

Public Document Pack



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

Julie Muscroft

The Democracy Service

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High Street

Huddersfield

HD1 2TG

Tel: 01484 221000

Please ask for: Jenny Bryce-Chan

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

Tuesday 14 December 2021

Notice of Meeting

Dear Member

Licensing Panel

The **Licensing Panel** will hold a **Virtual Meeting - online** at **2.00 pm** on **Wednesday 22 December 2021**.

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

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read "Julie Muscroft", 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 - 4

To approve the Minutes of the meeting of the Panel held on 27th October 2021.

2: Interests

5 - 6

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

3: Admission of the Public

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

4: Deputations/Petitions

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

5: Public Question Time

The Committee will hear any questions from the general public.

6: Licensing Act 2003 - Application for the Grant of a Premises Licence: Jensens, 4 Park Road, Crosland Moor, Huddersfield, HD4 5DB

7 - 52

To determine the application at 2:00pm.

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

7: Exclusion of the Public

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

8: Licensing Act 2003 - Application for the grant of a personal licence

53 - 66

To determine the application at 3:00pm.

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

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

LICENSING PANEL

Wednesday 27th October 2021

Present: Councillor Amanda Pinnock (Chair)
Councillor Mohan Sokhal
Councillor Adam Gregg

In attendance: David Stickley Legal Advisor to the Panel
Mike Skelton, Licensing Officer

- 1 Site Visit**
Site visit undertaken.
- 2 Minutes of Previous Meeting**
That the minutes of the meeting held on 6th July 2021 be approved as a correct record.
- 3 Interests**
No interests were declared.
- 4 Admission of the Public**
All agenda items were considered in public session.
- 5 Deputations/Petitions**
No deputations or petitions were received.
- 6 Public Question Time**
No questions were asked.
- 7 Application for the Grant of a Premises Licence: Hooley House LTD, 1 Concord Street, Honley, Holmfirth, HD9 6AE**
The Panel considered a report which outlined an application under section S51 of the Licensing Act 2003, for the grant of a premises licence for Hooley House LTD, 1 Concord Street, Honley, Holmfirth, HD9 6AE.

The Licensing Officer outlined the application, advising the Panel that on the 7th September 2021, the Licensing Department received an application for the grant of a premises licence for the premises at 1 Concord Street, Honley.

Licensing Panel - 27 October 2021

The licensing activities applied for were as follows:

Live Music (indoors only)	Sunday – Thursday Friday & Saturday	12:00 – 21:30 12:00 – 22:30
Recorded Music (indoors only)	Sunday – Thursday Friday & Saturday	08:00 – 23:00 08:00 – 23:00
Performance of Dance (indoors only)	Thursday & Sunday Friday & Saturday	12:00 – 21:30 12:00 – 22:00
Sale of Alcohol (on sales only)	Sunday – Thursday Friday & Saturday	10:00 – 23:00 10:00 – 24:00

During the initial stages of the consultation period, a ward councillor commented that the opening times of the premises should be the same as those agreed as part of the planning application submitted in October 2019. The applicant agreed to amend the application so that it followed the hours stipulated by planning. Once the application was amended representations from the Council's Planning Team in their capacity as a Responsible Authority was withdrawn.

The Environmental Health Team asked for specific conditions to be applied to the licence should it be granted, and those conditions were also agreed by the applicant.

The Panel was further advised that seven representations were received from members of the public. The representations consider that the licensing objectives in respect of, Public Safety, Prevention of Crime and Disorder, Prevention of Public Nuisance and the Protection of Children from Harm would not be met should the licence be granted.

The applicant advised the Panel that the intention is to open an Irish style bar/restaurant, offering a range of traditional Irish foods including fresh seafood menus, breakfast or lunches, evening meals and a variety of Irish drinks. This will be accommodated at the premises which has six areas, five of which will be bookable dining areas and one bar area.

The objectors raised concern that such a premise is not conducive in a residential area and is likely to cause noise nuisance and disruption because of its close proximity to residential properties. Concerns were also raised with regard to the limited parking and noise emanating from the venue.

RESOLVED:

That the application for the grant of a premise licence for Hooley House LTD, 1 Concord Street, Honley, Holmfirth, HD9 6AE be granted as follows:

Licensing Panel - 27 October 2021

- the recommendations made by the Environmental Health Service be implemented at the premises
- the outdoor area of 1 Concord Street, where licensable activity takes place should be curtailed, and the external area of the premises shall not be used by customers between the hours of 2000 hours and 0800 hours
- a condition be included on the licence to stipulate that a CCTV camera system capable of recording should be installed at the premises to mitigate against crime and disorder

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

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

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

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

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

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

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

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

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

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

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

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

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

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

Name of meeting: Licensing Panel

Date: Wednesday 22nd December 2021

Title of report: Licensing Act 2003 – Application for the Grant of a Premises Licence: Jensens, 4 Park Road, Crosland Moor, Huddersfield, HD4 5DB

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 Is it also signed off by the Service Director (Finance)? Is it also signed off by the Service Director for Legal Governance and Commissioning?	Fiona Goldsmith – on behalf of Colin Parr Strategic Director (Environment and Climate Change Not applicable Not applicable
Cabinet member portfolio	Cllr Will Simpson

Electoral wards affected: Crosland Moor and Netherton

Ward councillors consulted: Cllr Erin Hill
Cllr Manisha Kaushik
Cllr Mohammed Sarwar

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 2nd November 2021 the Licensing department received an application for the grant of a premises licence for Jensen's. The application was made by the company called Jensen's Food Limited. 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.

Sale of Alcohol (Both on and off)
Monday - Sunday 10:00 – 22:00

2.1.3 In total, 7 representations from members of the public have been received and a petition of local residents with 14 names and addresses of whom have objected, have been received relating to this application. One of the representations did not give enough detail on their objection so was asked to explain their reasons, this relates to objection 3.

2.1.4 The representations that were received 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, Member's 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 Safeguarding Children team.

3.3 Place Based Working

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

3.4 Improving outcomes for children

A key objective of the Licensing Act is the protection of children from harm, and any decision made by the Council, in its capacity as Licensing Authority, 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 for Jensens

9.2 Appendix B – Objections from members of public

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

10 Service Director responsible

Katherine Armitage
Service Director – Climate Change and Environmental Strategy
Tel: 01484 221000
Email: katherine.armitage@kirklees.gov.uk

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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 Jensens Food Ltd

(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 Jensen's 4 Park Road Crosland Moor			
Post town	Huddersfield	Postcode	HD4 5DB

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 4,200.00

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 JENSENS FOODS LTD
Address 
Registered number (where applicable) 
Description of applicant (for example, partnership, company, unincorporated association etc.) 

Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start? ASAP

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

--	--	--	--	--	--	--	--

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

Jensen's food is a bistro premises with an online service. We currently offer a food menu which is available both on the premises and for takeaway. We would like to offer a selection of alcohol to complement our current range of products.

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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

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

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

In all cases complete boxes K, L and M

A

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

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

C

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

E

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

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			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<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					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

H

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	10:00	22:00						
Tue	10:00	22:00						
Wed	10:00	22:00						
Thur	10:00	22:00				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	10:00	22:00						
Sat	10:00	22:00						
Sun	10:00	22:00						

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		
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)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08:00		
		22:30	
Tue	08:00		
		22:30	
Wed	08:00		
		22:30	
Thur	08:00		
		22:30	
Fri	08:00		
		22:30	
Sat	08:00		
		22:30	
Sun	08:00		
		22:30	
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)			

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)

NB: As the business will be food led, the selection of Alcohol on the menu has been designed to enhance the customers dining experience. The nature of the alcohol we intend to sell is such that it will not appeal to individuals looking to buy cheap alcohol in large quantities.

The premises licence holder shall ensure that all staff are trained in the main principals of the Licensing Act (2003), notably of the four licensing objectives and the specific conditions of the licence.

All staff will receive refresher training every six months about their responsibilities under the Licensing Act (2003) and training records will be available to police and authorised officers on reasonable request.

There shall be no vertical drinking at the premises.

b) The prevention of crime and disorder

A CCTV system shall be installed to cover all entry and exit points enabling frontal identification of every person entering in any light condition.

The CCTV system shall continually record whilst the premises is open for licensable activities. It shall operate during all times when customers remain on the premises.

All recordings shall be stored for a minimum period of 31 days with correct date and time stamping and shall be made available immediately upon the request of Police or an authorised officer of the council throughout the preceding 31 day period.

The CCTV system shall be updated and maintained according to police recommendations.

A staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.

CCTV shall be downloaded on request by the Police or authorised officer of the council.

Appropriate signage advising customers of CCTV being in operation, shall be prominently displayed in the premises.

A documented check of the CCTV shall be completed weekly to ensure all cameras remain operational and the 31 days storage for recordings is being maintained.

A premises daily register shall be kept at the premises. This register shall be maintained and kept for a rolling period of 12 months.

The register shall record all incidents which may have occurred which are relevant to the supply of alcohol and the promotion of the licensing objectives. Such incidents shall include, but not be limited to, complaints made to the premises alleging nuisance or anti-social behaviour by persons attending or leaving the premises and all refusals to sell alcohol.

The register shall be readily available for inspection by an authorised person upon reasonable request.

Super-strength lagers, beers and/or ciders, i.e. those with an ABV of 6.5% or higher, shall not be sold at the premises.

c) Public safety

All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.

The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.

Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms and equipment to ensure their continued safe operation. A written record of these checks shall be kept and made available to an authorised officer of the licensing authority.

Empty glasses and bottles shall be removed from public areas quickly and efficiently.

An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.

d) The prevention of public nuisance

Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00.

No person shall be allowed to leave the licensed area whilst in the possession of any open drinking vessel or open glass bottle, whether empty or containing any beverage.

Signage shall be prominently displayed in the premises requesting that customers take home any off-sale alcohol they have purchased to consume it, rather than consume it in the street.

Signage requesting customers to be respectful of others when entering or leaving the premises shall be installed in a prominent position by the premises' exit.

e) The protection of children from harm

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are the following recognised photographic identification cards: a driving licence, a passport, a military identification card or a Proof of Age card carrying a 'PASS' logo.

Notices advertising that the premises operates a "Challenge 25" scheme shall be displayed in a clear and prominent position at the premises entrance

All occasions when persons have been refused service shall be recorded in the premises daily register

All children under the age of 12 years shall be accompanied by an adult whilst on the premises after 7.00pm.

The premise licence holder or Designated Premises Supervisor to ensure that all management and staff who are not personal licence holders are fully trained and briefed on the four licensing objectives and Challenge 25 and they are adhered to.

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)			
██████████			

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.

From: [REDACTED]
Sent: 28 November 2021 21:05
To: Licensing
Subject: Jensens Food 4 Park Road Premises License

CAUTION: External email. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I would like to object to the above premises obtaining premises licence.

It would only increase anti social behaviour.

An increase in traffic and people in the area.

Increased litter from the venue in the way of cans and bottles.

Disruption to residents living nearby.

Nursery and church literally across the road from the venue.

Parking problems as they are on a main road.

Please consider the above points as I am objecting on behalf of several neighbours who aren't computer literate therefore raising opinions on their behalf as well as my own.

Kind regards,

[REDACTED]

From: [REDACTED]
Sent: 28 November 2021 20:41
To: Licensing
Subject: Jensen food, 4 Park Road.

CAUTION: External email. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Further to Jensens Food Ltd's application for a premises licence, I would like to object for the following concerns:

The location is extremely close to quiet residential housing.

There are residential properties and gardens in the immediate vicinity.

A business whose hours are late at night is not compatible with this location.

Where alcohol is involved, the possibility for inappropriate behaviour is increased.

There is limited parking as the property is on a junction as well as a bad bend where there have been several serious accidents.

The premises has no space for parking on its own property.

Parking ones vehicle on the street at night has its inevitable risks attached. If that risk of possible damage is increased by introducing a considerable number of people, late at night and having been in an environment where alcohol and possibly other substances are involved, then this is not an acceptable risk to have placed on existing residents. Generally any activity involving increased numbers of people, vehicles, music and alcohol at night is not appropriate for a residential area and it increases the possibility of becoming a public nuisance and significantly raises the risk of criminal and disorderly behaviour.

The owner has already demonstrated a disregard for the local residents by blocking the footpath with their own vehicles.

I would like to object to the applications for alcohol licenses at this venue.

I have lived very nearby for 35 years now and can remember only too well the nightmare when there have been drunks late at night just walking past from other venues. The being kept awake at night, the vandalism to vehicles and property and the drunk people passing and making noise and causing damage.

I am sure if you ask anyone who has lived here long enough to remember what it is like already they will tell you how unpleasant it is sometimes and the huge expense involved in constantly having to repair property and cars. I really fail to see why the venue requires a premises licence given the number already selling alcohol in the close vicinity and especially so close to residential housing.

Furthermore there is also a church, a mosque and a nursery very nearby who will also suffer with alcohol being sold on their doorsteps.

I urge you to decline the application. Would you want this on your doorstep? A residential street is no place for a late night drinking venue.

Regards
[REDACTED]

From: Rehana Tariq <rehana.1980@icloud.com>
Sent: 29 November 2021 13:12
To: Jordan Barrett
Subject: Re: 4 Park Road -Jensons Food
Categories: Red Category

CAUTION: External email. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The premises is located on the corner of a busy main road and residential says. Diagonally across from it is a fully operating childrens nursery-and a few hundred yards from it is the mosque where they operate childrens classes in the evening. I feel with the longer opening hours and the selling of alcohol will attract more traffic therefore potentially more risk to children who attend the nursery or mosque for classes.

The premises also only has an outdoor seating area again this is located on the corner of a residential street. The sale of alcohol for use at the premises will increase people using the outdoor area for drinking- this is hardly an ideal place for the consumption of alcohol where childrens elderly all live close by and use the main road regularly. As you may be aware the consumption of alcohol can at times be the cause of poor behaviour- it is already rife in town centres and we don't require it close to residential streets.

> On 29 Nov 2021, at 13:03, Jordan Barrett <Jordan.Barrett@kirklees.gov.uk> wrote:

>

> Good Afternoon,

>

> Thank you for your objection.

>

> We would not be able to consider the parking situation for this

> application as the application needs to be based on the Licensing

> objectives and the potential Parking issues is a Planning Enforcement

> Issue. The Licensing Objectives are as follows:-

>

> - The prevention of crime and disorder;

> - Public safety;

> - The prevention of public nuisance; and

> - The protection of children from harm.

>

> Could you please explain why you feel that this premise will put children's safety at risk during opening hours and feel that it will bring a rise to unnecessary public disorder and poor behaviour?

>

> As you have submitted an objection to the premise licence you will be invited to attend a Licensing Panel hearing where both the applicant and the objectors get their chance to raise concerns in front of a Licensing Panel which consists of Councillors. They will have the final decision as to whether to grant or refuse the application.

>

> If you could get back to me with further information, I will then be able to include it in my report.

>

> I will be sending an email out to you shortly with the time and date of the hearing.

>
> Kind Regards

>
> [REDACTED] Licensing | Place – Investment & Regeneration |
> Kirklees Council | Flint Street, Fartown, Huddersfield, HD1 6LG | '
> 01484 221000 | [REDACTED]

>
> 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.

>
>
> -----Original Message-----

> From [REDACTED]
> Sent: 28 November 2021 20:16
> To: Licensing <Licensing@kirklees.gov.uk>
> Subject: 4 Park Road -Jensons Food

>
>
>
> CAUTION: External email. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>
>
>>> I object to the premises licence at Jensons Food on 4 Park Road due
>>> to the following reasons-

- >>>
- >>> 1- there is limited parking as customers currently park in the main road disrupting traffic.
 - >>> 2- the premises is located in a quiet residential streets with nearby mosques and playgroups therefore putting childrens safety at risk during opening hours.
 - >>> 3- I feel this will bring a rise to unnecessary public disorder and poor behaviour .
 - >>> 4- there are already licences shops very close by including the coop and a newsagents.

>>>
>>> Thank you

>>>
[REDACTED]
>
> <<http://www.kirklees.gov.uk>>
> [http://www.kirklees.gov.uk/beta/assets/global/img/logo_kirkleesCouncil_x2.png]

>
> Website<<https://www.kirklees.gov.uk>> |
> News<<http://www.kirkleestogether.co.uk>> | Email
> Updates<<http://www.kirklees.gov.uk/stayconnected>> |
> Facebook<<https://www.facebook.com/liveinkirklees>> | Twitter
> <<https://twitter.com/KirkleesCouncil>>

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

[REDACTED]
To: [REDACTED]
Subject: RE: Jensen Food 4 Park Road

From: [REDACTED]
Sent: 30 November 2021 13:38
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Jensen Food 4 Park Road

CAUTION: External email. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon

Regarding the above applying for an alcohol license I would like to raise the following objections:-

There are a lot of residential properties nearby that would all suffer from extra noise, especially when a lot are elderly residents who have been here long term.

The property is immediately next to residential houses.

The amount of crime and disorder would increase as is the case in any area where alcohol is served.

We are already in an area where there is a large amount of disorder.

I am currently in talks with [REDACTED] and [REDACTED] from West Yorkshire Police regarding the antisocial behaviour and crime in the very near vicinity.

[REDACTED] tells me that he has stepped up patrols in this area already so this would be counter productive.

Cars are constantly being vandalised (3 incidents in one night just last week).

Truck set on fire few months ago. Four cars burned out within 100 yards from this shop recently. therefore as you can see from the above examples we are already suffering as local residents.

There would be increased litter around the area.

Public would be made to feel unsafe as there would inevitably be more drunk people about.

There is a playgroup 50 yards away with little children attending. surely we have a duty to protect them and a shop nearby selling alcohol wouldn't help.

There is also a mosque nearby again where there are little children on an evening. Having people drinking in the area after purchasing alcohol here won't help.

There are already lots of shops nearby selling alcohol. Why would there be need for another?

The premises is on a main road and a blind bend so extra people travelling to the area and parking cars here would only add to public safety issues as there is already inconsiderate parking at this site.

I trust you will take all my above points into consideration.

Regards
[REDACTED]

Appendix B - 5

Petition to reject proposal of Jenson Retro Café

Petition summary – Jenson retro Café proposal/ planning to turn café into a alcohol shop – with longer opening hours (10pm)

Action petition for – we the assigned citizens are urge the council to reject the proposal to turn Jenson café into an alcohol shop. Following proposal will increase traffic, litter, antisocial behavior. This will consequently affect the church, play group, local park, the quiet community and mosques.

Printed name	Signature	Address	Comment	Date
[Redacted]			Too much noise	30/11/21
			Traffic	30/11/21
			Nuisance	30/11/21
			Too much noise & traffic	30/11/21
			Danger for the kids	30/11/21
			DONT WANT IT.	30.11.21

Appendix B - (5)



NOT NECESSARY	30-11-21
Traffic Not necessary	30/11/21
Traffic Not necessary	30/11/21
Noise and traffic	30/11/21
Noise litter traffic	30/11/21
Not Needed	30/11/21
Too Much Traffic	30/11/21
Noise litter	30/11/21

To: [REDACTED]
Subject: RE: Jenson food - license proposal

From: [REDACTED]
Sent: 30 November 2021 13:59
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Jenson food - license proposal

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To whom it may concern

following email is to reject and oppose the planning of Jenson retro cafe requesting to convert the sandwich shop into an alcohol shop with late opening hours. within this area there are several shops such as CO-OP, Kaay News, Patcos, Shakeal's mini market that are currently selling alcohol and are open till late hours, hence there is no need for another one on Park road.

converting the sandwich shop into a alcohol shop will increase traffic in the area and antisocial behaviour which will affect the Church, Mosque, playschool and the quiet community. increased traffic can harm children commuting to the play school, park and mosque.

the sandwich shop has increased the litter in the area with packaging, bottles and cutlery not being disposed correctly, the proposed alcohol shop will increase litter further. during sandwich shop opening hours traffic on the main road is also an issue due to no parking space and tight roads this causes a lot of traffic and build up in area when customer park their car, the shop is also in a highrisk accident area, with parked cars this will increase it further

overall, we are not happy with this proposal and request it to be rejected due to impact on the community

further to this email, all neighbours that were at home have signed a petition to reject the proposal for the safe to be turned into an alcohol shop

business in question
Jenson Retro Cafe
4 park road, HD4 5DB

Thank you

[REDACTED]
To: [REDACTED]
Subject: RE: Jenson's cafe

From: [REDACTED]
Sent: 30 November 2021 13:56
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Jenson's cafe

CAUTION: External email. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern

The following email is to reject the planning of Jenson retro cafe requesting to convert the sandwich shop into an alcohol shop opening until late. There are several shops such as CO-OP, Kaay News, Patcos, Shakeal's market that are currently selling alcohol and plenty of other options. There is definitely no need for another one on Park road.

This will cause drunks to be roaming around and it's a very busy road due to the worship places and school around. There are children always playing around and the fact that there is a play school there are always children walking with parents. If someone was to have an accident it would be horrible. It would increase traffic for people driving to buy the alcohol there are no parking spaces. The cafe is at least for locals and it runs a lot especially for David Brown who use this as a place for breakfast and lunch.

This is quite disrespectful as there is a Church and Mosque nearby as well as a , playschool and the last thing we want is for our peace to be ruined by having an alcoholic shop. I'm religious and I do not want that in my sight as the cafe literally is in my sight.

the sandwich shop has increased the litter in the area with packaging, bottles and cutlery not being disposed correctly. Having alcohol bottles lying around is not ideal and dangerous.

Also the high risk of the shop being close to a tight bend which has caused several serious accidents in these few months

I am really not happy with this decision and from everyone I have spoken to including family neighbours and David Brown staff nobody is happy and if this was to go ahead we would be taking further action. I hope my points have come across clearly.

Thank you for reading.

Jenson Retro Cafe
4 park road, HD4 5DB

[REDACTED]
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[REDACTED]

To: [REDACTED]
Subject: RE: Ref: Jensen Food, 4 Park Rd, Crosland Moor

From: [REDACTED]
Sent: 30 November 2021 12:40
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Ref: Jensen Food, 4 Park Rd, Crosland Moor

CAUTION: External email. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern

It is in regards to proposed planning of Jensen Food at 4 Park Rd. I would like to appeal against this proposed plan. My reasons for this are as follows:

- 》 Several shops within a 400-600 yard radius that sell alcohol (e.g. Co Op, Kaay News, Shakeal Mini Market, Patcos, Lockwood Convenience Store)
- 》 Mosque, Church & Playgroup/nursery all within a 100yards
- 》 Increased anti social behaviour within a residential area
- 》 increased littering within a residential area

Thank you for your time and hope to hear from yourselves soon

[REDACTED]

Sent from Yahoo Mail on Android

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

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 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.

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

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