

Contact Officer: Yolande Myers

KIRKLEES COUNCIL

LICENSING PANEL

Wednesday 5th April 2023

Present: Councillor Amanda Pinnock (Chair)
Councillor James Homewood
Councillor Jo Lawson

In attendance: David Stickley, Senior Legal Officer
Stephanie Mashiter, Senior Licensing Officer

1 Minutes of Previous Meeting

The minutes of the meeting held on 1st March 2023 were agreed as a correct record.

2 Interests

No interests were declared.

3 Admission of the Public

All agenda items were considered in public session.

4 Deputations/Petitions

No deputations or petitions were received.

5 Application for the Grant of a New Premises Licence, M & G Convenience Store Ltd, 30 Church Street, Dewsbury, WF13 1LB

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The Panel considered a report which outlined an application for the grant of a premises licence, M & G Convenience Store Ltd, 30 Church Street, Dewsbury, WF13 1LB. The Licensing Officer outlined the application, advising the Panel that, on the 16th February 2023, the Licensing Department received an application for the grant of a new premises license. The licensing activities applied for were as follows:

Sale of Alcohol (Off Premises)

Monday to Saturday	05.30hrs to 23:00hrs
Sunday	10:00hrs to 22:30hrs

Following a proposal made by Councillor Aleks Lukic, to amend the licensed hours, and in discussion with the applicant, the hours were changed to:

Sale of Alcohol (Off Premises)

Monday to Saturday	07:00hrs to 23:00hrs
Sunday	10:00hrs to 22:30hrs

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The opening hours remained the same at 05:30hrs but alcohol could not be accessible to the public between 05:30hrs and 07:00hrs.

Prior to this application, a license had been applied for at the same address which was cancelled on the 3rd August 2023 by the previous license holder, New Picture House.

In response to this application, a representation was received from Councillor Cathy Scott, which included information in relation to planning consent for 15 residential apartments above the premises, disturbance on nearby homes and that the licensing objective in respect of prevention of public nuisance would not be achieved.

In response to the representation received, the Licensing Officer advised the Panel that no determination had been made in relation to the planning consent for 15 residential apartments, and that the responsible authorities including West Yorkshire Police and Environment Health had been consulted and no concerns were raised.

The Panel was also informed that a Public Space Protection Order (PSPO) was in place, which enabled the police to address any concerns, enforce the conditions of the PSPO and issue penalties to anyone in breach of the conditions.

A representative acting on behalf of the applicant advised the Panel that, the applicant was a responsible operator who had held a license for 20 years and wanted to enhance his business. The applicant was happy to work with Local Councillors and the community to create a successful business.

Responding to the concerns raised by the objector, the representative informed the Panel that the applicant had agreed to the three extra conditions proposed by Councillor Aleks Lukic to adequately deal with the concerns raised, no objections had been received from the Police or Environmental Health and the PSPO was in place to ensure concerns were dealt with properly.

The representative highlighted the plan attached to the report and advised the Panel that a separate room had been identified to store alcohol for security and supply purposes, which would be well managed. There were CCTV cameras installed inside and outside of the premises and that staff training was essential. Staff would be instructed to inform the public not to drink outside the premises and to report any incidents that occurred.

The Panel queried the process for reporting incidents and the Licensing Officer advised that any issues could be reported to the Licensing Department and discussed with Safer Kirklees to determine the appropriate action.

RESOLVED:

That the application for the Grant of a Premises License for M & G Convenience Store Ltd, 30 Church Street, Dewsbury, WF13 1LB be approved with additional conditions:

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1. Amendment to the sale of alcohol hours as previously agreed, Monday - Saturday 7:00hrs – 23:00hrs and Sunday 10:00hrs - 22:30hrs.
2. No sale of single container high strength beer/larger/cider (ABV 6.5% or higher).
3. Staff to prevent / report street drinking directly outside the premises.
4. A prominent notice promoting compliance with the Public Space Protection Order (PSPO).
5. To liaise with the licensing department to determine a clear process for reporting incidents.