged drinking and Covid breaches at The Woodman Inn all within the last 18 months. The latest being a breach of Covid 19 legislation where 5 persons were found by the police, drinking alcohol in the Premises in addition to the 6 family members who live at the address. At this time all public houses in Kirklees were closed due to being in lockdown.			

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

The Woodman Inn was reported to West Yorkshire Police Licensing in November 2019 by a concerned police officer, who had attended an assault on 16th November 2019 and saw what they believed to be a number of Under 18's drinking alcohol at the location.

16th November 2019 - Section 18 Grievous Bodily Harm. Location the outside drinking area at the rear of the Woodman Inn. The complainant was a 16 year old [REDACTED] who as a result of the assault sustained injuries to [REDACTED] face including a broken jaw, which required surgery, a metal plate and stitches to [REDACTED]

The defendant a 17 year old [REDACTED] who had also been inside the Woodman Inn.

On the MG5 of the police file it states — the landlord refused to assist Police with enquiries.

At the point of submitting this review this matter is still listed at Leeds Crown Court.

The three witnesses who gave statements to the police were all 17 at the time of the offence.

The complainant in [REDACTED] statement to the police states 'I met friends at the Woodman Inn, we had a few beers and chatted in the sports room'.

As a result of this serious assault taking place at The Woodman Inn, I arranged a meeting with the Licensee [REDACTED] on the 21st November 2019, also present was Richard Woodhead from WYP licensing and [REDACTED], the partner of [REDACTED]. In this meeting [REDACTED] admitted that [REDACTED] had been having issues on a Friday evening with young people wishing to enter the bar. [REDACTED] stated that [REDACTED] checked ID's but then went onto say that persons had been known get into the bar via the rear door whilst [REDACTED] was stood at the front of the pub. I advised [REDACTED] not to allow any persons under 21 into the bar on a Friday night and to employ extra staff to help them turn persons away. I recommended SIA registered door staff, but [REDACTED] said he would deal with the situation himself.

Police Log 1660 of 24112/19 23:01hrs Public order at The Woodman Inn, Hartley Street, Dewsbury. Caller reporting:

Ongoing public order outside the Woodman Inn, in the car park. Group of 100 plus involved, fighting and brick throwing, the caller is safe inside the

pub, the landlord and landlady are outside trying to sort it out. Mixture of ages from 17years upwards.

Further call at 23:05hrs reporting a very large group of mostly males fighting, throwin | Glass bottles, a roximatel 50 eo lefi htin in the middle of the road,

one male has a crowbar, caller overhead one male shout 'put your knives away', caller saw a male with a cut to his head.

When police arrived at 23:08hrs the police log states: they witnessed approximately 20 people running away from Hartley Street, a number of people were at the location but no one saying they had been assaulted or wished to make a complaint. A lot of people were still outside but it was believed that those who had been fighting had made off.

No further police action taken at the time but an attending officer did e-mail me stating 'a number, if not most of people that was in the area and hanging around the pub all looked to be underage'.

As a result of the above incident I attended at The Woodman Inn in company with Richard Woodhead. [REDACTED] was questioned about this call to the Police. [REDACTED] stated that at 11 pm a group of approximately 30 youths came to [REDACTED] pub from a pub called the The Poacher on Dewsbury Road. They wanted to get inside [REDACTED] pub, but [REDACTED] would not allow this, as a result, they picked up stones and barriers and started to throw them.

Due to there being no complainants willing to come forward or witnesses, I had to accept [REDACTED] explanation. I did have my concerns though, once again I outlined to [REDACTED] that [REDACTED] must have a strict ID policy and not serve anyone or allow any person under 18 to drink alcohol in [REDACTED] Premises. I asked if [REDACTED] would like assistance from the Police on a Friday night dealing with any under 18's but [REDACTED] declined this offer and said [REDACTED] did not need assistance. I did tell [REDACTED] that West Yorkshire Police would be attending at [REDACTED] pub on a Friday evening to carry out a Licensing visit.

Police Licensing Visit: On the 24th January 2020 at 21:20hrs I attended in full uniform, in company with Officers from the Neighbourhood Policing Team to carry out a Licensing visit at The Woodman Inn. In the side room, where the pool table is situated was approximately 25 people, all who looked to be under 21. On checking their ID's 4 of the people present were found to be under 18. One who was 17 admitted to having drunk alcohol and the other 3 who were all 16yrs looked to be in drink. They were not with an appropriate adult and were concerned that I was going to tell their parents, it was obvious their parents did not know they were there. On this evening, the Licensee [REDACTED] and [REDACTED] [REDACTED] [REDACTED] stated that the persons under 18 were not drinking. I disputed this and stated the facts would be reported to the Licensing Manager Russell Williams.

A meeting was held at Kirklees Licensing on 18th Feb 2020, present was

Richard Woodhead, Stephanie Mashiter, myself, [REDACTED] and [REDACTED]

[REDACTED]

At the meeting we discussed:

The assault on a 16yr old [REDACTED] on 21st November 2019

The disorder outside the pub on the 24th December 2019

The Licensing visit carried out by myself and the NPT on 24th January 2020

The following was agreed and formalised in an action plan

No under 18's will be allowed into the Premises after 19:30hrs

All persons in the Premises under the age of 21 must have with them valid identification, this being a passport, photocard provisional or full driving licence, military ID.

A member of staff will be on the door between 8pm and 11pm on a Friday night for the next six weeks. This member of staff must be firm and not allow any persons entrance to the Premises if they are Under 21 and have no form of identification.

They were told further Licensing visits would be carried out and if the above agreed actions were not adhered to then the next course of action would be an alcohol licence hearing. A letter sent to [REDACTED] and [REDACTED] after the meeting can be produced as Exhibit KJJ.I .

Due to increase of Covid 19 and the resulting closure of all public houses on from midnight on the 20th March 2019. No further Licensing visits were carried out.

On the 11th May 2020 West Yorkshire Police were called to The Woodman Inn for a reported Covid breach. At 11.34hrs on Officers found the [REDACTED] of the Licencee being given a haircut inside the pub by a [REDACTED] friend who did not live at the address. Both were given a Covid warning as this was a breach of the Covid 19 regulations.

Licensed premises were allowed to open on the 4th July 2020.

On the 17th October 2020 a 16 year old [REDACTED] reported being assaulted at The Woodman Inn to West Yorkshire Police. Occurrence 13200521242 refers

The MO on the occurrence is:

Victim and suspect are acquaintances. They have attended at The Woodman Inn and one of the suspect's, has been flirting with the victim during the evening and when [REDACTED] found out that [REDACTED] has a girlfriend, [REDACTED] has walked away from [REDACTED] and second suspect, who was with the first suspect, has thrown red bull towards victim and [REDACTED] friend resulting in it landing on victims hand. Victim believed this to be

urine initially. Both parties have had a verbal argument later in the evening and victim has ut [REDACTED] arm out towards sus ect 1 durin this and sus ect 1 has

grabbed [REDACTED] arm and pushed victim back. Victim and [REDACTED] friend have left locus. No visible injuries — later the complainant declined to prosecute so no further action was taken.

Again from reading the above MO it would appear that underage persons are being allowed to attend and drink alcohol at the premises, leading to disorder.

On the 2nd December 2020 a vulnerable 17 year old [REDACTED] reported to West Yorkshire Police that [REDACTED] had been sexually assaulted on the 3rd July 2020. During [REDACTED] video interview conducted by police officers [REDACTED] disclosed that prior to the sexual assault [REDACTED] had attended the Woodman Inn, Hartley Street. [REDACTED] claimed that [REDACTED] was taken there by a 15 year old [REDACTED], whilst in the Woodman Inn [REDACTED] and [REDACTED] 15 year old friend had consumed alcohol. The statement of PC 3368 Richard Terry who assisted with the video interview is attached to this file and can be produced as RT. 1 .

Police log 0848 14:59rs On Sunday 10th January 2021 - West Yorkshire Police received a call from an anonymous caller reporting: 'that persons were at the pub watching the Leeds match, this has been extended to persons outside their bubble and it happens quite often'.

At this time on the 10th January 2021 all pubs in the UK were closed under the Covid 19 Legislation and persons from another household could not enter your home unless there was a specific reason, such as caring for a vulnerable person.

PC 4528 Negoita, APS 6681 Holloway and PC 204 Sattar attended at the Woodman Inn at 15:15hrs on 10/01/21. They found inside the pub 11 people present, 5 of whom did not live at the address, no persons were wearing PPE and social distancing was not in place. Attached is the statement of PC 4528 Negoita. Exhibit NN.I

All persons present received Covid warnings.

Bodyworn footage from this visit has been placed onto a disc and can be produced as Exhibit KJJ.2

I have viewed the bodyworn footage and it shows the following:

The lights were on in the bar area, the till was on, with the till roll pulled forward and the sum of E3.30 was displaying on the till screen, the till drawer was shut. Two empty Smirnoff Ice bottles were on the bar.

On one table, which six [REDACTED] are sat around there is one pint glass % full of what looks to be larger, 2 empty pint glasses, 1 empty 'h pint glass, 2 bottles of beer and 3 mugs.

On the other table where two [REDACTED] are sat are 3 pint glasses, 1 % full, one a 1/4 full of what looks to be lar er and one em t

There is also a [REDACTED] stood in the corner holding a pint glass, which looks almost empty, it is not clear what liquid is inside it.

The Landlord is drinking what looks like larger from a pint glass.

When officers are leaving the bar, the body worn footage captures that the bar font as got foam on it and there is evidence that drinks have been dispensed as there is foam in the drip tray.

It would appear from the footage that the drinks have been hand pulled and charged for with the till being on and displaying E3.30

When PC Negoita says to [REDACTED] "you are already suffering because of this lockdown"

[REDACTED] replied 'WE'RE SUFFERING BECAUSE OF UNDERHAND SNEEKY BASTARDS!'

The above evidence documents that the Licensee is allowing the sale and consumption of alcohol to under 18's in [REDACTED] premises which is then leading to crime and disorder and the harm of children. [REDACTED] is putting profits before public safety and is more concerned over who reported the breach than the spread of Covid 19.

West Yorkshire Police licensing have tried to work with the licensee to address the issues but the advice, offers of support and warnings have been ignored.

The Licensee has allowed persons to enter the Premises and be served drinks during a Pandemic when all Public Houses are closed. The business is eligible to receive financial support from Government to stay closed.

Therefore we request that strong consideration be given to removing [REDACTED] [REDACTED] as DPS of this Premises. This is to prevent further crime and disorder occurring at the Premises, for public safety and to protect children from harm.

We also request that CCTV to be added as a condition of the Licence.

No person related to [REDACTED] in any way to be able to take over the role of DPS, or be employed in any managerial position that impacts on the day to day running of the Woodman Public House.

[Empty rectangular area for application details]

Have you made an application for review relating to this premises before? NO
If 'YES', please state the date of that application:

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:

[Redacted signature] (8/01/2.021
Police licensing officer - ka Signature: Date •
LQk(c^D)

Capacity-

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.

Lic 5

WEST YORKSHIRE POLICE
OFFICIAL SENSITIVE (when complete)

WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, Rule 16.2)

NICHE Ref. No:

URN:

Statement of: 3368 RICHARD TERRY

Date of birth: Over 18

Occupation: POLICE CONSTABLE

This statement (consisting of: page(s) 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.

Signature:

Date: 13TH January 2021

Time and date statement taken:

Check box if witness evidence is visually recorded

(supply witness details on rear)

I am providing this statement in relation to underage children drinking alcohol at the Woodman Inn, Dewsbury.

On Friday the 11th December 2020, I assisted in a video interview where a 17 year old [REDACTED] had made a complaint of a sexual assault.

During the interview, [REDACTED] explained that on the 3rd July 2020 [REDACTED] had attended the Woodman Inn, Hartley Street, Dewsbury.

[REDACTED] claimed that [REDACTED] was taken there by a 15 year old [REDACTED] who is at risk of child sexual exploitation. Whilst at the Woodman Inn [REDACTED] said [REDACTED] 15 year friend and [REDACTED] consumed alcohol

Whilst at the Woodman Inn [REDACTED] believed [REDACTED] was "spiked" with a drug, which later contributed to [REDACTED] being placed in a vulnerable position and sexually assaulted.

During the interview, [REDACTED] confirmed that the Woodman Inn is where all the underage children attend because they know they will be served alcohol.

I can confirm that I was present during the video interview and this is a true account of what the [REDACTED] said during the recorded police video interview.

The children involved are vulnerable so I am not able to provide any further details

Signature:
MGII

Signature witnessed by
OFFICIAL SENSITIVE (when complete)

(Revised 12.11.2020)

WEST YORKSHIRE POLICE
OFFICIAL (when complete)

WITNESS STATEMENT

(Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B;
Criminal Procedure Rules, Rule 16.2)

NICHE Ref. No:

13210014985

URN:

Statement of: PC 4528 NICOLAE NEGOITA

Date of birth: Over 18

Occupation: Police Officer

This statement (consisting of: 1 page(s) 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.

Signature: N.Negoita

Date: 11/01/2021

Time and date statement taken: 14:00 hrs on the 11/01/2021

Check box if witness evidence is visually recorded [3 (supply witness details on rear)

I am a Police officer and I work for West Yorkshire Police.

On Sunday 10th January 2021 I was working in full Police uniform as call sign XJ5, operation Jemlock, in company of APS 6681 HOLLOWAY and pc 204 SATTAR. I was wearing BWV camera ref: 231030.

At 15:00 hours on Sunday 10th January 2021 we were dispatched to attend an address on Hartley Street in Dewsbury, at a pub named GOODMAN INN, where there were reports of a lock-in with alcohol being served and a group of people watching a Leeds Football game.

We attended the address around 15:15 hour and observed the pub mentioned above had in the parking lot about 7-8 vehicles parked in bays.

We knocked the front door but there was no answer, and when I went to the rear door the door was opened by a [REDACTED], [REDACTED] of the landlord, whom I now know to be [REDACTED].

We entered the main room of the pub and I noticed that in there were 11 people present, including the Landlord [REDACTED]. Some of the people present were serving beer, they were all watching a Football game on the tv and they were not observing any social distancing. No one present was wearing a mask or any other forms of personal protective equipment, including the landlord.

At 15:19 on Sunday 10th January 2021 hours I have formally cautioned [REDACTED] and informed [REDACTED] [REDACTED] is going to be reported for summons for breaching Coronavirus restrictions during a national lockdown. All the other people present were given warnings by PC 204 SATTAR.

We then required all the people that were not living at the address to leave the premises and the only people left were [REDACTED], [REDACTED] and their three [REDACTED].

I exhibit my BWV camera footage as NCN/I.

Signature: N.Negoita

Signature witnessed by:

PROTECT

Licensing Dept

WEST YORKSHIRE Flint Street Depot
Flint Street

POLICE Huddersfild

Tel. • 01484 221000
Email: Licensing@kirklees.gov.uk

[REDACTED]

Woodman Inn
6 Hartley Street
Dewsbury
WF13 2BJ

1 8th February 2020

Dear [REDACTED]

WOODMAN INN 6 HARLEY STREET DEWSBURY WF13 2BJ

On Tuesday 18th February 2020 you attended at Kirklees Licensing, Flint Street, Huddersfield and held a meeting with myself, Richard Woodhead from West Yorkshire Police Licensing and Stephanie Mashiter who is Senior Licensing Officer for Kirklees Licensing.

At the meeting we discussed:

The assault on a 16yr old [REDACTED] on 21st November 2019.

The disorder outside the pub 24th December 2019.

The Licensing visit carried out by PC 4346 Jagger on 24th January 2020.

The following was agreed:

No under 18's will be allowed into the Premises after 19:30hrs.

All persons in Premises under the age of 21 must have with them valid identification, this being a passport, photocard provisional or full driving licence, military ID.

A member of staff will be on the door between 8pm and 11 pm on a Friday night for the next 6 weeks, this being 21/2/20, 28/2/20, 06/03/20, 13/03/20, 20/03/20, 27/03/20. This member of staff must be firm and not allow any person entrance to the Premises if they are Under 21 and have no fom of identification.

Further Licensing visits will be carried out and if it is found the above agreed actions are not being adhered to then the next course of action will be an alcohol ljcence hearing.

[REDACTED]

PC 4346 Katie Jagger

Kirklees Licensing Officer - West Yorkshire
Police Mb [REDACTED]

PROTECT

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12 February 2021

To Whom It May Concern

Character Reference – [REDACTED]

[REDACTED] and [REDACTED] partner [REDACTED] took over the running of the Woodman Inn, 6 Hartley Street, Batley Carr when Tadcaster Pub Company purchased the pub in March 2004 and have continued to run it as a family business ever since.

[REDACTED] has been one of the most conscientious operators I have had the pleasure to deal with in nearly 30 years in this industry. The Woodman Inn is located in a potentially difficult area, and [REDACTED] has run the pub consistently and successfully and without incident until recently. This is in itself a testament to [REDACTED]'s diligence and commitment to running a quality establishment.

[REDACTED] has taken an immense personal pride in the success of the pub and its standing in the community, going above and beyond most licensees I have met. [REDACTED] has proved a reliable and dependable operator and I would not hesitate to work with [REDACTED] in the future.

Yours faithfully

[REDACTED]

Managing Director

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Fwd: FW: reference for [REDACTED]



To Rox Javaid

[Reply](#) [Reply All](#) [Forward](#) [More](#)

Thu 11/02/2021 17:

To whom it may concern,

I have known [REDACTED] for twenty years, as a parent, colleague and landlord. I taught [REDACTED] three [REDACTED] at St John Fisher Catholic High School, [REDACTED] was always involved and very supportive of their educational progress. [REDACTED] also volunteered to coach a number of our junior Rugby teams, [REDACTED] soon developed a positive rapport with the boys who benefitted from [REDACTED] knowledge and experience and were successful in their various competitions. Along with a group of friends I frequented the Woodman Inn where [REDACTED] was the [REDACTED] for a weekly drink after football. We were always welcomed with a smile, as were the other customers. There was always a very positive ambience in the pub, with visits from other pubs in the local pool competition in addition to the regular customers.

I have always found [REDACTED] to be honest, dependable and a role model for many. [REDACTED] communication, organisational and inter personal skills are excellent. I believe [REDACTED] to be an excellent [REDACTED] I would be willing to clarify any statements made in this reference if required.

[REDACTED]

Director of Sport (Retired)

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APPENDIX B

To whom it may concern

The Woodman Inn 6 Hartley Street, Dewsbury, West Yorkshire, WF13 2BJ

My name is Catherine Scott and I am a Kirklees ward Councillor for the Dewsbury East area. I write to you in respect of [REDACTED] [REDACTED] of the above address who has approached me for a character reference. [REDACTED] has also made me aware [REDACTED] will be attending a licensing hearing, and this will be used.

I have known [REDACTED] for over 25 years as a family friend and through our following of Rugby league and as the [REDACTED] of a pub.

[REDACTED] is a family [REDACTED] and always sees the best in people, supporting them to achieve their full potential. [REDACTED] is particularly highly respected in sporting arena and across the community, were

[REDACTED] is a hardworking and a valued member of the community. I have always found [REDACTED] to be a responsible and trustworthy person who is often found at the forefront of leading fund raising to support individuals or the community.

When [REDACTED] approached me to write this character reference I did not hesitate.


If you would like me to confirm any of the above, please do not hesitate to contact me on [REDACTED]

Yours sincerely

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PREMISES LICENCE Licensing Act 2003	Licence number: PR(A)0656	APPENDIX C Online Reference number: PR(A)0656
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THIS LICENCE IS ISSUED BY

	<p>LICENSING Flint Street Depot Flint Street Fartown Huddersfield HD1 6LG</p> <p>Tel: 01484 456868 Email: licensing@kirklees.gov.uk</p>
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POSTAL ADDRESS OF PREMISES

Woodman Inn 6 Hartley Street Dewsbury WF13 2BJ

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Sale of Alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Sale of Alcohol	
Day(s)	From - To
Monday to Sunday	11:00 - 00:00
Non-Standard Timings	
An additional hour is required on the Friday, Saturday, Sunday and Monday of Bank Holiday weekends and Christmas Eve.	

THE OPENING HOURS OF THE PREMISES

DAY(S)	FROM	TO
Monday to Sunday	00:00	23:59

NON STANDARD TIMINGS FOR OPENING HOURS (IF ANY)

--

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

Alcohol is supplied for consumption both on and off the Premises

NAME (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF THE PREMISES LICENCE HOLDER

Tadcaster Pub Company Ltd
Commer House Station Road Tadcaster North Yorkshire LS24 9JF

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

Tadcaster Pub Company Ltd

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

[REDACTED]

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

PERSONAL LICENCE NUMBER:
LICENSING AUTHORITY:

[REDACTED]

ANNEXES**ANNEX 1 – MANDATORY CONDITIONS**

1. No supply of alcohol may be made under the premises 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.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) 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.
 - (2) 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—
 - (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 to the 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 glamorise 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).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) 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.
 - (2) 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.
 - (3) 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.

6. 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—

- (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.

7. 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 this condition -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(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" means value added tax charged in accordance with the Value Added Tax Act 1994.

8. Where the permitted price would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

9. (1) Sub-paragraph (2) applies where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

If the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of

children must be restricted in accordance with any recommendation by that body.

3. Where:

- (a) The film classification body is not specified in the licence, or
- (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section "children" means any person aged under 18; and "film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984 (c39) (authority to determine suitability of video works for classification).

ANNEX 2 – CONDITIONS CONSISTANT WITH THE OPERATING SCHEDULE

Alcohol shall not be sold or supplied except during permitted hours as shown on the licence.

The stated hours for the sale of alcohol do not prohibit:

- (a) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) 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;
- (e) the taking of alcohol from the premises by a person residing there; or
- (f) 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
- (g) 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.

General:

Those specified within the application.

Environmental Health Conditions:

Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment emanating from inside the premises shall be controlled so as to be inaudible inside any noise-sensitive location in the vicinity of the Woodman Inn, 6 Hartley Street, Dewsbury.

To enable the applicant to check whether this condition is being met, suitable monitoring position(s) may be agreed with the Responsible Authority. To comply with the condition, noise from the premises shall not be audible at this point.

Informative Note:

Licensees are advised to carry out a simple "sound check" outside the nearest noise sensitive property by listening to the music etc. coming from regulated entertainment. If the music etc. is clearly audible then it is likely that this condition is being breached. Therefore steps should be taken to reduce the volume of the noise.

In case of dispute, the applicant can verify inaudibility by demonstrating
zero increase in the LAeq, 1 min (music playing) over the background LA90 (music off) and
zero increase in the L10, T VS L90, T exceedence in each 1/3 octave band between 40Hz and 160Hz.

Clear and conspicuous notices shall be displayed at all entrances, exits and in outdoor areas (e.g. beer gardens) requesting patrons to respect the needs of the local residents and to leave the premises and area quietly. All staff shall be trained in ensuring the quiet dispersal of patrons.

All external doors and windows to the room/s where regulated entertainment is provided shall remain closed (other than for normal access and egress) during the course of the entertainment.

Fire Conditions:

The premises licence holder is to liaise with West Yorkshire Fire Service to confirm that sufficient fire precaution measures exist in the premises, to ensure that the safety of the public is not compromised.

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

ANNEX 4 – PLANS OF PREMISE

As outlined in the operating schedule and attached plan

Date Granted: 27 August 2005

Date Commences/Varied: 24 November 2005



Head of Public Protection Service

PREMISES LICENCE SUMMARY

Licensing Act 2003

PR(A)0656**THIS LICENCE IS ISSUED BY**

LICENSING
 Flint Street Depot
 Flint Street
 Fartown
 Huddersfield
 HD1 6LG

Tel: 01484 456868
 Email: licensing@kirklees.gov.uk

POSTAL ADDRESS OF PREMISES**Woodman Inn**

Woodman Inn
 6 Hartley Street
 Dewsbury
 WF13 2BJ

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Sale of Alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**Sale of Alcohol**

Day(s)	From - To
11:00 - 00:00	

Non-Standard Timings

An additional hour is required on the Friday, Saturday, Sunday and Monday of Bank Holiday weekends and Christmas Eve.

THE OPENING HOURS OF THE PREMISES

DAY(S)	FROM	TO
Monday to Sunday	00:00	23:59

NON STANDARD TIMINGS FOR OPENING HOURS (IF ANY)**WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES**

Alcohol is supplied for consumption both on and off the Premises

--

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE
Tadcaster Pub Company Ltd Commer House Station Road Tadcaster North Yorkshire LS24 9JF
REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)
Tadcaster Pub Company Ltd
NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL
████████████████████
STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED
As per Licensing Act 2003

Any conditions applicable to these premises are attached to the licence

Date Granted: 27 August 2005

Date Commences/Varied: 24 November 2005



Head of Public Protection Service

182 LICENSING ACT SECRETARY OF STATE GUIDANCE

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.

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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.

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Ensuring safe departure of those using the premises

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.

Maintenance and repair

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.

Safe capacities

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

1 S 177 of the 2003 Act now only applies to performances of dance.

Revised Guidance issued under section 182 of the Licensing Act 2003 I 9 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.

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 Revised Guidance issued under section 182 of the Licensing Act 2003 I 11 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); and
- 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

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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.

Offences relating to the sale and supply of alcohol to children

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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Table of relevant offences under the 2003 Act

Section Offence Prosecuting Authority

Section 145 Unaccompanied children prohibited from certain premises

Police and/or Licensing Authority

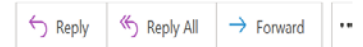
Section 146 Sale of alcohol to children Police, Licensing Authority and/or Local Weights and Measures

Authority

Section 147 Allowing the sale of alcohol to children Police, Licensing Authority

APPENDIX E

FW: WK202101598 - FW: Woodman licence review. [OFFICIAL]



Fri 29/01/2021 12:

From: Jenny Dineen <[REDACTED]>
Sent: 28 January 2021 17:59
To: Licensing <Licensing@kirklees.gov.uk>
Cc: Andrew Robinson <[REDACTED]>
Subject: FW: WK202101598 - FW: Woodman licence review. [OFFICIAL]

OFFICIAL - SENSITIVE

Good evening. My comments are as follows:

National restrictions were imposed to protect public health by preventing further spread of coronavirus among the general population. The vast majority of businesses are compliant in this regard.

The Kirklees district continues to have high levels of Coronavirus and there are also significant concerns that due to the apparent increased transmissibility of the new variant of Coronavirus, there is even greater risk of transmission of the virus.

Evidence provided by the Police, found that this business was operating, contrary to these restrictions and hence a £1000 fixed penalty notice was served on the licensee for carrying on the business contrary to the restrictions in place at the time. This shows a blatant disregard for public safety by the licensee.

Kind regards

Jenny

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Environmental Health
Flint Street
Fartown
Huddersfield
HD1 6LG
Tel: 01484 221000
Website: www.kirklees.gov.uk
E-mail address:
Covid-Secure.Enquiries@kirklees.gov.uk

Our Ref: Coronavirus
If calling, please ask for: Environmental Health

Date: 3rd November 2020

Woodman Inn
6 Hartley Street
Dewsbury
WF13 2BJ

Dear [REDACTED],

The Health Protection (Coronavirus, Restrictions) (England) (No.3) Regulations 2020 (As Amended)
WOODMAN INN, 6 HARTLEY STREET, DEWSBURY, WF13 2BJ

I write further to my visit to the above-mentioned premises on Friday the 30th October 2020 at approximately 21.00. The purpose of the visit was to assess compliance with legislation and government guidance regarding preventing the spread of coronavirus. I believe you have failed to implement suitable and sufficient controls in line with the latest government public safety guidance for operating your business safely during the Coronavirus pandemic. The relevant guidance for your business is "Keeping workers and customers safe during COVID-19 in restaurants, pubs, bars and takeaway services". This can be found at www.gov.uk. You should also be familiar with additional guidance that relates to additional restrictions in the north of England, which affects the whole of Kirklees. In particular, the following caused me concern:

- The system for recording customer details was not being implemented successfully.
- Customers were free to enter the premises and approached the bar without wearing a face covering.
- Customers were moving around the premises without a face covering
- Groups of customers from different households were socially sat together.
- Customers were stood at the bar with drinks
- Customers were socially interacting with other tables and this was not being challenged by your staff.
- Music was playing at a volume that necessitated the raising of voices

Please turn over...

-2-

Having sought guidance from the Director of Public Health in Kirklees, I am now of the opinion that the lack of controls demonstrated constitutes a serious and imminent threat to public health. As such a Direction by this authority, imposing requirements, restrictions or possibly prohibition on your business activities may be imposed.

The guidance referenced below should be followed, to ensure the safe operation of your business and, the following controls should be implemented immediately:

- One member of every party must be asked to provide their name and contact details to the business for test and trace purposes. These details must also include the time of entry and be kept secure for 21 days.
- Customers must be asked to wear a face covering when not seated.
- Customers from different households must not be seated together or be socially interacting with each other
- Table service only must be implemented immediately. Customers must not be served at or stood at the bar drinking
- Music must only be played at an ambient background level and not be over 85db at source

Following the Government announcement of a National lockdown, your hospitality business will be required to close on 5 November 2020. Following the successful completion of this planned National lockdown and after confirmation that your hospitality business can reopen, if you are found to be operating unsafely and against all Covid secure guidance this Authority will serve a Direction to close your business.

The Direction that would be imposed would be necessary to prevent, protect against, control or provide a public health response to the incidence or spread of coronavirus in the Kirklees area.


Should you require any further support or guidance, or wish to make any representation as to the imposition of a Direction by this authority, or to detail any action you are taking to mitigate the serious and imminent threat to public health, you should do so without any delay by contacting the Environmental Health Team using the contact details above.

If you need any further advice over this matter, please feel free to contact me.

Yours sincerely

Leon Oates
Technical Officer

FW: WK202101598 - FW: Woodman licence review. [OFFICIAL]

 Licensing
To Rox Javaid

 Reply  Reply All 

 [Redacted] .docx
.docx File

From: Andrew Robinson
Sent: 20 January 2021 14:54
To: Licensing <Licensing@kirklees.gov.uk>; Lisa Gray [Redacted]
Cc: Matt Roberts [Redacted]
Subject: RE: WK202101598 - FW: Woodman licence review. [OFFICIAL]

OFFICIAL - SENSITIVE

Dear Licensing,

I refer to the review raised by the police. I would like to add the following comments to contribute to the review.

During the Covid pandemic Kirklees Council has made a series of Covid Compliance visit to ensure that licensed premises were operating in line with the government guidance at that point.

On 30 October 2020 officers visited the Woodman Inn, 6 Hartley Street, Dewsbury, WF13 2BJ. During the visit it was observed :

- The system for recording customer details was not being implemented successfully.
- Customers were free to enter the premises and approached the bar without wearing a face covering.
- Customers were moving around the premises without a face covering
- Groups of customers from different households were socially sat together.
- Customers were stood at the bar with drinks
- Customers were socially interacting with other tables and this was not being challenged by your staff.
- Music was playing at a volume that necessitated the raising of voices

It was noted that the attitude of the dps was that they are closing anyway so did not seem to care about the rules in place. The above visit led to a written warning about being served with a Direction to Close if they did not improve on all points listed above. No further visits have been made by the council at this point.

Regards

Andrew Robinson
Senior Technical Officer

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