

Public Document Pack



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

Julie Muscroft

The Democracy Service

Civic Centre 3

High Street

Huddersfield

HD1 2TG

Tel: 01484 221000

Please ask for: Jenny Bryce-Chan

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

Friday 27 November 2020

Notice of Meeting

Dear Member

Licensing Panel

The **Licensing Panel** will hold a **Virtual Meeting - online** at **10.00 am** on **Monday 7 December 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 Paola Antonia Davies

Councillor Terry Lyons

Agenda

Reports or Explanatory Notes Attached

Pages

1: Minutes of Previous Meeting

1 - 2

To approve the Minutes of the meeting of the Panel held on 19th November 2020

2: Interests

3 - 4

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

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 jenny.bryce-chan@kirklees.gov.uk

no later than 5pm on Tuesday 3 December 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.

6: Application for the Grant of a Premises Licence: Northern Sole, 39 Bridge Street, Slaithwaite, Huddersfield, HD7 5JN 5 - 58

To determine the application at 10:00am.

Contact: Jordan Barrett, Licensing Officer, Licensing Service Tel: 01484 221000

7: Application for the Grant of a Premises Licence: Unit 1C The Galleries, Bradford Road, Dewsbury, WF13 1HD 59 - 114

To determine the application at 11:00am.

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

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

LICENSING PANEL

Thursday 19th November 2020

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

In attendance: David Stickley, Senior Legal Officer
Jordan Barrett, Licensing Officer
Laura Dobson, Senior Licensing Officer
Russell Williams, Operational Manager, Public Protection

1 Minutes of Previous Meeting

That the minutes of the meeting held on the 27 October 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 Questions by members of the Public (Written Questions)

No written questions were received.

5 Deputations/Petitions

No deputations or petitions 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, 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 Limited. The licensable activities applied for by the applicant was as follows; the supply of alcohol for consumption on and off the premises, 7 days a week from 08:00hrs to 23:00hrs.

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 - 19 November 2020

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

The Panel determined that before it can reach a decision on the application, a site visit would be necessary. All parties agreed that a site visit would be beneficial. The Panel therefore deferred the application until the 7 December in order for a site visit to be undertaken.

RESOLVED

That consideration of the application be deferred until the 7 December 2020, following a site visit.

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

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

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

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

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

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

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

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

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

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

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

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

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

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

Name of meeting: Licensing Panel

Date: Thursday 19th November 2020

Title of report: Licensing Act 2003 – Application for the Grant of a Premises Licence: Northern Sole, 39 Bridge Street, Slaithwaite, Huddersfield, HD7 5JN

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 <u>Strategic Director</u> & name	Russell Williams
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 consulted: 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

The purpose of this report is to inform Members of an application for the grant of a premises license, which as a result of representations received, has been referred to this Panel for determination.

2 Information required to take a decision

2.1 Application

2.1.1 On 25th September 2020 the Licensing department received an application for the grant of a premises licence for Northern Sole Limited. The application was made on behalf of the company by Mr Carl Awty. A copy of this application may be seen at **Appendix A**.

2.1.2 The licensable activities applied for by the applicant are as follows;

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

2.1.3 In total, 8 representation from residents have been received relating to this application. The representations consider that the following licensing objectives would not be met should this licence be granted:

- Public Nuisance
- Prevention of Crime and Disorder

A copy of the representations may be seen at **Appendix B**

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 C**.

3 Implications for the Council

3.1 Working with People

Residents of Kirklees need to be confident that under the Licensing Act 2003 licence holders under the Licensing Act 2003 are in a position to uphold the four licensing objectives. The committee is required to take appropriate and necessary action against licence holders where they fall short of their duties under the Licensing Act 2003. This will support both the licensing objectives and support the corporate outcomes of citizens in Kirklees living in cohesive communities, feeling safe and protected from harm.

3.2 Working with Partners

The Council's licensing team work closely with partnering agencies, named 'Responsible Authorities' under the Licensing Act 2003. Responsible authorities 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, will 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 application Members, having had regard to the representation, may take such steps as they consider appropriate for the promotion of the licensing objectives. The steps are

- grant the application,
- grant the application with the appropriate conditions,
- exclude from the scope of the licence any of the licensable activities which relate to this application, or
- reject the application

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

Jordan Barrett, Licensing Officer, Licensing Service
Tel: 01484 221000 ext. 71665
Email: Jordan.barrett@kirklees.gov.uk

9 Background Papers and History of Decisions

9.1 Appendix A – Application for the Grant of a Premise Licence from Northern Sole Limited

9.2 Appendix B – Representation from the local residents

9.3 Appendix C – Relevant sections of Secretary of State Guidance – Section 182 of Licensing Act 2003

10 Service Director responsible

Sue Procter

Service Director – Environment

Tel: 01484 221000

Email: sue.procter@kirklees.gov.uk

This page is intentionally left blank

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Northern Sole Café Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description 39 Bridge Street Slaithwaite			
Post town	Huddersfield	Postcode	HD7 5JN
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£5900	

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)


Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth I am 18 years old or over <input type="checkbox"/> Please tick yes					
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service: (please see note 15 for information)					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Northern Sole Café Limited
Address 
Registered number (where applicable) 12724993
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company (C Awty sole director)

Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
0 9	1 1	20 2 0

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

DD	MM	YYYY

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

A delightfully situated and popular café serving principally food with hot, cold and alcoholic drinks. Approximately 30 covers on a single, split level floor with entrance and exit to the front (canal towpath) and back (Bridge St). In addition, a joining outside patio area with approximately 30 covers where the same menu will be served which connects to the main building through a 3rd entrance at the side of the building. Service in the patio will be largely table service.

The premises have been used as a serving café (unlicensed) for many years (as Lock 22 Ltd) until mid-2020. We have recently agreed to take on the premises as ‘going concern’ and intend to rebrand as Northern Sole Café and apply for an alcohol and ents licence

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

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)

h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A –

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 5) None		
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6) None		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	09.00	23.00	<u>Please give further details here</u> (please read guidance note 4) Occasional showings of cult/Indie films to interested audiences stand alone or part of a wider arts festival type event.		
Tue	09.00	23.00			
Wed	09.00	23.00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	09.00	23.00			
Fri	09.00	23.00	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	09.00	23.00			
Sun	09.00	23.00			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	09.00	23.00			
Tue	09.00	23.00			
Wed	09.00	23.00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	09.00	23.00			
Fri	09.00	23.00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	09.00	23.00			
Sun	09.00	23.00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	08.00	23.00	<u>Please give further details here</u> (please read guidance note 4) Music will be streamed in the premises and adjoining patio where appropriate and within licenced hours		
Tue	08.00	23.00			
Wed	08.00	23.00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	08.00	23.00			
Fri	08.00	23.00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	08.00	23.00			
Sun	08.00	23.00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8) Alcohol to be served for consumption in the premises and in the adjoining patio/beer garden and some off sales when requested.	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	08.00	23.00			
Tue	08.00	23.00			
Wed	08.00	23.00			
Thur	08.00	23.00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	08.00	23.00			
Sat	08.00	23.00			
Sun	08.00	23.00			

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

Name [REDACTED]	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

1. 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.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	Xmas Eve until 24.00 New Years Eve until 02.00
Mon	07.30	23.30	
Tue	07.30	23.30	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Wed	07.30	23.30	
Thur	07.30	23.30	
Fri	07.30	23.30	
Sat	07.30	23.30	
Sun	07.30	23.30	

M

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

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

1. All staff will be provided with training in relation to the licensing objectives that are commensurate with their duties. This will include the individual's responsibilities, age verification and licensing offences, as appropriate. Details of the training will be recorded in a Due Diligence Folder and will be refreshed at regular intervals.
2. We will offer to meet with local residents on a regular basis to discuss and continually review the promotion of the licensing objectives

b) The prevention of crime and disorder

1. We will install Video/CCTV equipment inside/outside the premises and ensure that it is maintained in working order. I will set Video/CCTV equipment to record from the time that the premises are open to the public until the premises close and all members of the public have left. We will ensure recordings are kept for at least 28 days and are produced to an authorized officer on demand. CCTV will be signed inside and outside the premises.
2. Regular glass collections
3. Patio furniture will be secured to the floor
4. Taxi booking service provided
5. No customers will be permitted to leave with open bottles or glasses. Any person who refuses to leave the area, or is identified as causing antisocial behaviour, will be subject to a ban from the premises. A record of banned individuals shall be maintained in the premises in the Due Diligence Folder and all staff made aware of the persons who are currently banned so that entry may be refused. This record shall be kept available for inspection while the premises are open for trading.
6. Consumption of alcohol will be restricted to the outside patio and inside ground floor
7. We will participate in any local pubwatch or nightsafe schemes that are in place in the area

c) Public safety

1. Escape routes, gangways and exits will be clearly signed, free from obstruction and in good order
2. Full compliance with WYF&RS requirements
3. I will ensure sufficient lighting is in place outside the premises during the times when licensing activities will take place
4. Access for emergency vehicles will be kept clear from obstruction and disabled access is maintained including plans for safe evacuation in the event of an emergency
5. Fencing and gates separating the patio area with the canal towpath shall be kept in good working order. Customers will be requested to remain within the perimeter of the licensed premises and removed should they not comply

d) The prevention of public nuisance

1. Signage in place asking people to leave quietly
2. Exit and entrance to the residential rear of the building (Bridge Street Entrance) will not be in use from 22.00 at the latest. After this time, patrons will be asked to leave via the front entrance (Canal Towpath). An appropriate sign will be placed on the door
3. We will make sure that during the final hour of opening the music is discernibly quieter. make regular sound checks inside & outside of the premises, position speakers away from residential areas – checks will be logged in the Due Diligence Folder
3. Amplified music in the outside areas will be discernibly quieter than inside
4. We will provide adequate and suitable (lidded) receptacles to receive and store refuse from the premises/site and I will ensure that glass and rubbish collections from the site to the bins are performed quietly and sympathetically

e) The protection of children from harm

1. A Challenge 25 scheme will be adopted in compliance with the age verification condition: Customers who appear be under 25 years of age will be required to prove their age when purchasing alcohol. Suitable forms of identification will be a passport, 'Pass' card or other identification recognized by the licensing authority in its statement of licensing policy.
2. Where any activity performed on the premises is age specific e.g. Certificate films, age restricted live performances, strict procedures will be in place to prevent children attending these events

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE

SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	
Capacity	

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Personal Data

We have recently updated our Privacy Notice about how we use personal data provided to the Council. Further information can be found at:
<http://www.kirklees.gov.uk/beta/information-and-data/pdf/privacy-notice-licensing-gambling-act.pdf>

Licensing Department, Flint Street Depot, Flint Street, Huddersfield HD1 6LG

Notes for Guidance

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

- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.

- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when**

produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport, evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

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

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

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

have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.


In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

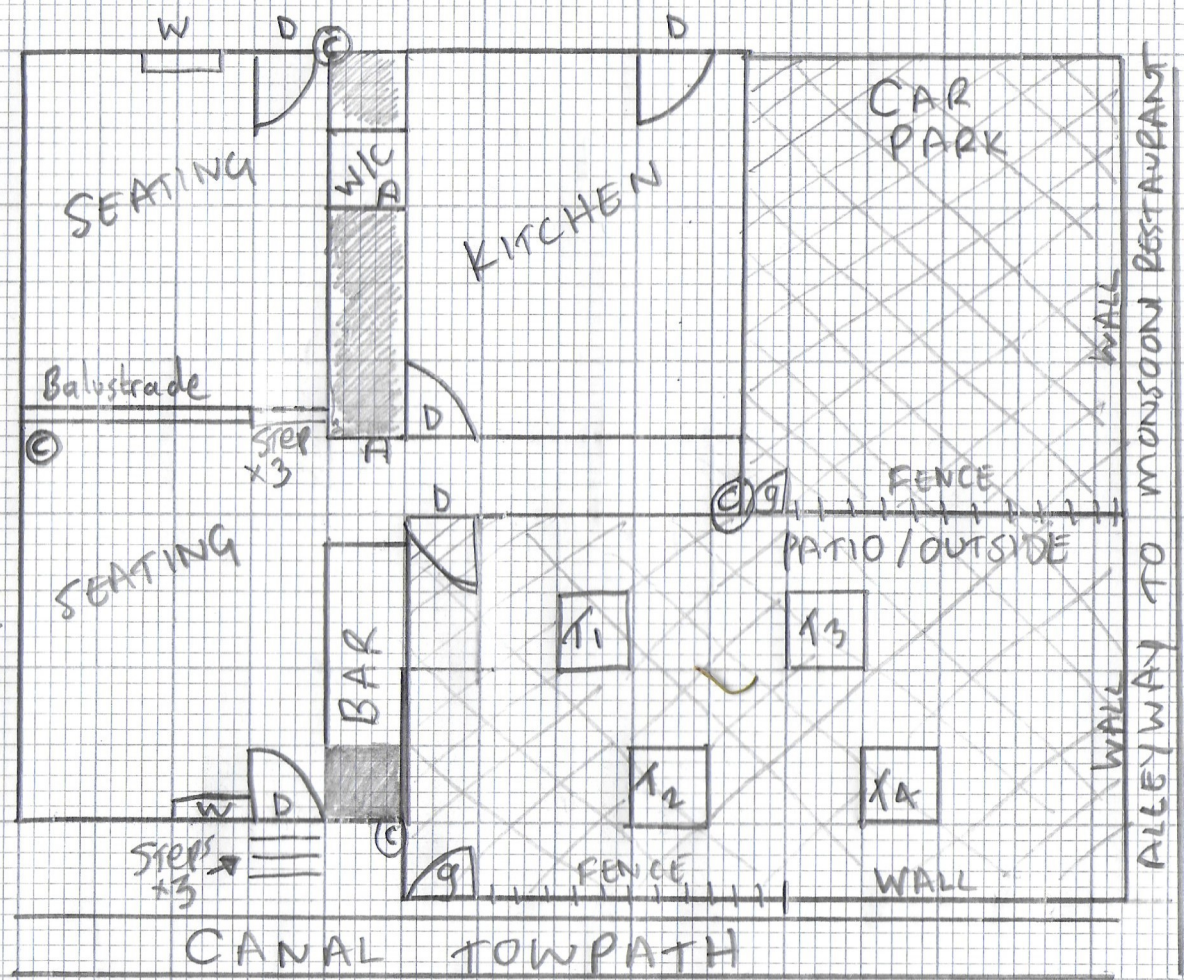
An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

This page is intentionally left blank

BRIDGE STREET

39 BRIDGE STREET
SLAITHAWATE
HD9 5JN
FLOOR PLAN

- D = DOOR ACCESS
+ EGRESS
- G = GATE
- T = OUTSIDE
FIXED TABLE
-  = OUTSIDE
- A = LOCKED ACCESS
TO BASEMENT
OR ATTIC
- © = CCTV



- NOTES:
- ① ALL INDOOR SEATING REMOVABLE
 - ② DOOR ON TO BRIDGE STREET WHEELCHAIR ACCESS
 - ③ CAR PARK NOT TO BE USED BY PUBLIC. STAFF ONLY
 - ④ ALL LICENSIBLE ALCOHOL ON ONE FLOOR INSIDE + OUT

SCALE 1cm : 100cm

NORTHERN SOLE CAFE LTD
Carl. awty@outlook.com

This page is intentionally left blank

From: [REDACTED]
Sent: 18 October 2020 19:43
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Objection to ALL licensing at 39 Bridge Street, HD7 5JN (Northern Sole Cafe Limited)

Hello,

I hope this reaches you safe and well in these unsettling times. I wanted to get in touch as I am the owner of [REDACTED], and I have just been informed there has been a licensing application submitted for Lock 22 (still known as), 39, Bridge Street, Slaithwaite, Huddersfield, HD7 5JN for the **Sale of alcohol on the premises / sale of alcohol off the premises / provision of regulated entertainment between the hours of 0800 and 2300 Monday to Sundays.**

Please take this as formal representation and objection to this application.

Lock 22 is approx. [REDACTED]. I have reviewed the licence application and I firstly wanted to point out the number of local residents there are in the area. There are multiple residents and there is no need for any further alcohol drinking premises in the immediate area. There are numerous bars and pubs where people can go if they so desire.

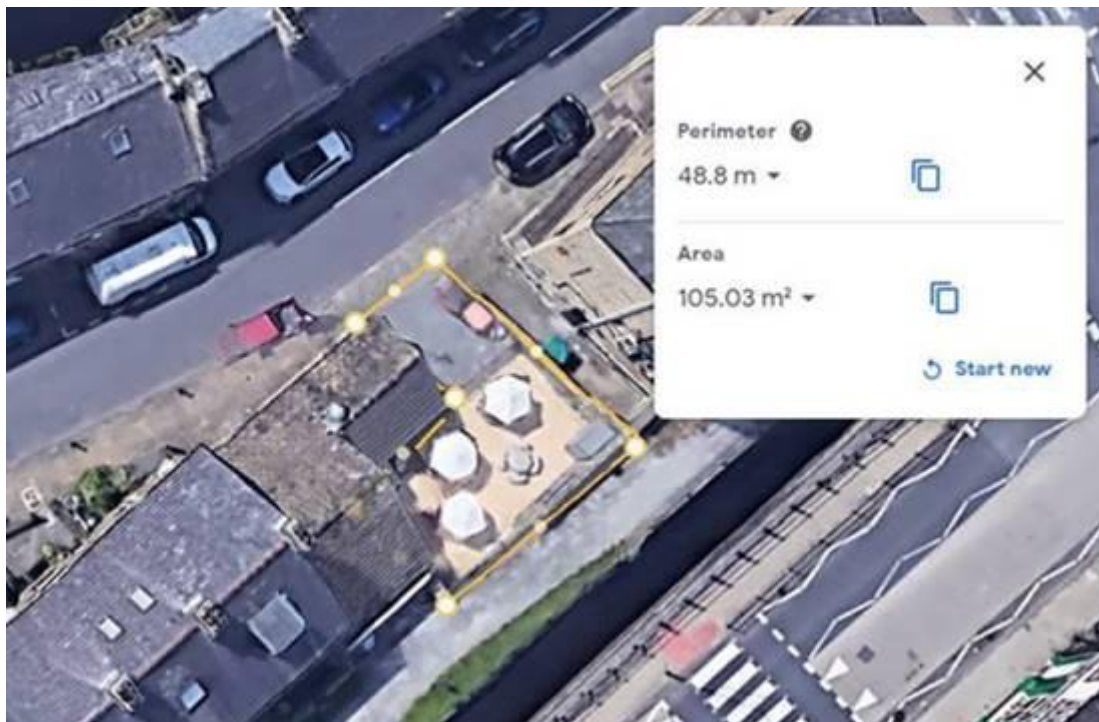


I really do like to encourage businesses to thrive in Slaithwaite and I am not against the sale of alcohol **inside** the premises during reasonable working hours 1400-2100 or something, in the same fashion as the Monsoon Restaurant, over the road, however the **sale of alcohol outside** the premises and also “**provision of regulated** entertainment” until 11pm is **completely unreasonable** for the **local residents** to the café. Monsoon is a very profitable business that has been there for years and never had any problems apart from the usual things like bins etc... Bridge Street is a quiet residential street in the heart of the village and needs to stay so.

I am very concerned as the situation is much more complex than initially envisaged and the following information will hopefully shed some light on why.

The fact that a café wants to apply for sale of alcohol license both **inside and outside** and also have **entertainment** is very unusual for a café in a beautiful village like Slaithwaite. **Why does just a simple café want entertainment and outside drinking!? Is it a Pub or something?** The most obvious reason for this is to attract the “ale trail” masses to this non-public house establishment and turn the premises into a destination on the very popular drinking day out excursion.

To set the scene and as you can see above and below google earth images, the top end of Bridge Street is a quiet residential area tucked away from the main bustling streets of Carr Lane and Britannia Road in the conservation area of Slaithwaite village with residential properties back directly onto the River Colne or the Huddersfield Narrow Canal making it a very peaceful and tranquil street in the heart of the village which is very unusual.





With addressing the need for another drinking establishment in the immediate vicinity of the area I would like to point out there is already 3 other large A4 premises in the immediate vicinity of Lock 22 **which are not surrounded by residential properties**. There is already plenty of choice for people that come to Slaithwaite (mainly from the Railway “ale trail” which happens all day, each Saturday especially in the Summer)

At Lock 22, the use of the outside space (105m²) is one of my main concerns. This size of this is over half the total area of the premise and if you looked at capacity of people you can fit in to this space (West Yorkshire fire brigade occupancy calculations attached) there is potential for hundreds of people visiting Lock 22 which will generate lots of noise all day and bring with it antisocial behaviour which is well documented in the papers. Lock 22 is also right next to the busy canal towpath (which is National Cycle Network Route 66) and the Canal itself. With many “merry” visitors during the day, this also poses quite a large health and safety issue as well.

Their proposals for drinking in the outside space and with this additional capacity it is clear to see their sneaky plans in their application. Its plain to see and due to the close proximity of residential properties, this licensing application is completely unacceptable and will imposed an unnecessary level of additional noise and antisocial behaviour on the local community.

[REDACTED]

The increase in noise will definitely be unacceptable when any windows are open and probably also when closed.

The proposed “bar” will increase noise and spread antisocial behaviour onto a residential street and will further exacerbate the drinking Ale Trail culture developing in Slaithwaite. I’m all for bringing business to Slaithwaite, but the antisocial behaviour associated with this drinking culture needs to be contained and there are plenty of existing establishments in the area currently. See attached an old, but relevant article from a local paper.

<https://www.examinerlive.co.uk/news/west-yorkshire-news/aboard-rail-ale-trail-reporter-4946362>

We do not need to give any more people excuses to drink in Slaithwaite. Please consider this.

Lock 22 as a café, is serviced regularly by the local community including myself and is a financially viable business as it is. If there are claims this is not the case, the business is being mis managed.

Additionally, I very much doubt they are **not going to provide any additional parking** for the additional customers on top of the current allocated parking for customers – nil. See below. This is surely unacceptable if they are increasing potential footfall in an already busy residential street. This poses a problem for local residents who want to park on their own street as any visiting customers will park on Bridge St (as the canal is the other side) and therefore take up what little parking there already is. This is also unacceptable.



As the owner of [REDACTED] I am seriously concerned about this proposed license in its entirety. It is a residential street not a high street, that is over the canal where there are no residents. Please let the local residents have their voices heard.

I hope on reviewing all the information that I have supplied in this email, it will be clear that what is being proposed is complete untenable and unsuitable for the situation.

Thank you in advance for your understanding in this matter and I look forward to hearing from you.

Regards

[REDACTED]

From: [REDACTED]
Sent: 06 October 2020 10:25
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Re: Objection to alcohol license timings Northern sole cafe, Slaithwaite

My objections are as follows:

1. Noise. Our house is [REDACTED] We absolutely welcome new food and drink retailers to the village and celebrate the ones that are already open but a proposed alcohol license from 8am to 11pm on a residential street seems a little much. We chose to move to the very center of the village and understand that noise is part and parcel of that. We can hear conversations word for word from customers exiting the Little Bridge most evenings and could pretty much sing along to Saturday night karaoke nights at The Commercial. Both of these are approximately [REDACTED] but we knew this when we moved here. However, the thought of this sort of noise [REDACTED] is pretty unbearable. I know permission was rejected previously for some building works and a license at this property and I note the response from [REDACTED] of the councils Environmental Health department, saying that her department has no objections providing 'The premises shall not be open outside the hours of 8.30 to 18.00 Monday to Saturday and 9.30 to 16.00 on Sunday
2. Anti-social behavior. Before the pandemic, we had a problem in Slaithwaite at weekends with the increased amount of people participating on the ale trail. Most weekends, our street would have incredibly drunk people walking up and down it, urinating on door-steps and vomiting on the pavement. I'd worry if we had another bar, open this late, that it would encourage even more of this type of behavior.
3. Parking. At the moment on Bridge street, we have such a lack of parking and it is already not fit for purpose. So much so, it's sometimes impossible to get a parking spot anywhere close to our house and I have to park on other streets. We are a busy street already with an Indian restaurant, a hairdressers, the Watershed, all the traffic from Shaw Timber, and Globe Mill. I worry that the increased opening hours would create even more issues with parking on this street.

I think it would have been nice for the applicant to consider the residents and apply for an earlier license. Would he like a bar open until 11pm [REDACTED] [REDACTED]? I would have no objections to an alcohol license in general and think 8pm closing would be a much more suitable time. I'd like to use this bar/restaurant myself and support this new business but I won't support anything over 8pm.

Thanks very much

[REDACTED]

This page is intentionally left blank

Hi Jordan.

Thanks very much for your response.

I really appreciate the applicant trying to work with us and our concerns. So please do pass that on. Unfortunately I just won't be supporting anything over 8.30pm on all evenings.

I think that's more than reasonable in a non-sound proofed building on a residential street.

My slight extra concern now is that I'm not sure if the application is a little disingenuous. I'm not sure what 'restaurant' in a small village needs an alcohol license until 11pm - if it is to be used solely as a restaurant, not a bar. I'm also not sure what restaurant needs a 'regulated entertainment' license. As far as I understand that's to play 'amplified' music - not something you require if you're just playing through average speakers. Please do tell me if I'm wrong. And I'd love to know more details from the applicant regarding the intended use.

I'm not sure if you know the building in question but it must be 100 years old at least. It has absolutely no sound-proofing (as far as I'm aware) and it just isn't designed to be a bar/restaurant. Unfortunately I won't be supporting this application over 8.30pm and I'm willing to take my chances that our local councillors will agree that it's not suitable for the application made.

Is it possible to let me know how many other objections there are please?

Thanks very much



On 15 Oct 2020, at 09:28, Jordan Barrett <Jordan.Barrett@kirklees.gov.uk> wrote:

Good Morning,

I am the Licensing Officer responsible for the Northern Sole Café application. I have spoken to the applicant regarding the concerns.

In regards to the hours applied for the applicant is happy to reduce these to:-

Sunday – Thursday 9am – 9:30pm (doors closed at 10pm, Bridge Street door closed at 9:30pm – the exit will be at the canal side)

Friday – Saturday 9am – 10pm (doors closed at 10:30pm, Bridge Street door closed at 9:30pm – the exit will be at the canal side)

The applicant has also said that the intention for the premises is to be a significantly and predominantly food based. He said he is applying to serve alcohol with a view to the majority of alcohol sales to be with food, however if customers would like to enjoy a drink without eating a substantial meal, he will offer this provided there is room, and that customers who are eating will take priority.

Could you let me know if this tackles the concerns you have regarding the premises. If it does and you are happy with what the applicant has put forward I will remove the objection. If you wish to stick to the objection, it will need to go to a hearing. This means the application is put to councillors and they will make the decision whether to grant/refuse or grant with conditions. If it is taken to a hearing there is a chance the councillors could grant the licence with the times applied for which was 11pm.

Kind Regards

Jordan Barrett | Licensing | Place – Investment & Regeneration |
Kirklees Council | Flint Street, Fartown, Huddersfield, HD1 6LG |
' 01484 221000 | '(Int) 71665 ✉ jordan.barrett@kirklees.gov.uk

This email and any attachments are confidential. If you have received it in error – 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]
Sent: 23 October 2020 12:33
To: Licensing <Licensing@kirklees.gov.uk>
Subject: change of planning permission objection

Dear Sir/ Madam

I am writing in response to a planning permission notice applying for a license to extend the opening hours and the selling of alcohol from the former Lock 22 Cafe.

As a resident of Bridge Street I am well aware of the levels of traffic and noise which we often experience. This can be extremely challenging for those of us living in the street which include families with young children, older people and people with disabilities.

I am not opposed to local businesses bringing visitors to the village - it is the 11pm opening and the selling of alcohol to that time which particularly concerns me. An 8pm closing time would be far more reasonable and acceptable. The cafe door opens directly onto Bridge Street and therefore only metres away from residential properties opposite.

Parking problems already occur in the street both throughout the day time and into the night , as visitors enjoy the many hospitality establishments the village has to offer including The Monsoon at the top of Bridge Street. Night time visitors to the proposed new cafe/bar would more than likely need to park along Bridge Street, outside residential properties. This practice is already carried out by visitors to other night time establishments. Many people already park on the pavement which is dangerous to pedestrians, especially wheelchair users and children in pushchairs and buggies.

Alongside parking issues, we often experience unacceptable levels of noise because of the Slaithwaite's night time economy and I am worried another establishment selling alcohol til 11 pm will only exacerbate an existing and escalating problem.

I look forward to your response to my concerns

[REDACTED]

This page is intentionally left blank

From: [REDACTED]
Sent: 26 October 2020 10:00
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Representation - 39 Bridge Street - Northern Sole Cafe Limited

Hi

I'd like to make a representation regarding the application for an alcohol licence for 39 Bridge Street in Slaithwaite.

I would like to state our objection to this licence. We live [REDACTED] and we believe that the sale of alcohol would have a hugely negative impact on our quality of living. It would create a triangle of bars, with The Commercial at one point, The Bridge at another and now the proposed Northern Soul Cafe. It is likely that customers would travel between the three, putting our house on a thoroughfare of potentially drunk and loud people. It is already disturbing enough having The Bridge to the left of us, but having another similar venue to our right would be intolerable. This would be made especially worse as the property has an outdoor section which would no doubt be used for seating and smoking. We already have issues with parking and traffic and the addition of a late night bar would only make this worse. We have previously objected to a similar licence a few months ago which was withdrawn. I'd like to suggest that this one be treated likewise.

many thanks

[REDACTED]

This page is intentionally left blank

Dear Licensing

[REDACTED]

We are concerned about traffic and parking: A change of use to a cafe bar with a licence enabling the selling of alcohol from 08.00 until 23.00pm, would inevitably increase traffic to an already extremely busy Bridge Street. Bridge street is used at all times by residents, local businesses including the hairdressers, Monsoon Restaurant, Shaw Pallets (large lorries), Cornfields Children's Nursery to name a few and parking is already at maximum capacity at certain times of the day. Wheelchair and pushchair users as well as regular pedestrians are often compromised because of pavement parking. We have yet to see the effects of the forthcoming Globe Mill but can only anticipate it will bring more traffic along Bridge Street.

[REDACTED]

We are concerned about noise levels: We feel the noise levels will increase in Bridge Street if a bar selling alcohol late into the evening were granted permissions. We are also concerned about anti social behaviour as Slaithwaite already has a problem dealing with the numbers of visitors accessing other pubs in the village. The balance of businesses and residents in the street is already tested and we are concerned that a night time license will tip the balance and reduce everyone's quality of life.

[REDACTED]

This page is intentionally left blank

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

23 October 2020

Licensing Office
Flint Street
Fartown
HD1 6LG

Comments on Licensing Application

For the sale of alcohol on and off the premises and regulated entertainment
between 08.00 and 23.00 Monday to Sunday
Northern Sole Cafe Ltd, 39 Bridge Street, Slaithwaite, Huddersfield, HD7 5JN

Dear Licensing

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Traffic and parking issues: A change of use to a cafe bar with a licence enabling the selling of alcohol from 08.00 until 23.00pm, would bring more traffic to Bridge Street at more times during the week and at weekends. Currently, Bridge Street is difficult to drive along

because of parked vehicles near Lock 22/proposed Northern Sole cafe and the Watershed. HGVs going to and from the local wood businesses further down Bridge Street are frequently unable to move because of poor/illegal parking. Pedestrian access along the street is also a daily problem with vehicles frequently parked on the pavement. The impending opening of the large Globe Mill development is likely to bring more traffic and parking issues to Bridge Street and Slaithwaite in general. Slaithwaite residents, shoppers, visitors and business owners frequently complain about current traffic and parking levels.

[REDACTED]

Noise and neighbourhood atmosphere: Change of use to a bar selling alcohol all day long will adversely affect the atmosphere in Bridge Street throughout the week. An additional bar in a small area that already has a pub - The Commercial, plus its new partner bar, Hideaway Craft House - a cafe bar, The Little Bridge and the Monsoon licensed restaurant, will alter the atmosphere on Bridge Street and will bring more noise, shouting, vehicle-related noise and behaviour that could be unpleasant, intimidating and unsafe for the Watershed users and for the Bridge Street residents. There will be an increase in evening and late night noise and anti-social behaviour which will adversely impact residents.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dear Madam/Sir,

Alcohol Licence Application:
39 Bridge Street, HD7 5JN; "Lock 22"

I am extremely concerned at the prospect that the Lock 22 café (39 Bridge Street HD7 5JN) might become a café that serves alcohol and food; and may have entertainment.

I wish strongly to object to the proposal and in particular to the alcohol licence application.

Such a development would be bound to worsen the somewhat difficult parking conditions that already exist in Bridge Street, particularly in the vicinity of my house and those houses close by, on both sides of the road.

During Monday to Saturday, cars and vans will be parked on both sides of the street and often stretch past the large mills. On the latest Saturday evening, for example, I struggled to extract my car from its parked position and to turn it around owing to the number of non-local cars in the street. As that situation occurred at 10:45pm, I dread to think what the street would be like with a new alcohol and entertainment dispensary just there doors away. (And that situation arose when alcohol sales should have ceased by 10pm)

Slaithwaite already suffers considerably from drunkenness at weekends. Anti-social behaviour is a serious concern and lay behind the pharmacy's decision to install a window hatch; and staff at the local Co-Op have in the past told me how awful some customers can be on weekend evenings. The Commercial public house in Carr Lane already causes me to suffer noise pollution on Friday and Saturday. To have a drinking venue in even proximity is an horrific prospect.

Worse still, is the potential for drunken persons to be wandering along the canal towpath, [REDACTED] Noise would certainly be a big issue; but quite possibly also the dropping of rubbish, smoke pollution and other anti-social behaviour. All such externalities would occur during many hours of the day and may worsen in the evenings. [REDACTED] I am likely to suffer very considerably. Yet there are many well-established drinking venues across Slaithwaite.

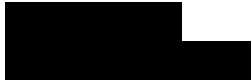
None of those problems has arisen from The Little Bridge Wine Bar and Restaurant (TLB) located a little farther west along the canal (and on Britannia Road). That is because their site is far more suitable for such a venue than is 39 Bridge Street. TLB is much farther from residential accommodation and has a wider outdoor area between the canal and its building. Unlike the area near Lock 22 and my house, TLB does not have exposed earth and grass between itself and the canal: tarmac is a better deterrent to anti-social, alcohol-fuelled behaviour. And the dip in the towpath area as the canal passes TLB helps to minimise noise transmission with some shielding provided by the bridge itself.

A couple of years ago I was extremely disappointed when Kirklees Council required the best restaurant between Slaithwaite and Brighouse to be permanently closed (the Watermill, a restaurant located to the rear of the Commercial public house). That decision seemed to be

primarily based on noise pollution suffered by a small number of residential properties (and emitted from refrigeration equipment rather than users of the venue). Development of Lock 22 would involve serious noise pollution but also several forms of anti-social behaviour stemming from alcohol consumption close to residential accommodation and with close access to an idyllic canal.

Please do not allow Lock 22 to develop in the ways proposed; in particular not to serve alcohol. To me, the case for not allowing the proposal seems entirely compelling.

Yours faithfully,

A black rectangular redaction box covering the signature area.

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

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.

Name of meeting: Licensing Panel

Date: 7th December 2020 at 11 am

Title of report: Licensing Act 2003 – Application for the Grant of a Premises Licence: Unit 1C The Galleries, Bradford Road, Dewsbury, WF13 1HD

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 <u>Strategic Director</u> & name	Russell Williams 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 consulted: Cllr Cathy Scott
 Cllr Aleks Lukic
 Cllr Eric Firth

Public or private: **Public**

GDPR Implications:

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

1 Summary

The purpose of this report is to inform Members of an application for the grant of a premises license, which as a result of representations received, has been referred to this Panel for determination.

2 Information required to take a decision

2.1 Application

2.1.1 On 21st October 2020 the Licensing department received an application for the grant of a premises licence at Unit 1C The Galleries, Bradford Road, Dewsbury, WF13 1HD. The application was made on behalf of the company by The Licensing Guys, Rural Enterprise Centre, Vincent Carey Road, Rotherwas Business Park, Hereford, HR2 6FE. A copy of this application may be seen at **Appendix A**.

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

2.1.3 In total, three representations have been received relating to this application from Cathy Scott, Ward Councillor, Aleks Lukic, Ward Councillor, and Joanne Todd, Safer Kirklees Manager. The representations consider that the following licensing objectives would not be met should this licence be granted:

- Prevention of Public Nuisance
- Prevention of Crime and Disorder
- Protection of Children from Harm

A copy of these representations may be seen at **Appendix B**

2.1.4 Kirklees Licensing have also received a request for a condition to be applied to the license should the license be granted. This can be viewed at **Appendix C**

2.1.5 The applicant's representative from the company Licensing Guys has also submitted further documents which will be referred to at the hearing. HOC/PSPO documents and Crime Statistics these can be viewed 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 under the Licensing Act 2003 licence holders under the Licensing Act 2003 are in a position to uphold the four licensing objectives. The committee is required to take appropriate and necessary action against licence holders where they fall short of their duties under the Licensing Act 2003. This will support both the licensing objectives and support the corporate outcomes of citizens in Kirklees living in cohesive communities, feeling safe and protected from harm.

3.2 Working with Partners

The Council's licensing team work closely with partnering agencies, named 'Responsible Authorities' under the Licensing Act 2003. Responsible authorities 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, will 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.

5 Next steps and timelines

5.1 When determining the application Members, having had regard to the representation, may take such steps as they consider appropriate for the promotion of the licensing objectives. The steps are

- grant the application,
- grant the application with the appropriate conditions,
- exclude from the scope of the licence any of the licensable activities which relate to this application, or
- reject the application

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

Phil Asquith, Licensing Officer, Licensing Service
Tel: 01484 221000 ext. 77841
Email: Philip.asquith@kirklees.gov.uk

9 Background Papers and History of Decisions

- 9.1 Appendix A – Application for the Grant of a Premise Licence – Unit1C The Galleries, Bradford Road, Dewsbury, WF13 1HD.
- 9.2 Appendix B – Representations from Cathy Scott, Ward Councillor, Aleks Lukic , Ward Councillor and Joanne Todd, Safer Kirklees Manager.
- 9.3 Appendix C - Kirklees Licensing have received a request for a condition to be applied to the licence should the licence be granted.
- 9.4 Appendix D – Crime Stats/HOC/PSPO Documents submitted from applicant's representative.
- 9.5 Appendix E – Relevant sections of Secretary of State Guidance – Section 182 of Licensing Act 2003

10 Service Director responsible

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

This page is intentionally left blank



THE
LICENSING GUYS
KEEPING YOU LEGAL AND TRADING

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

I/We Ako Khdir ABDULLAH

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Unit 1C, The Galleries Bradford Road			
Post town	DEWSBURY	Postcode	WF13 1HD

Telephone number at premises (if any)	Nil
Non-domestic rateable value of premises	£5900

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
- ii as a partnership (other than limited liability) please complete section (B)
- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname ABDULLAH			First names Ako Khdir		
Date of birth: [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/>			
Nationality: British Citizen					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)	[REDACTED]				
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					
UK Passport GBR [REDACTED]					

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	6	1 1 2 0 2 0

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)	
Town Centre Convenience Store with Off Licence	

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

n/a

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed					
			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)			
Thur						
Fri						
Sat						
Sun			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	08:00	23:00			
Tue	08:00	23:00			
Wed	08:00	23:00			
Thur	08:00	23:00			
Fri	08:00	23:00			
Sat	08:00	23:00			
Sun	08:00	23:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

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

Name:	████████████████████
Date of birth:	████████
Address:	████████████████████ ████████████████████ ████████████████████
Postcode	████████
Personal licence number (if known)	████████
Issuing licensing authority (if known)	████████

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
n/a

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Mon	07:00	23:00	
Tue	07:00	23:00	
Wed	07:00	23:00	
Thur	07:00	23:00	
Fri	07:00	23:00	
Sat	07:00	23:00	
Sun	07:00	23:00	

M

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

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

In making this application, we have taken into account the Guidance issued under the Licensing Act 2003. We have liaised with the West Yorkshire Police – most especially the Police Licensing Officers for Huddersfield, whose advice and guidance has ‘informed’ this application. We have noted the environmental and socio-economic composition of the area. As a consequence, we are offering a raft of proportionate, effective and enforceable conditions which will further promote the Licensing Objectives.

b) The prevention of crime and disorder

1. CCTV will be provided in the form of a recordable system, capable of providing images of evidential quality in all lighting conditions, particularly regarding facial recognition. Cameras must be maintained in good working order, cover all entrances, exits, outside areas and all areas where the sale/supply of alcohol occurs. Recordings should be date and time stamped, retained for a period of 31 calendar days, and made available to the Police or other ‘Authorised Officer’ under s13 of the Licensing Act 2003 on request. The CCTV equipment must be kept in a secure environment under the control of the Premises Licence Holder or Designated Premises Supervisor. A weekly log must be maintained and endorsed by signature, indicating that the system has been checked and is functioning correctly. Any defect shall be noted therein, along with any remedial action taken. In the event of any technical failure of the CCTV, the Premises Licence Holder or Designated Premises Supervisor MUST report that failure to the Police (on ‘101’) or to the Kirklees Council Licensing Department immediately. The Premises Licence Holder must ensure that at all times a Designated Premises Supervisor or appointed member of staff is capable and competent at downloading CCTV footage in playable media format, and able to produce it to a Police Officer or other ‘Authorised Officer’ under s13 of the Licensing Act 2003 on request.
2. Incident Log Book: An incident book must be kept on the premises and be made available for inspection by responsible authorities. The incident book must be used to record the following:
 - (i) Any incident of violence or disorder on or immediately outside the premises
 - (ii) Any other crime or criminal activity on the premises
 - (iii) Any refusal to serve alcohol to persons who are drunk
 - (iv) Any refusal to serve alcohol to under 18’s or anyone appearing to be under 18
 - (v) Any call for police assistance to the premises
 - (vi) Any ejection from the premises
 - (vii) Any first aid/other care given to a customer.
3. Spirits of high ABV will only be displayed and sold from behind the counter.
4. There shall be no sale of single cans of beers, lagers or ciders with an ABV in excess of 6.5% abv.

c) Public safety

5. The Premises Licence Holder will ensure that, during hours of darkness, the frontage of the shop is adequately lit so as to provide safe access and egress to the premises by the public.

d) The prevention of public nuisance

6. Prominent, clear and legible signage (not less than 32 font bold) shall be displayed at any entrance/exit and service counter hatch, requesting customers and members of the public respect local residents and leave the premises and area quickly and quietly.

7. Staff shall monitor the exterior of the premises using CCTV and personal observations, and use their best endeavours to deter/disperse persons congregating outside.

8. Litter Checks: The Premises Licence Holder or Designated Premises Supervisor will cause litter checks to be conducted outside the premises up to 4 times in any 24hr period. A Litter Check Log Book will be maintained, and will record those checks and any remedial action taken.

e) The protection of children from harm

9. The premises shall operate a Challenge 25 Policy, which will be written down and kept at the premises. Prominent, clear and legible signage (not less than 32 font bold) shall be displayed, advertising and promoting that scheme & policy.

10. Refusals Log Book: A refusals book must be kept at the premises and must be used to record all refusals to sell alcohol for any reason. Where other age restricted products are sold at the premise, any refusals to sell such items to underage persons or persons who appear underage must be recorded. The details to be recorded must be as follows:

- (i) Time, day & date of refusal
- (ii) Item refused
- (iii) Name & address of customer (if given)
- (iv) Description of customer
- (v) Details of ID offered (if shown)

The refusals book must be made available for inspection by responsible authorities on request.

11. Staff will be trained in Responsible Alcohol Retailing upon induction and thereafter on an annual basis. Training records will be maintained, which shall be made available on request to any Police Officer or other authorised person as defined by s13 of the Licensing Act 2003.

Checklist:

Please tick to indicate agreement


- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	16 th October 2020
Capacity	Licensing Consultant & Agent

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

**The Licensing Guys
Rural Enterprise Centre
Vincent Carey Road
Rotherwas Business Park**

Post town	HEREFORD	Postcode	HR2 6FE
Telephone number (if any)	01432 700024		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
licensing@thelicensingguys.com			

Licensing Department, Flint Street Depot, Flint Street, Huddersfield HD1 6LG

Appendix B Observation email 1 Cllr Cathy Scott

From: Cllr Cathy Scott

Sent: 02 November 2020 10:41

To: Cllr Eric Firth; Cllr Aleks Lukic; Philip Asquith

Subject: Re: New Premises License

Good morning Philip

Sorry I am not supporting this application.

There are several concerns I have

The protection of children from harm

Its near the new college in Dewsbury Town centre.

Public safety

The prevention of public nuisance

There are already several off licences within the vicinity. We are currently working with officers to reduce crime in the town centre and drinking in the centre.

I believe its also next to Top Snooker. I would be interested to hear what the Police have said or their comments on this application.

Regards

Cathy

Cathy Scott

Kirklees

Cabinet Member for Housing & Democracy

This page is intentionally left blank

Appendix B Observation Email 2 Joanne Todd

From: Joanne Todd

Sent: 06 November 2020 11:20

To: Peachey, Louise; Licensing <Licensing@kirklees.gov.uk>

Subject: RE: Licensing at Unit 1, The Galleries, Bradford Road, WF13 1HD [OFFICIAL]

Thanks for this Louise. We agree with your observations in terms of the Town Centre. The last thing that is needed is another business selling cheap alcohol and the proposed hours of opening seem excessive to say the least. [REDACTED]

Safer Kirklees Team manager
Dewsbury Town Hall
Wakefield Old Road
Dewsbury
WF12 8DG

This page is intentionally left blank

Appendix B Email 3 – Aleks Lukic

From: Cllr Aleks Lukic
Sent: 18 November 2020 21:16
To: Licensing <Licensing@kirklees.gov.uk>
Subject: FW: New Premises License

Hi Licensing Team, as Philip is out of the office please find my objection below to the application for an off-licence at Unit 1C, The Galleries, Bradford Road, Dewsbury, WF13 1HD.

Kind regards,

Cllr Aleks Lukic
Dewsbury Borough Independent — Dewsbury East
Kirklees Council

Privacy Notice

From: Cllr Aleks Lukic
Sent: 18 November 2020 21:14
To: Cllr Cathy Scott; Cllr Eric Firth; Philip Asquith
Subject: RE: New Premises License

Hello Philip,

I would object to this application as I am not satisfied by the proposed measures to prevent crime and public nuisance. The proposed off-licence is situated within the area of the Dewsbury Town Centre Public Space Protection Order against street drinking. Despite the PSPO, street drinking is a persistent and significant problem to the extent that we have recently recruited two Police Constables dedicated to the town centre to address issues such as this. Considering the location, I would be interested to see specific proposals by the applicant that would help to ensure compliance with the PSPO by customers.

Kind regards,

Cllr Aleks Lukic
Dewsbury Borough Independent — Dewsbury East
Kirklees Council

Privacy Notice

From: Cllr Cathy Scott
Sent: 02 November 2020 10:41
To: Cllr Eric Firth; Cllr Aleks Lukic; Philip Asquith
Subject: Re: New Premises License

Good morning Philip
Sorry I am not supporting this application.
There are several concerns I have

The protection of children from harm

Its near the new college in Dewsbury Town centre.

Public safety

The prevention of public nuisance

There are already several off licences within the vicinity. We are currently working with officers to reduce crime in the town centre and drinking in the centre.

I believe its also next to Top Snooker. I would be interested to hear what the Police have said or their comments on this application.

Regards

Cathy

Cathy Scott
Kirklees
Cabinet Member for Housing & Democracy

If you are contacting me as a local constituent, please be aware that I may need to share your personal information when contacting council officers or other agencies relevant to your query.

For more information on how I use personal data for my constituency casework, please read my Privacy Notice at: <http://www.kirklees.gov.uk/beta/information-and-data/pdf/privacy-notice-councillors.pdf>.

Further information about data protection can be found at:
<http://www.kirklees.gov.uk/beta/information-and-data/how-we-use-your-data.aspx>.”

To keep in touch visit the LABOUR GROUP BLOG or visit us on Kirklees Labour Group on Facebook

Please note that this e mail is only for the designated recipient and all or any part of it is not to be sent to any 3rd party without my consent

Cathy Scott
Kirklees
Cabinet Member for Housing & Democracy

If you are contacting me as a local constituent, please be aware that I may need to share your personal information when contacting council officers or other agencies relevant to your query.

For more information on how I use personal data for my constituency casework, please read my Privacy Notice at: <http://www.kirklees.gov.uk/beta/information-and-data/pdf/privacy-notice-councillors.pdf>.

Further information about data protection can be found at:
<http://www.kirklees.gov.uk/beta/information-and-data/how-we-use-your-data.aspx>.”

To keep in touch visit the LABOUR GROUP BLOG or visit us on Kirklees Labour Group on Facebook

Please note that this e mail is only for the designated recipient and all or any part of it is not to be sent to any 3rd party without my consent

From: Philip Asquith
Sent: Monday, November 2, 2020 9:46:29 AM
To: Cllr Eric Firth; Cllr Cathy Scott; Cllr Aleks Lukic
Subject: RE: New Premises License

You are quite correct Cllr Firth please find the amended email below stating Bradford Road:

Dear Councillors,

Apologies for the discrepancy in the previous application that I sent to you just over a week ago with the incorrect postcode, this has now been rectified.

As well as the application I have also attached a map and photograph of the premises

The applicant is Unit 1C, The Galleries, Bradford Road, Dewsbury, WF13 1HD. They are applying for the retail sale of alcohol for consumption off the premises, Monday to Saturday from 8am to 11pm.

If you feel than any of the licensing objectives would not be met should this licence be granted, then please make representation by 19th November 2020.

As a reminder the licensing objectives are:

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

Should you require any further info, please get in touch

Kind Regards
Phil Asquith

Phil Asquith | Licensing Officer | Licensing | Place – Investment & Regeneration |
Kirklees Council | Flint Street, Fartown, Huddersfield, HD1 6LG |
☎ 01484 221000 | ☎(Int) 77841 ☎ Philip.asquith@kirklees.gov.uk
www.kirklees.gov.uk/licensing

From: Cllr Eric Firth
Sent: 02 November 2020 09:40
To: Philip Asquith; Cllr Cathy Scott; Cllr Aleks Lukic
Subject: Re: New Premises License

I am more than a little confused you mention the galleries Wakefield road and yet you show a picture of the former Bickers building Northgate Dewsbury

Get Outlook for iOS

From: Philip Asquith
Sent: Monday, November 2, 2020 9:37:08 AM
To: Cllr Eric Firth; Cllr Cathy Scott; Cllr Aleks Lukic
Subject: RE: New Premises License

It is Cllr, this is the correct location as confirmed by The Licensing Guys.

From: Cllr Eric Firth
Sent: 02 November 2020 09:35
To: Philip Asquith; Cllr Cathy Scott; Cllr Aleks Lukic
Subject: Re: New Premises License

The picture you have sent irks Bradford road

Get Outlook for iOS

From: Philip Asquith
Sent: Monday, November 2, 2020 9:17:59 AM
To: Cllr Eric Firth; Cllr Cathy Scott; Cllr Aleks Lukic
Subject: New Premises License

Dear Councillors,

Apologies for the discrepancy in the previous application that I sent to you just over a week ago with the incorrect postcode, this has now been rectified.

As well as the application I have also attached a map and photograph of the premises

The applicant is Unit 1C, The Galleries, Wakefield Road, Dewsbury, WF13 1HD. They are applying for the retail sale of alcohol for consumption off the premises, Monday to Saturday from 8am to 11pm.

If you feel than any of the licensing objectives would not be met should this licence be granted, then please make representation by 19th November 2020.

As a reminder the licensing objectives are:

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

Should you require any further info, please get in touch

Kind Regards
Phil Asquith

Phil Asquith |Licensing Officer | Licensing | Place – Investment & Regeneration|
Kirklees Council | Flint Street, Fartown, Huddersfield, HD1 6LG |
☎ 01484 221000 | ☎(Int) 77841 ☎ Philip.asquith@kirklees.gov.uk
www.kirklees.gov.uk/licensing

This page is intentionally left blank

Hi Eric,

It appears to be a template licence application form. They have not ticked the boxes for an entertainment licence, only supply of alcohol for consumption off the premises. The licensed premises would only be a single unit in The Galleries not the whole building, they say they will operate a 'Town Centre Convenience Store with Off Licence'.

Specific conditions offered to promote the four licensing objectives include:

- CCTV
- Incident log book
- Spirits of high alcohol volume displayed and sold from behind the counter
- No single cans of beers, lagers or ciders above 6.5% ABV
- Adequate lighting to shop frontage
- Prominent signage to encourage the public to leave quietly
- Staff best endeavours to monitor and disperse any gatherings outside
- Litter checks
- Challenge 25 policy
- Refusals log book
- Staff training on responsible alcohol retailing

Philip, overall I am satisfied with the application but would ask for prominent signage/map in the shop to show the town centre PSPO zone and making clear that consumption of alcohol/open containers in the town centre is prohibited.

Kind regards,

Cllr Aleks Lukic
Dewsbury Borough Independent — Dewsbury East
Kirklees Council

This page is intentionally left blank



BRIEFING PAPER

Number 5117, 4 September 2019

Alcohol: drinking in the street

By John Woodhouse

Contents:

1. Public spaces protection orders
2. Police dispersal powers
3. Other offences in public places
4. Offences involving children and young persons
5. Penalty notices for disorder



Contents

Summary	3
1. Public spaces protection orders	4
2. Police dispersal powers	5
3. Other offences in public places	6
4. Offences involving children and young persons	6
5. Penalty notices for disorder	6

Summary

There is no general prohibition on drinking in the street but certain offences relating to alcohol may be committed in public places.¹

Councils can use public spaces protection orders to restrict the consumption of alcohol in a public space where it is associated with anti-social behaviour. It is an offence to fail to comply with a request to stop drinking or to surrender alcohol in a controlled drinking area.

The police can disperse individuals engaged in anti-social behaviour where alcohol is a factor. It is an offence to fail to comply with a direction to leave an area.

Other offences include being drunk and disorderly in a public place and being drunk in any highway or other public place.

This Paper refers to the law in England and Wales.

¹ Generally, the term “public place” is taken to mean “any place to which the public have access, whether on payment or otherwise” (*Licensing Act 1872* s8 and subsequent Licensing Acts)

1. Public spaces protection orders

Public spaces protection orders (PSPOs) are designed to deal with a particular nuisance in a particular area by imposing conditions on the use of that area. They were introduced through the *Anti-social Behaviour, Crime and Policing Act 2014* and came into effect in October 2014.²

Councils are responsible for making PSPOs and can do so on any public space. Before making a PSPO, a council must be satisfied, on “reasonable grounds”, that the behaviour to be restricted:

- is having, or is likely to have, a detrimental effect on the quality of life of those in the locality;
- is, or is likely to be, persistent or continuing in nature;
- is, or is likely to be, unreasonable; and
- justifies the restrictions imposed.³

A PSPO can be used to restrict the consumption of alcohol in a public space where the above conditions have been met.⁴

A PSPO cannot be used to restrict the consumption of alcohol where a premises is licensed for the supply of alcohol - [licensing law](#) already includes safeguards against premises becoming associated with nuisance and anti-social behaviour.⁵

It is not an offence to drink alcohol in a controlled drinking area. However, it is an offence to fail to comply with a request to cease drinking or to surrender alcohol in the area. This is liable on summary conviction to a fine not exceeding level 2 on the standard scale.⁶

Further detail on PSPOs is available in section 2.5 of Home Office [guidance](#) (updated August 2019) on the 2014 Act.

² PSPOs replaced designated public place orders; for background see section 8.2 of Library research paper 13/34, [Anti-social Behaviour, Crime and Policing Bill](#), June 2013

³ Home Office, [Anti-social Behaviour, Crime and Policing Act 2014: anti-social behaviour powers -statutory guidance for frontline professionals](#), Updated August 2019, p49

⁴ Ibid, p54

⁵ Ibid, p54

⁶ Ibid, p55

2. Police dispersal powers

The *Anti-social Behaviour, Crime and Policing Act 2014* introduced a dispersal power enabling the police to disperse anti-social individuals in public places.⁷ The power can apply to individuals engaged in anti-social behaviour where alcohol is a factor.

The use of the dispersal power must be authorised by an officer of at least the rank of inspector. In order to use the power, two conditions have to be met:

1. the officer must have reasonable grounds to suspect that the behaviour of a person has contributed, or is likely to contribute, to:
 - members of the public in the locality being harassed, alarmed or distressed; or
 - crime and disorder occurring in the locality
2. the officer considers that giving a direction to the person is necessary for the purpose of removing or reducing the likelihood of anti-social behaviour, crime or disorder.⁸

The test includes behaviour that is likely to cause harassment, alarm or distress, allowing the dispersal to be used as a preventative measure.

A written notice must be given, unless this is not practicable, specifying the locality to which the direction relates and for how long the person must leave the area. Requirements can also be imposed as to the time by which the person must leave the area and the route they must take. The officer must tell the person that failure to comply is an offence.⁹

The police officer can require items associated with the behaviour of the person to be handed over (e.g. alcohol). It is an offence not to hand over an item if asked to do so.

Failure to comply with the direction is a summary only criminal offence which will be dealt with in the magistrates' court or youth court for people under the age of 18. On conviction it carries a maximum penalty of a level 4 fine and/or three months imprisonment, although those people under the age of 18 cannot be imprisoned. Failure to surrender items is also a criminal offence with a maximum penalty of a level 2 fine.¹⁰

Further detail on the dispersal power is available in section 2.3 of the Home Office [guidance](#).

⁷ The dispersal power replaces those available under s27 of the *Violent Crime Reduction Act 2006*; for background see section 7 of Library research paper 13/34, [Anti-social Behaviour, Crime and Policing Bill](#), June 2013

⁸ Home Office, [Anti-social Behaviour, Crime and Policing Act 2014: Reform of anti-social behaviour powers -Statutory guidance for frontline professionals](#), Updated August 2019, p33

⁹ Ibid, p36

¹⁰ Ibid, p37

3. Other offences in public places

It is an offence to be drunk and disorderly in a public place.¹¹ The maximum penalty is a level 3 fine on the standard scale.

It is an offence to be drunk in any highway or other public place.¹² The maximum penalty is a level 1 fine on the standard scale.

4. Offences involving children and young persons

Under the [Confiscation of Alcohol \(Young Persons\) Act 1997](#), a constable may seize and dispose of alcohol where they “reasonably suspect” that a person in a “relevant place” is in possession of alcohol and where:

- he is under the age of 18; or
- he intends that any of the alcohol in his possession should be consumed by a person under the age of 18 in that or any other “relevant place”; or
- a person under the age of 18 who is, or has recently been, with him has recently consumed alcohol in that or any other relevant place.¹³

“Relevant place” means:

- any public place, other than licensed premises; or
- any place, other than a public place, to which the person has unlawfully gained access.¹⁴

Failure to comply is an offence and there is a power of arrest. The maximum penalty is a level 2 fine on the standard scale.

5. Penalty notices for disorder

Since the implementation of the *Criminal Justice and Police Act 2001*,¹⁵ fixed penalty notices have been available for some alcohol-related offences. If the penalty is paid, this discharges the liability for conviction. Otherwise, the person can elect to go to court. Offences that can be discharged with a £90 fixed penalty notice include that of being drunk and disorderly in a public place. Offences that can be discharged with a £60 penalty include that of being drunk on a highway or other public place. The Ministry of Justice has issued [guidance](#) (June 2014) on penalty notices for disorder.

¹¹ *Criminal Justice Act 1967*, s91

¹² *Licensing Act 1872*, s12

¹³ *Confiscation of Alcohol (Young Persons) Act 1997*, s1

¹⁴ *Confiscation of Alcohol (Young Persons) Act 1997*, s1(7)

¹⁵ *Criminal Justice and Police Act 2001*, ss1-11

About the Library

The House of Commons Library research service provides MPs and their staff with the impartial briefing and evidence base they need to do their work in scrutinising Government, proposing legislation, and supporting constituents.

As well as providing MPs with a confidential service we publish open briefing papers, which are available on the Parliament website.

Every effort is made to ensure that the information contained in these publicly available research briefings is correct at the time of publication. Readers should be aware however that briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

If you have any comments on our briefings please email papers@parliament.uk. Authors are available to discuss the content of this briefing only with Members and their staff.

If you have any general questions about the work of the House of Commons you can email hcenquiries@parliament.uk.

Disclaimer

This information is provided to Members of Parliament in support of their parliamentary duties. It is a general briefing only and should not be relied on as a substitute for specific advice. The House of Commons or the author(s) shall not be liable for any errors or omissions, or for any loss or damage of any kind arising from its use, and may remove, vary or amend any information at any time without prior notice.

The House of Commons accepts no responsibility for any references or links to, or the content of, information maintained by third parties. This information is provided subject to the [conditions of the Open Parliament Licence](#).

This page is intentionally left blank



THE
LICENSING GUYS
KEEPING YOU LEGAL AND TRADING

CRIME & ASB Data
in the vicinity of
Dewbury Ring Road
at its junction with
Northgate
DEWSBURY

Source: UK Crime Mapper
www.police.uk

Crime Stats

Type	Violence & Sexual	Public Order	Robbery	Vehicle Crime	Damage	Other Crime	ASB
Apr	1		1				
May	1		1				
Jun	2	2				1	1
Jul	2				2		
Aug	1	3					
Sep	1			1			
Total	8	5	2	1	2	1	1
PCM	1.3	0.8	0.3	0.2	0.3	0.2	0.2

Crime changes over time in Kirklees and in the West Yorkshire force area

In the quarter ending March 2020, crime rates were:

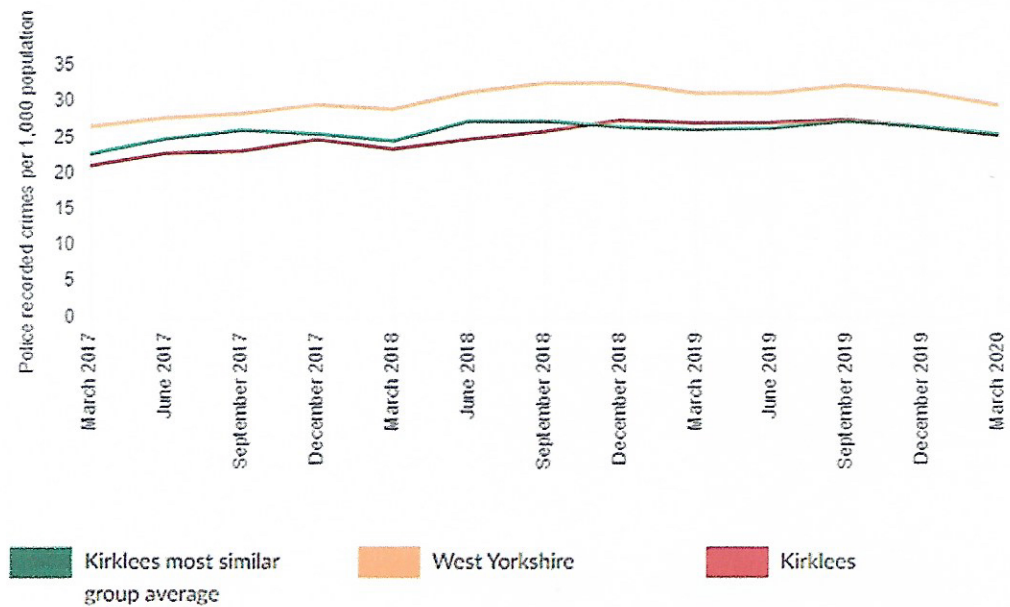
- down in Kirklees
- down in the West Yorkshire force area

compared with the corresponding quarter in 2019.

Edit crime type

All Crime ▼

Update

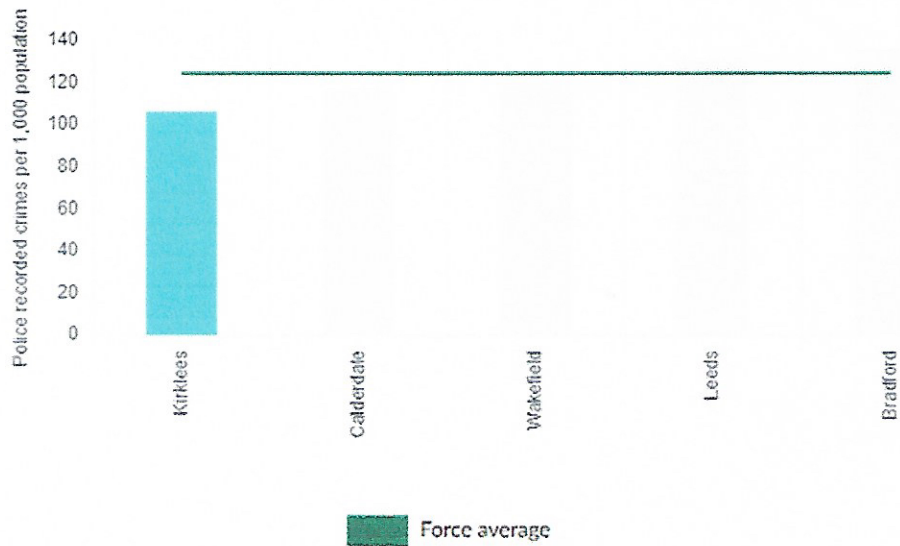


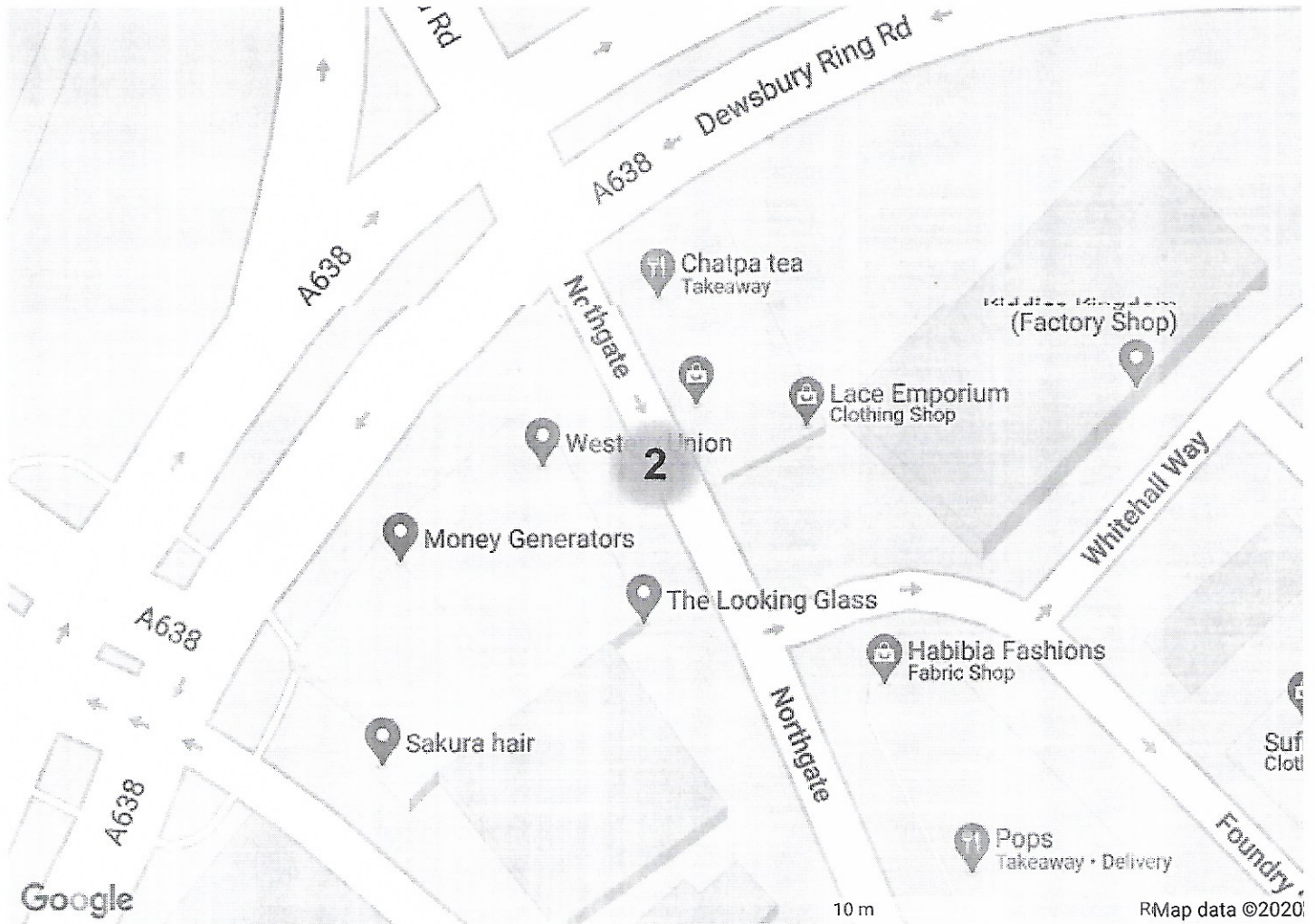
Crime in Kirklees compared with crime in other areas in the West Yorkshire force area

In the year ending March 2020, the crime rate in Kirklees was lower than average for the West Yorkshire force area.

Edit crime type

All Crime





2 crimes were reported here in May 2020

Crime type	Instances
Robbery	1
Violence and sexual offences	1

[View crime definitions](#)

[Download area crime data](#)

About this crime map

This map is populated with data submitted by local forces. The location of the hotspots shown on this map has been anonymised.

Please note that not all crimes that occurred can be shown on the map.

555 incidents of Crime occurred in West Yorkshire Police could not be mapped to a location and therefore are not on this map. [Learn more about how data is managed on police.uk.](#)

Location anonymisation is accurate to 2012 population and housing developments.



Crime on or near Bradford Road

6 crimes were reported here in June 2020

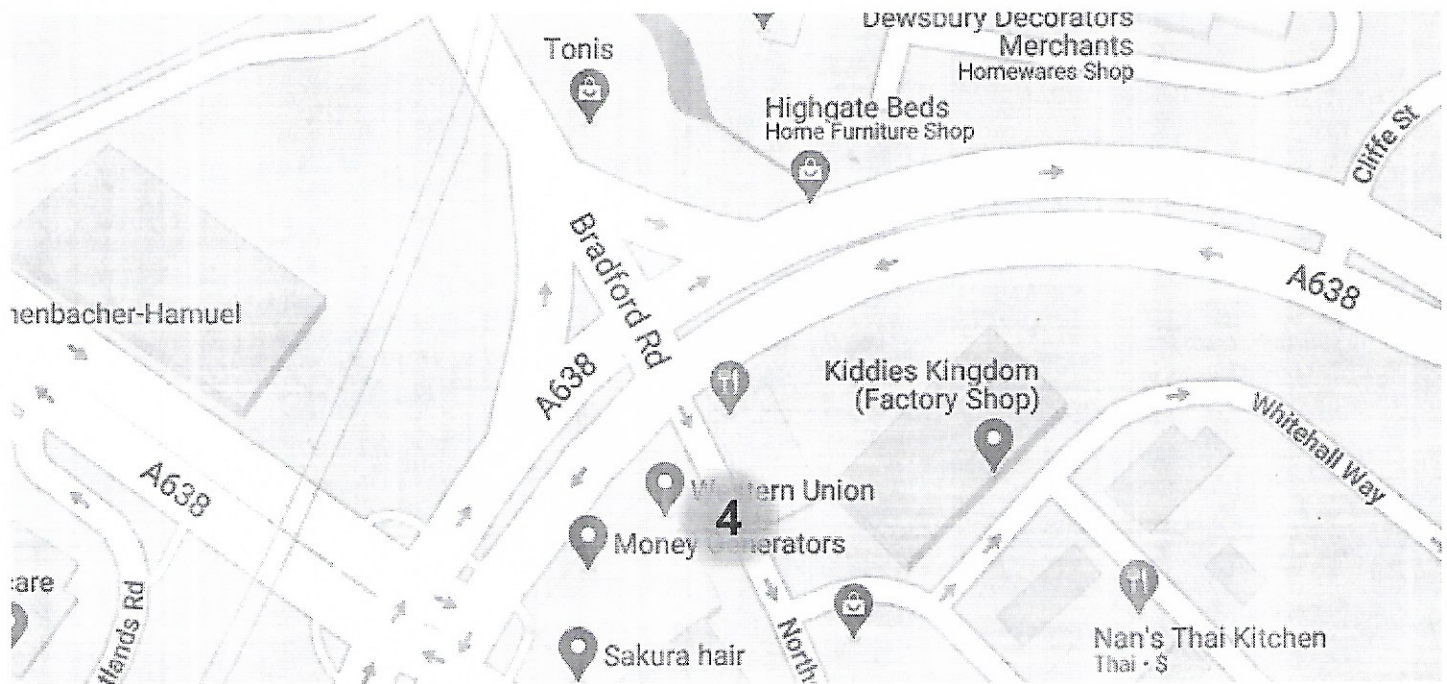
Crime type	Instances
Public order	2
Violence and sexual offences	2
Anti-social behaviour	1
All other crime	1

[View crime definitions](#)

[Download area crime data](#)

About this crime map

This map is populated with data submitted by local forces. The location of the hotspots shown on this map has been anonymised.



Google

20 m

RMap data ©2020

4 crimes were reported here in July 2020

Crime type	Instances
Criminal damage and arson	2
Violence and sexual offences	2

[View crime definitions](#)
[Download area crime data](#)

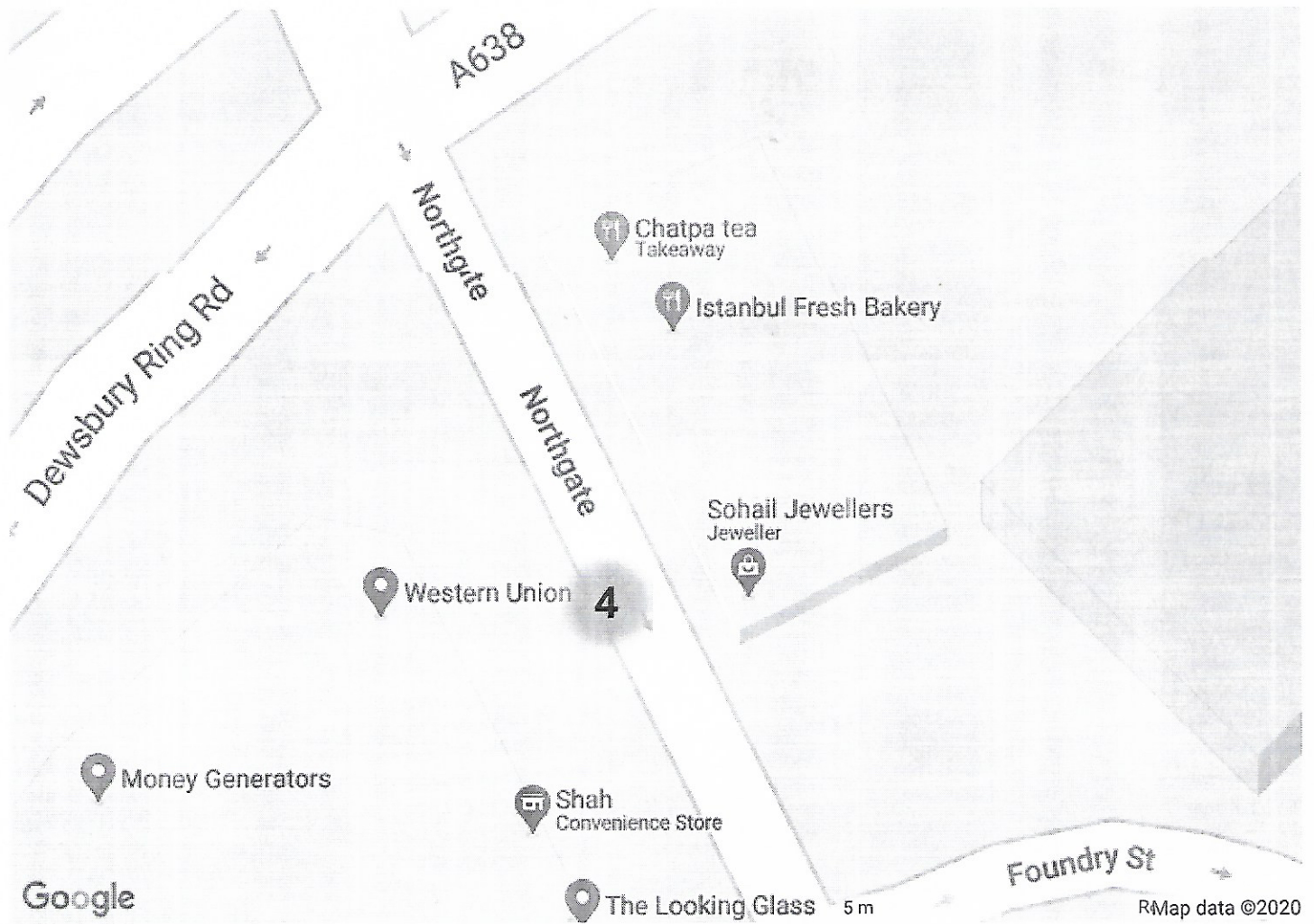
About this crime map

This map is populated with data submitted by local forces. The location of the hotspots shown on this map has been anonymised.

Please note that not all crimes that occurred can be shown on the map.

719 incidents of Crime occurred in West Yorkshire Police could not be mapped to a location and therefore are not on this map. [Learn more about how data is managed on police.uk.](#)

Location anonymisation is accurate to 2012 population and housing developments.



Crime on or near Bradford Road

4 crimes were reported here in August 2020

Crime type	Instances
Public order	3
Violence and sexual offences	1

[View crime definitions](#)

[Download area crime data](#)

About this crime map

This map is populated with data submitted by local forces. The location of the hotspots shown on this map has been anonymised.

Please note that not all crimes that occurred can be shown on the map.

643 incidents of Crime occurred in West Yorkshire Police could not be mapped to a location and therefore are not on this map. [Learn more about how data is managed on police.uk.](#)



2 crimes were reported here in September 2020

Crime type	Instances
Vehicle crime	1
Violence and sexual offences	1

[View crime definitions](#)

[Download area crime data](#)

About this crime map

This map is populated with data submitted by local forces. The location of the hotspots shown on this map has been anonymised.

Please note that not all crimes that occurred can be shown on the map.

593 incidents of Crime occurred in West Yorkshire Police could not be mapped to a location and therefore are not on this map. [Learn more about how data is managed on police.uk.](#)

Location anonymisation is accurate to 2012 population and housing developments.

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.