

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

LICENSING PANEL

Monday 5th June 2023

Present: Councillor Amanda Pinnock (Chair)
Councillor Ammar Anwar
Councillor Adam Gregg

In attendance: Councillor Charles Greaves
Tahir Hanif, Legal Advisor to the Panel
Craig Heywood, Licensing Officer
Stephanie Mashiter, Senior Licensing Officer
Mark Chapman, Environmental Health Officer

Observers: Councillor Zarina Amin
Councillor Aafaq Butt

1 Site Visit

The site visit was undertaken by Councillors A Pinnock, A Gregg and A Anwar.

2 Minutes of Previous Meeting

That the minutes of the meeting held on the 26th April 2023 be approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the Public

All agenda items were considered in public.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No public questions were asked.

7 Licensing Act 2003 - Application for the Grant of a Premises Licence, 20 Holmfirth Road Meltham HD9 4ES

The Panel considered a report which outlined an application for the grant of a premises licence, T'Wine Bar, 20 Holmfirth Road, Meltham, HD9 4ES.

The Licensing Officer informed the Panel that on 6 April 2023, the Licensing Department received an application for the grant of a new premises licence. The licensable activities applied for were as follows: -

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Sale of Alcohol (both on and off the premises)

Monday – Sunday 11:00 – 23:00

Live music (indoors)

Monday – Sunday 11:00 – 23:00

Recorded music (both indoors and outdoors)

Monday – Sunday 11:00 – 23:00

The applicant also applied by means of a seasonal variation, to extend the sale of alcohol hours on Bank Holidays to 24:00 hours.

In response to this application, a total of four representations were received from Environmental Health's Noise Pollution, two local ward Members and Public Health. The representations expressed their concern in relation to noise and public nuisance and anti-social behaviour.

Prior to the hearing, the applicant supplied the Panel with updated information which included an amendment to the requested hours as follows: -

Sale of Alcohol

Wednesday to Thursday 16:00 – 21:00

Friday to Saturday 16:00 – 23:00

The applicant advised the Panel that T'Wine Bar had previously had the benefit of nine Temporary Event Notices (TEN) for the sale of alcohol, and during these periods no complaints had been received. Details of the TEN's were appended to the considered report.

The applicant informed the Panel that there was no intention to open the bar from 11:00 hours to 23:00 hours seven days a week, as he had another job and intended to open the bar on the updated limited days and times when it would be the busiest to ensure profitability.

Responding to concerns raised by the representations, the applicant advised the Panel that he understood the concerns in relation to noise emanating from the property and would do his utmost to ensure this was kept to a minimum. In relation to anti-social behaviour, the applicant explained that the premises was a different type of establishment and had a different clientele, being a smaller premises than those already in the town and therefore less likely to attract anti-social behaviour.

RESOLVED: That the application for the Grant of a Premises License, T'Wine Bar, 20 Holmfirth Road, Meltham, HD9 4ES be approved with additional conditions as follows:

- 1) The sale of alcohol hours, Wednesday – Thursday 16:00hrs – 21:00hrs and Friday - Saturday 16:00hrs - 23:00hrs.
- 2) Live music indoors, Wednesday – Saturday 16:00hrs – 21:00hrs.
- 3) Recorded music indoors, Wednesday - Thursday 16:00hrs – 21:00hrs. Friday - Saturday 16:00hrs – 23:00hrs.

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- 4) No recorded or live music to be played outdoors.
- 5) No amplified music to be played indoors.
- 6) No alcohol to be consumed outdoors Wednesday – Saturday after 21:00hrs.
- 7) CCTV recording to cover indoors and outdoors and be kept for a minimum of 28 days and be available upon request from any responsible authority.