

Public Document Pack



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

Julie Muscroft

Governance and Commissioning

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Huddersfield

HD1 9EL

Tel: 01484 221000

Please ask for: Nicola Sylvester

Email: nicola.sylvester@kirklees.gov.uk

Tuesday 3 October 2023

Notice of Meeting

Dear Member

Licensing Panel

The **Licensing Panel** will meet in the **Meeting Room 3 - Town Hall, Huddersfield** at **10.00 am** on **Wednesday 11 October 2023**.

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 Jo Lawson

Councillor Zarina Amin

Agenda

Reports or Explanatory Notes Attached

Pages

1: Site Visit

Site Visit in respect of 5 Pickford Street, Milnsbridge, HD3 4LH to be undertaken.

2: Minutes of Previous Meeting

1 - 2

To approve the Minutes of the meeting of the Panel held on the 23 August 2023.

3: Declaration of Interests

3 - 4

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

4: Admission of the Public

Most agenda items take place in public. This only changes where there is a need to consider exempt information, as contained at Schedule 12A of the Local Government Act 1972. You will be informed at this point which items are to be recommended for exclusion and to be resolved by the Panel.

5: Deputations/Petitions

The Panel will receive any petitions and/or 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 submit a petition at the meeting relating to a matter on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10, Members of the

Public must submit a deputation in writing, at least three clear working days in advance of the meeting and shall subsequently be notified if the deputation shall be heard. A maximum of four deputations shall be heard at any one meeting.

6: Public Question Time

To receive any public questions.

In accordance with Council Procedure Rule 11, the period for the asking and answering of public questions shall not exceed 15 minutes.

Any questions must be submitted in writing at least three clear working days in advance of the meeting.

7: Licensing Act 2003 - Application for the Grant of a Premises License: Le Sorelle, 5 Pickford Street, Milnsbridge, Huddersfield, HD3 4LH 5 - 54

To consider the application at 10:00am.

Contact: Lee Rushworth, Licensing Officer, Tel 01484 221000

8: Licensing Act 2003 - Application for the Transfer of a Premises Licence, Ravensthorpe Off Licence, 618 Huddersfield Road, Ravensthorpe 55 - 80

To consider the application at 11am.

Contact: Rox Javid, Licensing Officer, Tel 01484 221000

Contact Officer: Nicola Sylvester

KIRKLEES COUNCIL

LICENSING PANEL

Wednesday 23rd August 2023

Present: Councillor Amanda Pinnock (Chair)
Councillor Ammar Anwar
Councillor Donna Bellamy

In attendance: Mike Skelton, Senior Licensing Officer
Tahir Hanif, Senior Legal Officer

Apologies: Councillor Zarina Amin

1 Site Visit

The site visit was undertaken by Councillor Anwar.

2 Minutes of Previous Meeting

That the minutes of the meeting held on 5th June 2023 be approved as a correct record.

3 Declaration of Interests

Councillor Donna Bellamy declared an other interest in relation to agenda item 7 as a previous Ward Councillor for the Colne Valley Ward.

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:
Bankgate Mills, Bankgate, Slaithwaite, Huddersfield, HD7 5DL**

The Panel considered a report which outlined an application for the grant of a premises licence, Bankgate Mills, Bankgate, Slaithwaite, Huddersfield, HD7 5DL.

The Licensing Officer informed the Panel that on 4th July 2023, the Licensing Department received an application for the grant of a premises licence. The licensable activities applied for were as follows:-

Sale of Alcohol (on and off the premises)
Monday – Sunday 12:00 – 23:00

Licensing Panel - 23 August 2023

The Licensing Officer advised the Panel that the responsible authorities had been consulted and no concerns or objections had been raised.

In response to this application, a total of 18 representation from members of the public, and one representation from Colne Valley Ward Councillors had been received which expressed concerns in relation to noise, public nuisance, anti-social behaviour, crime and disorder and public safety, and that if the license be granted the licensing objectives in respect of public nuisance, prevention of crime and disorder, protecting children from harm and public safety would not be achieved.

The applicant informed the Panel that he owned the Fourth Fiend which was a well-established tap room in Meltham, and that his intention was to replicate the tap room which catered for the community, in Bankgate Mills, Slaithwaite. The applicant also advised the Panel that he was happy to work with the community to create a successful business.

Responding to concerns raised by the objectors, the applicant explained to the Panel that until the landlord at Bankgate Mills had allocated the outside space to each unit, the applicant was unable to confirm the area that would be in use from the tap room, and that he expected people to walk to the venue obliterating the concern for parking at the site. The applicant advised the Panel that he would communicate with the landlord to discuss what could be implemented to protect the public from harm on exiting the tap room onto a busy road. The applicant also advised that the Fourth Fiends tap room was based in the centre of Meltham with residential properties close by and that there had only ever been one instance of a noise complaint in the last two years, the applicants intention was to do his utmost to ensure noise was kept to a minimum.

RESOLVED:

That the application for the Grant of a Premises License, Bankgate Mills, Bankgate, Slaithwaite, Huddersfield, HD7 5DL be refused.

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 11th October 2023

Title of report: Licensing Act 2003 – Application for the Grant of a Premises Licence: Le Sorelle, 5 Pickford Street, Milnsbridge, Huddersfield HD3 4LH

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 Rachel Spencer-Henshall Strategic Director (Environment and Climate Change) Not applicable Not applicable
Cabinet member portfolio	Cllr Mussarat Pervais

Electoral wards affected: Golcar Ward

Ward councillors consulted: Cllr Andrew Marchinton
Cllr Elizabeth Reynolds
Cllr Graham Turner

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 licence, 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 23rd August 2023 the Licensing department received an application for the grant of a premises licence for Le Sorelle. 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 (on the premises)
Monday - Sunday 09:00 – 22:30

Performance of Live Music (Indoors)
Friday - Sunday 09:00 – 22:30

The above timings are slightly different to what is stated in the application form at appendix A. During the consultation period the applicant revised the timings requested which was confirmed via email and was reflected in public advertisements.

2.1.3 In total, 21 relevant representations from members of the public have been received relating to this application. The application was also served on responsible authorities to which 1 representation was received from Environmental Health.

2.1.4 The representations received considered that the following licensing objectives would not be met should this licence be granted:

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

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. Environmental Health have raised concerns over the opening times and the times licensable activities will be taking place. Environmental Health have also raised concerns regarding amplified/live music at the premises and have requested conditions be attached to the licence .

Consultee's responses can be seen at **Appendix D**.

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

Lee Rushworth, Licensing Officer, Licensing Service
Tel: 01484 221000 ext. 78217
Email: Lee.Rushworth@kirklees.gov.uk

9 Background Papers and History of Decisions

9.1 Appendix A – Application for the Grant of a Premise Licence for Le Sorelle

9.2 Appendix B – Objection from members of the public

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

9.4 Appendix D – Representations made by responsible authority

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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New Premises Licence

Premises Details

Premises Address *

5 Pickford Street Milnsbridge Huddersfield West Yorkshire
HD3 4LH

Telephone number at premises (if any)

[REDACTED]

Non-domestic value of premises. *

£ 80000

Applicant Details

I/We 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.

Please state whether you are applying for a premises licence as:

an individual or individuals

Applicant Details

If you are applying as a person described in one of the above please confirm: *

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

Individual Applicant

Title *

Mrs

First name *

Amy

Surname *

Lambert

Street address *

[REDACTED]

[REDACTED]

[REDACTED]

Individual Applicant

Town/City *

County

Postcode *

Date of Birth *

I am 18 years old or over

Nationality *

Daytime Contact Telephone Number *

Email *

Operating Schedule

When do you want the premises licence to start? *

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

Please give a general description of the premises. *

The business I am opening will be a coffee shop. The premises itself consists of a 2 storey building with a large shop front window. The reason for my premises application is in order to sell alcohol as/when required. We would like to hold event nights once a month which may include live music.

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

Operating Schedule

What licensable activities do you intend to carry on from the premises? * (Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2) *

Plays

Operating Schedule

- Films
- Indoor Sporting Events
- Boxing or Wrestling
- Live Music
- Recorded Music
- Performances of Dance
- Anything of a similar description falling under Music or Dance
- Provision of late night refreshment
- Supply of Alcohol

Live Music Standard Times

Standard days and timings, where you intend to use the premises for the performance of live music. (please read guidance note 7) * Please enter times in 24hr format (HH:MM)

Day *

Friday

18:30

22:30

Live Music

Will the Performance of Live Music take place indoors or outdoors or both? (please read guidance note 3) *

Indoors

Live Music

Please provide further details. (please read guidance note 4)

Live music performance would be held no more than once a month, this would be ticket holder access only for a small group of individuals.

State any seasonal variations for the Performance of Live Music. (please read guidance note 5)

This would only occur once a month.

Please state any non-standard timings, where you intend to use the premises for the performance of live music at different times from the Standard days and times listed? (please read guidance note 6)

As it currently stands these would be the only times, if any others were to take place then a TEN would be submitted.

Supply of Alcohol Standard Times

Standard days and timings, where you intend to use the premises for the supply of alcohol. (please read guidance note 7)*
Please enter times in 24hr format (HH:MM)

Day *

Every Day

09:00

22:30

Supply of Alcohol

Will the supply of alcohol be for consumption on premises or off premises or both? (please read guidance note 8) *

On the premises

Is the premises used exclusively or primarily for supply of alcohol for consumption on the premises? *

No

State any seasonal variations for the supply of alcohol. (please read guidance note 5)

Please state any non-standard timings, where you intend to use the premises for the supply of alcohol at different times from the Standard days and times listed?(please read guidance note 6)

Designated Premises Supervisor

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)

Title *

Mrs

First name *

Amy

Designated Premises Supervisor

Surname *	Lambert
Street address *	[REDACTED]
	[REDACTED]
	[REDACTED]
Town/City *	[REDACTED]
County	[REDACTED]
Postcode *	[REDACTED]
Personal Licence Number (if known)	
Issuing Licensing Authority (if known)	Kirklees

Opening Hours Standard Times

Standard days and timings, where the premises are open to the public. (please read guidance note 7) * Please enter times in 24hr format (HH:MM)

Day *	Tuesday
	10:00
	22:00

Opening Hours Standard Times

Standard days and timings, where the premises are open to the public. (please read guidance note 7) * Please enter times in 24hr format (HH:MM)

Day *	Wednesday
	10:00
	22:00

Opening Hours Standard Times

Standard days and timings, where the premises are open to the public. (please read guidance note 7) * Please enter times in 24hr format (HH:MM)

Day *

Thursday

10:00

22:00

Opening Hours Standard Times

Standard days and timings, where the premises are open to the public. (please read guidance note 7) * Please enter times in 24hr format (HH:MM)

Day *

Friday

10:00

22:30

Opening Hours Standard Times

Standard days and timings, where the premises are open to the public. (please read guidance note 7) * Please enter times in 24hr format (HH:MM)

Day *

Saturday

10:00

22:00

Licensing Objectives

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) *

The steps I intend to take to promote the licensing objectives is to limit the number of members of the public on the premises for their safety and in order for the prevention of public nuisance. CCTV will also be in operation and when/if required security staff will be present.

Licensing Objectives

b) The prevention of crime and disorder *

CCTV Security Staff

c) Public safety *

Appropriate/outside lighting Dispersal policy Access to local transport numbers

d) The prevention of public nuisance *

Noise prevention measures Sensible closing time and dispersal methods

e) The protection of children from harm *

Children not allowed unaccompanied by an adult after 8pm
No alcohol to be sold to anyone under the age of 21

Declarations

Declaration Type *

Sole Applicant - Individual or Other

Declarations

I have uploaded a copy of the plan of the premises. I have uploaded a copy of the consent form completed by the individual I wish to be designated premises supervisor, if applicable. I understand 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 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 (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.

Signature/Declaration of applicant or applicant's solicitor or other duly authorised agent (see Guidance Note 11 & 12). If signing/applying on behalf of the applicant, please state your name and in what capacity you are authorised to sign/apply. When submitting an on-line application form the 'Declaration made' checkbox must be selected.

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, if appropriate (please see note 15).

Full Name *

Amy Lambert

Date *

23/08/2023

Declarations

Capacity *

Applicant



Declaration made

Do you wish to provide alternative correspondence details? *

No

Email confirmation

On submission an email confirmation will be sent using the details below

Forename

Amy

Surname /Company Name

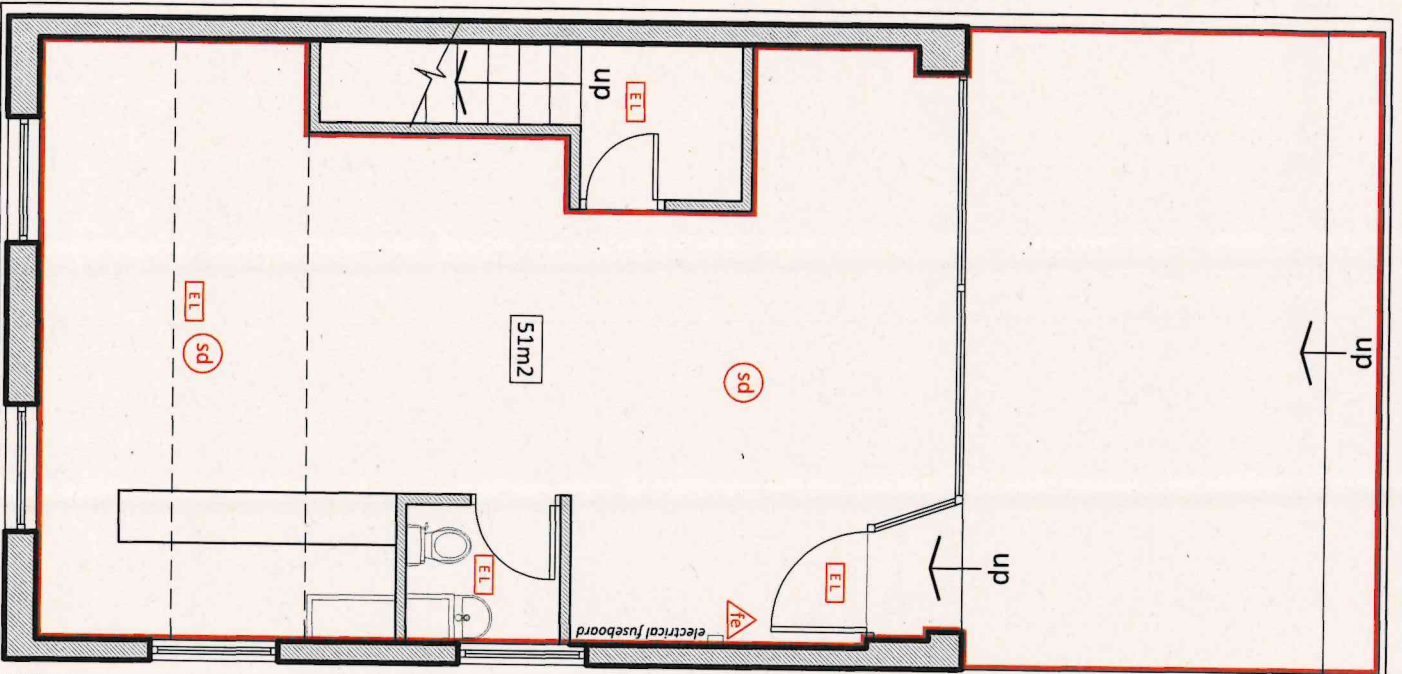
Lambert

Email *

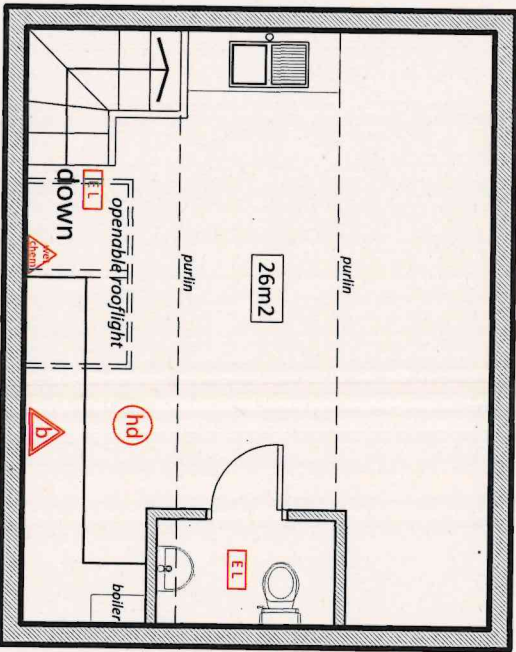
[REDACTED]

Telephone

[REDACTED]



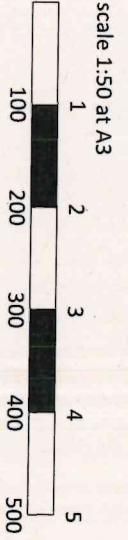
GROUND FLOOR LAYOUT
SCALE 1:50



FIRST FLOOR LAYOUT
SCALE 1:50

KEY

- red outlined area for alcohol sales
- sd smoke detector
- hd heat detector
- fe fire extinguisher- foam
- fe fire extinguisher- wet chemical
- b fire blanket
- el emergency light fitting



DO NOT SCALE IF IN DOUBT ASK

REV	DATE	DETAILS	INITIAL

PROJECT
5 PICKFORD STREET
MILNSBRIDGE
HUDDERSFIELD, HD3 4LQ

CLIENT
MRS AMY LAMBERT

TITLE
LICENSING PLAN

DWG No. HD3-01 SCALE 1:50@A3

DRAWN BY T.D DATE 20/08/23

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From: [REDACTED]

Sent: Tuesday, September 5, 2023 6:33 PM

To: Licensing <Licensing@kirklees.gov.uk>

Subject: Application for alcohol and live music certificate at 5, Pickford street Milnsbridge HD34LH.

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

I am writing to lodge my objection to this application on the grounds that these premises are in a quiet residential street. [REDACTED]. It would cause me great loss of privacy and noise nuisance with the comings and goings of customers and the playing of Live Music. The local scout association meeting hall is only 10 yards away at the other side of this building, children use this facility on a regular basis and would have to pass the premises to access the scouts hall. No suitable parking is available at all, which will increase safety risks and access problems for the local residents both on Pickford street and School terrace.

Regards [REDACTED]
[REDACTED]

Can you please confirm receipt of this comment.

From: [REDACTED]

Sent: 06 September 2023 21:36

To: Licensing <Licensing@kirklees.gov.uk>

Subject: Application for the grant of a premises licence at 5 Pickford Street, Milnsbridge. HD34LH

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

Good evening,

With regards to the above planning application I would like my objections noted on file.

The above location is in a residential area where lots of families with young children live and would be affected by the above being granted.

I believe the granting of the above licence will have effect on all of the below and bring trouble and nuisance to the residents in the area

- the prevention of crime and disorder - this will rise if an alcohol licence is granted.
- public safety - the road is often used as a shortcut through to Milnsbridge and children can often be seen playing on the road on scooters and bikes. Increased traffic would be likely to result in accidents and possible fatalities
- the prevention of public nuisance - noise and increased traffic in a heavily residential area will cause nuisance from noise and late night music and drinking. Lots of families with small children live in the area.
- the protection of children from harm - as listed above lots of young families live in the area and drinking and increased traffic is likely to result in harm and nuisance for these families.

I hope you will take the above into account and deny the licence application

Regards

[REDACTED]

Sent from my iPhone

From: [REDACTED]

Sent: 06 September 2023 21:02

To: Licensing <Licensing@kirklees.gov.uk>

Subject: Alcohol and Live Music Licence

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

I have received notification that 5 Pickford Street (Le Sorelle) has applied for a live music and alcohol licence from Monday to Sunday with live music 0900-2230 Friday, Saturday, Sunday. I live on New Street there is already a pub at the top of our street and the Four Horseshoes behind us, the noise from which is incredible some evenings.

5 Pickford Street is within a residential area and I for one do not want noise disruption for 13.5hrs every day Frid/Sat/Sun. There is also the antisocial behaviour which comes with alcohol which we absolutely don't need. There are many families with small children in our area, there are elderly/infirm residents very near that address (I know because as a community nurse I visit them) they don't need this. There are more than enough drinking establishments in our area and enough noise as it is.

Please reject this application

Regards
[REDACTED]

From: [REDACTED]
Sent: Wednesday, September 6, 2023 7:56 AM
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Objection to Alcohol and Live Music License - 5 Pickford Street

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

Hi,

I object to the alcohol and live music license application for 5 Pickford Street.

This is a residential area with many young families including my own. Loud music and rowdy drunks would be a nightmare.

Thank you for reading

[REDACTED]
[REDACTED]

Sent from my iPhone

From [REDACTED]

Sent: 06 September 2023 23:01

To: Licensing <Licensing@kirklees.gov.uk>

Subject: License for 5 Pickford street Milnsbridge

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

Dear Sir or Madam,

[REDACTED]. How would you like it if you had music blaring out at 22.30 at night, especially if you had a young family. This surely applies to the properties in the vicinity.

Also there is the high probability of anti social behaviour as the proposed hours of the sale of alcohol are far too excessive.

Yours sincerely,

[REDACTED]
New Street hd3 4ln.

From: [REDACTED]

Sent: 06 September 2023 17:22

To: Licensing <Licensing@kirklees.gov.uk>

Subject: Object to alcohol and live music license

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

I would like to formally object to the alcohol and live music application at 5 Pickford street Huddersfield Hd34ll

This is a residential area with lots of very young children, I my self have 3, one who has Autsim and wouldn't cope with noise like this so close to our home, this is a safe area for now and all that alcohol and live music will bring is trouble, drunk people and a lot of noise pollution! Glass being smashed and what ever else drink people will bring

Parking would also be a massive issue making it more unsafe to cross roads with children as well as not being able to park outside our own home.

Will also make visibility dangerous when people start to Double park

Thank you

Sent from Yahoo Mail for iPhone

From: [REDACTED]
Sent: Wednesday, September 6, 2023 3:25 PM
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Alcohol license 5 Pickford Street

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

I wish to object to this proposal, already have enough problems at the seating area at the side of my home, drinking drugs and anti social behaviour without adding to this with loud live music,

Sent from my iPhone

From: [REDACTED] >
Sent: Monday, September 18, 2023 3:39 PM
To: Licensing <licensing@kirklees.gov.uk>
Subject: 5 pickford street

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

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

DEAR LICENSING OFFICERS,

REGARDING THE APPLICATION FOR AN ALCOHOL AND LIVE MUSIC LICENSE FOR 5, PICKFORD STREET, MILNSBRIDGE.

IT WOULD BE HARD TO THINK OF A WORSE POSITION AS THE ABOVE ADDRESS TO HAVE A VENUE SERVING ALCOHOL AND HAVING LIVE MUSIC. THE BUILDING ABUTS A PRIVATE DWELLING DIRECTLY TO ONE SIDE AND IS SURROUNDED BY RESIDENTIAL HOUSING.

YOU MUST SURELY TAKE INTO ACCOUNT THE HOUSE IMMEDIATELY ADJOINING THIS BUILDING, AND THE DISTRESS IT IS SURE TO CAUSE TO THE PEOPLE LIVING THERE AS WELL AS THE SURROUNDING AREA.

IT WILL BE ABSOLUTELY HORRENDOUS WITH POTENTIALLY INEBREATED PEOPLE OUTSIDE CREATING NOISE/TROUBLE AND THROWING CIGARETTE ENDS OVER THE FLOOR, AS WELL AS HAVING TO PUT UP WITH THE MUSIC BLARING OUT.

I DO HOPE YOU DO NOT APPROVE OF THIS LICENSE AS IT WILL CAUSE MUCH UNNEEDED DISTRESS TO THE NEIGHBOURHOOD.

YOURS HOPEFULLY,

[REDACTED]

From: [REDACTED] >

Sent: Thursday, September 7, 2023 10:39 AM

To: Licensing <Licensing@kirklees.gov.uk>

Subject: liquor & live music licence 5 Pickford Street (previously CV Tool Hire)

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

It has just been brought to our attention that the above premises have applied for a liquor & live music licence.

We seriously disagree with this idea.

It is a very heavy residential area with families, very young children. At least a couple i know of [REDACTED] [REDACTED] (loud music, very antisocial behaviour/fighting that comes with drinking etc).

[REDACTED]

From: [REDACTED] >
Sent: Thursday, September 7, 2023 2:31 PM
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Licence application PR00391

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

I am writing to voice my objection to the above licence application, with [REDACTED] on Manchester Road. I have concerns both about the possibility of noise from the live music aspect with it being in a built up area, and also the potential of anti social behaviour which may lead from from the sale of alcohol on the site.

[REDACTED] >
Sent: 07 September 2023 07:36

To: Licensing <Licensing@kirklees.gov.uk>

Subject: 5 Pickford St, HD3 4LH, formerly c.v. tool hire

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

I would like to object in full and deny the above application for a liquor and live music licence Monday to Sunday 0900-22.30 and live music Friday Saturday and Sunday.

This licence should Not be granted, noise, parking and unsociable behaviour could all be the result of this licence including litter/drug paraphernalia.

The area surrounding these premises are residential with many family homes and elderly infirm residents and the noise from loud music, drunk behaviour would be horrendous for the immediate and surrounding houses.

Yours faithfully

[REDACTED]

From: [REDACTED] >

Sent: Thursday, September 7, 2023 11:21 AM

To: Licensing <Licensing@kirklees.gov.uk>

Subject: Alcohol and live music licence application.

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

ALCOHOL AND LIVE MUSIC LICENCE APPLICATION, 5 PICKFORD STREET, MILNSBRIDGE, HD3 4LH. I OBJECT to this, I live close by to this address and [REDACTED] who can only just about deal with noises surrounding our area and has a bedtime routine. Having this license is just going to cause problems not just for [REDACTED] but for other families and those who have to get up early for work. Application should be DENIED!!

From: [REDACTED]
Sent: 07 September 2023 14:36
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Le Sorelle, 5 Pickford Street, Milnsbridge

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

We are aware that an application has been made to yourselves about a liquor & live music license.

We are in a heavily built up residential area, where families with young babies, elderly live.

Myself works from home less than 1 minutes walk away from these premises & when i am constantly on the phones working for PlusNet it isn't very professional when our customers can't hear me because of any kind of music under my office window & i don't think my boss would be at all happy with disgruntled customers & potentially losing them to another company because all they can hear is music, boozed up fighting etc. Our lines are open 8am-8pm 7 days a week

Please think of the residents & people like myself who work from home

From: [REDACTED]
Sent: Monday, September 11, 2023 12:16 PM
To: Licensing <Licensing@kirklees.gov.uk>
Cc: [REDACTED]
Subject: la sorelle

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

I strongly wish to oppose the license application for 5 Pickford Street.

I am a long term resident of Pickford Street, 35 years and my husband 45 years.

The thought of live music and alcohol on these premises next door but one is a scary thought.

We, as residents sometime struggle to park on Pickford Street especially when the scouts have meetings and functions.

There is private access to the rear of 5 Pickford Street for numbers 1,2,3 and 4 School Terrace and this will attract people thinking there is suitable parking, which is not the case.

We are due to become grandparents again and will play a large part in the child's life which will be difficult with alcohol and live music with antisocial behaviour.

We have had to listen to loud unwanted music from the Queen pub, approximately 300 yards away and antisocial behaviour. These premises are now closed due to police activity (cannibis farm) and we fear the same clientele will frequent Le Sorrelle.

This is a residential area with many family homes, small children, elderly and infirm. The expected noise and disturbance would be magnified all around this area.

Please reject this application.

[REDACTED]

PR00391 Premises Licence Pending Decision 5 Pickford Street Milnsbridge HD3 4LH

We would politely like to ask the Sub Licensing Committee to thoroughly visit the site to confirm what we know about it already i.e. 5 Pickford Street HD3 4LH, which is totally inappropriate and certainly not viable for alcohol/coffee shop/live music (which opens according to what they say on the 30th of October on web/google with a dine in and take away alcohol and live music on a weekend which we and most residents around simply do not want.) Just recently the Queen Inn Pub closed for farming cannabis drugs and we have simply had enough public nuisance and do not wish for another possible episode. We would wish to point out the available facility to buy alcohol across the road at the Co-op/Asda within 100 yards (as the crow flies) is there.

How can such a license be granted to disturb a quiet backwater area including unmade Radcliffe Road and especially for the people next door including children at the Milnsbridge Scouts. Being a resident very close I have known these premises since the 1940s Harold Wilson went to New Street School later the Prime Minister and the school just a few doors away. The school that was is now the Doctors surgery which is lively with patients and is only a few yards away. The traffic around these premises No. 5 Pickford Street is bad already. This application if granted would make it a probable nightmare for all local residents. As regards music at the weekend (live) please dont take our weekend peace away from us. We all know what drink and live music and takeaways can turn into. We think this is a 100 per cent for the licence not to be granted.

Thank you for your attention to this matter.

[REDACTED]

From: [REDACTED]
Sent: Friday, September 15, 2023 3:58 PM
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Objection - Premises License at 5 Pickford Street

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

Dear Sir/ Madam,

With reference to the license application by Le Sorelle at 5 Pickford Street, Milnsbridge, HD3 4LH for the sale of alcohol & and the performance of live music, I would like to register an objection due to the following;

1. Public Safety

5 Pickford Street is an end terrace of a block of residential properties in a residential area with very limited available parking. Children regularly play on the street, and the area already becomes over-saturated with vehicles at busy times.

2. Public Nuisance

The use of alcohol results in antisocial behaviour, noise, litter and often leads to the use of other more potent stimulants; the area surrounding 5 Pickford Street has many elderly residents and young children. School Terrace located behind 5 Pickford Street is an enclosed area, that amplifies loud sounds to the adjacent properties on Manchester Road, Pickford Street, Wilson Gardens and New Street.

As a Christian Seventh-day Adventist I do not believe that the proposed activities are compatible with the Sabbath hours which are sunset Friday to sunset Saturday or would benefit the area. If you have any queries please contact me.

--
Kind regards,

[REDACTED]

From: [REDACTED]
Sent: Thursday, September 21, 2023 4:33 PM
To: Licensing <Licensing@kirklees.gov.uk>
Subject: 5 pickford street alcohol and live music application

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

Hello,

I am writing to object to the application for alcohol and live music license at 5 Pickford street, Milnsbridge.

As a resident, if this license is approved it will result in a lot of noise, restricted parking and potentially even unsocial behaviour in the residential area. The area has many family homes with young children and also elderly residents who could be very badly affected and intimidated by this going ahead.

There is also scout hut next to the property which will limit parking for them even more and also the environment of a live music and alcohol bar will not be good for the children.

thank you

Regards,
[REDACTED]

From: [REDACTED]

Sent: 10 September 2023 14:47

To: Licensing <Licensing@kirklees.gov.uk>

Subject: ALCOHOL AND LIVE MUSIC APPLICATION

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

Sent from my Galaxy

This licence for 5 Pickfotd Street should not be allowed.

This is a residential area with elderly and families in close proximity. Drinking and loud music plus parking and unsocial behavior would be detrimental to the community. This building is only quite small so customers would spill out onto a very small space at the front and the street.

Yours faithfully

[REDACTED]

[REDACTED]
Sent: Wednesday, September 20, 2023 11:54 PM

To: Licensing <Licensing@kirklees.gov.uk>

Subject: Fw: Objection to the License application for 5 Pickford Street, Milnsbridge, HD34LH

[REDACTED]
Local Resident

[REDACTED]
Milnsbridge
Huddersfield
[REDACTED]

Tel [REDACTED]

APPLICATION FOR A LICENCE FOR THE SALE OF ALCOHOL AND PERFORMANCE OF LIVE MUSIC AT 5 PICKFORD STREET, MILNSBRIDGE, HUDDERSFIELD, HD3 4LH.

Dear Sir /Madam

I am writing to strongly object to the above proposal.

My family have lived on Pickford Street for over 40 years. It is a quiet, safe, close knit street/community. I am therefore surprised that this location has been proposed for such a venue.

My objections fall under the following categories -

1. To Prevent Public Nuisance - The households closest to the proposed site are mostly made up of long-term residents, some of whom are elderly and frail. The inevitable increase in noise, activity and traffic will without doubt negatively impact the peace and quality of life of these residents. Also, the area behind 5 Pickford Street is a no through road leading to School Terrace which is enclosed by the properties on Manchester Road, Pickford Street and Wilson Gardens. Because of the geography of these buildings, sound is amplified, meaning the noise from the proposed venue will disturb all residents in said vicinity.

2. To Protect Children From Harm - There are families with young children on Pickford Street and the adjacent streets (Wilson Gardens, Glendene Mews and Radcliffe Road) and many children from these families regularly play near to the proposed venue.

There is also an active Scout Club next door. I feel it is inappropriate to have such a venue where children frequent, as they are more likely to be exposed to anti-social behaviour.

Also, when the Scout Club hold their regular meetings, there is always disruption to resident parking. Given that there is limited parking in this area, further congestion would pose a threat to the safety of young children.

3. Prevent Crime and Disorder- As stated, licensed premises by their very nature increase the risk of anti-social behaviour, crime and disorder. I therefore feel it is inappropriate to have this proposed venue in this location.

There are no conditions that would mitigate the disruption and harm that this proposal will cause. I therefore strongly urge the licensing committee to reject this application.

Your faithfully,

[REDACTED]

From: [REDACTED] >
Sent: Sunday, September 17, 2023 4:39 PM
To: Licensing <Licensing@kirklees.gov.uk>
Subject: PR00391 premises license

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

Due to being a local resident of the area, living in [REDACTED] to 5 Pickford Street I object to this application . This is due to it being a very quiet residential area with many many families of young children and many elderly infirm residents. Playing loud music is very likely to cause a distress to the elderly and disruption to young families bedtime routines.

Also the sale of alcohol may lead to unruly behaviour and antisocial behaviour of either customers or encourage people to hang around.

Currently there is very little parking, the building has under gone some cosmetic renovations recently, even the tradesman couldn't park outside the building. They parked opposite on the other side of the road and parked partly on the pavement so other road uses could pass. The scout building next door to 5 Pickford St currently opens several nights of the week including Fridays and weekends. When this is in use the road and pavements becomes dangerous, with people parking on pavements and across junctions so with additional cars if the licence was to be granted could lead to increased traffic incidents and potential for serious accidents.

Also there is a woodland area off an unadopted road so my other concern is a possibility be for a rise in litter and for potentially public indecency/public urination with there being limited toilets available to customers.

I am willing to attend a meeting about the application of required.

Your sincerely

[REDACTED] resident

From: [REDACTED] >
Sent: Thursday, September 7, 2023 10:24 AM
To: Licensing <Licensing@kirklees.gov.uk>
Subject: 5 Pickford Street A |cohol and Live Music Licence Application

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

We feel the above Licence should not be granted. Noise ,parking, litter, and unsocial behaviour could all be the result of this licence. The area surrounding these premises is residential with many family homes and elderly infirm residents. We feel that drinking and loud music would spoil the lifestyle of the people living in this area. If the licence was given it would be terrible for people living in this area. We object strongly to this application.

[REDACTED]

[REDACTED]

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

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.

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).

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, light pollution, noxious smells and litter.

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 early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

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 antisocial 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.

Protection of children from harm

2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.

2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:

- adult entertainment is provided.
- a member or members of the current management have been convicted for serving

alcohol to minors or with a reputation for allowing underage drinking (other than in the

context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming

beer, wine and cider when accompanied by an adult during a table meal);

- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol

for consumption on the premises.

2.24 It is also possible that activities, such as adult entertainment, may take place at certain

times on premises but not at other times. For example, premises may operate as a café

bar during the day providing meals for families but also provide entertainment with a

sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts

to entertainment or services of an adult or sexual nature. Applicants, responsible

Revised Guidance issued under section 182 of the Licensing Act 2003 | 11

authorities and licensing authorities will need to consider this point carefully. This would

broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances

involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism,

or entertainment involving strong and offensive language.

2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- restrictions on the hours when children may be present;
- restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18);
- restrictions or exclusions when certain activities are taking place;
- requirements for an accompanying adult (including for example, a combination of

requirements which provide that children under a particular age must be

accompanied by an adult); and

- full exclusion of people under 18 from the premises when any licensable activities are

taking place.

2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.

2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

2.30 The 2003 Act provides that, where a premises licence or club premises certificate 12 | Revised Guidance issued under section 182 of the Licensing Act 2003 authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

**Licensing Act 2003
Response to Building Control & Licensing Service
From Environmental Health**

Reference:	WK/202329125
Premises:	5 Pickford Street, Milnsbridge, Huddersfield, HD3 4LH

Licensable Activity (place X in relevant box)			
Sale by retail of Alcohol	X	Provision of regulated entertainment	
Provision of entertainment facilities (music, dancing, etc)		Provision of late night refreshment	

OBSERVATIONS			
Public Safety		No Observations	
Date:	15 September 2023	Officer/Ext:	Rob Sykes 01484 221000
Prevention of Public Nuisance		<p>I am concerned with regards to the opening times the applicant has requested due to the proximity of residential properties in the area. Therefore, I would have to recommend refusal of the application.</p> <p>I would be able to support the application if the opening hours were from 09.00- 18.00 on the days the applicant wants to operate.</p> <p>I would also recommend the following conditions if the application were granted:</p> <p>1) Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment emanating from inside the premises shall be controlled so as to be inaudible inside any noise-sensitive location in the vicinity of</p>	

		5 Pickford Street, Milnsbridge, Huddersfield, HD3 4LH	
		<p>To enable the applicant to check whether this condition is being met, suitable monitoring position(s) may be agreed with the Responsible Authority. To comply with the condition, noise from the premises shall not be audible at this point.</p> <p>Informative Note: Licensees are advised to carry out a simple “sound check” outside the nearest noise sensitive property by listening to the music etc. coming from regulated entertainment. If the music etc. is clearly audible, then it is likely that this condition is being breached. Therefore, steps should be taken to reduce the volume of the noise.</p> <p>In case of dispute, the applicant can verify inaudibility by demonstrating.</p> <ul style="list-style-type: none"> • zero increase in the $L_{Aeq, 1 \text{ min}}$ (music playing) over the background L_{A90} (music off) and • zero increase in the $L_{10, T}$ VS $L_{90, T}$ exceedence in each 1/3 octave band between 40Hz and 160Hz. <p>2) Clear and conspicuous notices shall be displayed at all entrances, exits and in outdoor areas requesting patrons to respect the needs of the local residents and to leave the premises and area quietly. All staff shall be trained in ensuring the quiet dispersal of patrons.</p>	
Date:	15 September 2023	Officer/Ext:	Kevin Ellam 01484 221000



Name of meeting: Licensing Panel, Huddersfield Town Hall, Meeting Room 3 at 11am.

Date: **Wednesday 11th October 2023**

Title of report: Licensing Act 2003 – Application for the Transfer of a Premises Licence: Ravensthorpe Off Licence, 618 Huddersfield Road, Ravensthorpe, Huddersfield

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	Fiona Goldsmith – on behalf of Rachel Spencer-Henshall Strategic Director (Environment and Climate Change)
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	Cllr Mussarat Pervaiz

Electoral wards affected: Dewsbury West

Ward councillors consulted: Cllr Mumtaz Hussain
Cllr Darren O'Donovan
Cllr Mussarat Parvaiz

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 Transfer of a premises licence, which because of a representation received, has been referred to this Panel for determination.

2 Information required to take a decision.

2.1 Application

- 2.1.1 On 8th September 2023 an application was received for the transfer of the premises licence at Ravensthorpe Off Licence, 618 Huddersfield Road, Ravensthorpe, Huddersfield. A copy of the application and licence can be seen at **Appendix A**.
- 2.1.2 The premises licence for Ravensthorpe Off Licence, was cancelled/surrendered on 4th September 2023 by the licence holder. A copy of the email surrendering the licence can be found at **Appendix B**.
- 2.1.3 The previous licence holder cancelled/surrendered the licence following the premises failing a test purchase which was carried out by the police and resulted in the sale of alcohol to a person under the age of 18.
- 2.1.4 Section 50 of the Licensing Act states that where a premises licence lapses due to the licence being surrendered a person may apply for the transfer of a licence provided it is made no later than 28 days after the day the licence lapsed. Where an application is made, the premises licence is reinstated from the time the application is received by the licensing authority until either: -
- a) The applicant is notified of the rejection of the application or
 - b) The application is withdrawn.
- 2.1.5 An objection to the application was received from West Yorkshire Police within the 14-day consultation period. The objection received considers that the following licensing objective would not be met should this licence be granted: -
- Prevention of Crime and Disorder
- A copy of the objection can be found at **Appendix C**.

2.1 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

2.4 The Licensing Authority will carry out its functions under the licensing Act 2003 with a view to promoting the four licensing objectives contained in the Act and each has equal weight.

Licensing Objectives.

1. Public Safety
2. Prevention of crime & disorder
3. Prevention of public nuisance
4. Protection of children from harm

2.2 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 four of the licensing objectives, Member's attention is drawn to Section 2 of this Guidance, the relevant parts of which may be found at **Appendix D**.

3 Implications for the Council

3.1 Working with People

Residents of Kirklees need to be confident that 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 Climate Change and Air Quality

There are no climate change or air quality implications contained in this report.

3.5 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.

3.6 Financial Implications for the people living or working in Kirklees Council

The decision members make may have financial implications for the applicant/existing licence holder.

3.7 Other (e.g. Integrated Impact Assessment (IIA)/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.

Under the provisions of the Licensing Act 2003 there is no requirement for an IIA, while licence conditions should not duplicate other statutory provisions; members should be mindful of requirements and responsibilities placed on them by other legislation, which may include:

- The Gambling Act 2005
- The Environment Protection Act 1990
- The Noise Act 1996
- The Clean Neighbourhoods and Environmental Act 2005
- The Regulatory Reform (Fire Safety) Order 2005
- The Health and Safety at Work etc. Act 1974
- The Equality Act 2010
- The Immigration Act 2016
- Regulators' Code under the Legislative and Regulatory Reform Act 2006

4 Consultees and their opinions

Consultation has taken place in accordance with Section 42 of the Licensing Act 2003 and an objection has been received from West Yorkshire Police (Appendix C).

5 Next steps and timelines

5.1 When determining the application Members, having had regard to the representation, may take one of the steps:

- grant the application,
- 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

Rox Javid, Licensing Officer, Licensing Service

Tel: 01484 221000 ext. 70545

Email: rox.javid@kirklees.gov.uk

9 Background Papers and History of Decisions

9.1 Appendix A – Transfer application/cancelled Premises Licence

9.2 Appendix B – Email surrendering licence

9.3 Appendix C – Objection from WY Police

9.4 Appendix D – Relevant section of Secretary of State Guidance – Section 182 Licensing Act.

10 Service Director responsible

Katherine Armitage

Service Director – Climate Change and Environmental Strategy

Tel: 01484 221000

Email: katherine.armitage@kirklees.gov.uk

APPENDIX A

Kirklees MB Council

Application to transfer premises licence to be granted under the Licensing Act 2003 under Section 50 & S42

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

(Insert name of applicant)

apply to transfer the premises licence described below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

PR00182

Part 1 – Premises details

<i>Postal address of premises or, if none, ordnance survey map reference or description</i> Ravensthorpe Off Licence 618 Huddersfield Road Ravensthorpe	
Post town Dewsbury	Post code WF13 3HL
Telephone number at premises (if any) None	
Email: [REDACTED]	

Please give a brief description of the premises (see note 1)

Established retail premises, trading as a grocery store situated on a main road in a semi retail/residential area.

Name of current premises licence holder

No-one

Part 2 - Applicant details

In what capacity are you applying for the premises licence to be transferred to you?

Please tick yes

a) an individual or individuals*

X

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) an individual 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 respect of 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:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or X
- 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 Mrs Miss Ms Other title
 (for example, Rev)

Surname

First names

Please tick yes

Date of birth [redacted] I am 18 years old or over

Nationality [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 2 for information)

Current residential address if different from premises address

[Redacted address box]

Post town [redacted]

Post code [redacted]

Daytime contact telephone number [redacted]

E-mail address (optional) [redacted]

SECOND INDIVIDUAL APPLICANT (fill in as applicable)

Mr Mrs Miss Ms Other title [redacted] (for example, Rev)

Surname [redacted]

First names [redacted]

Date of birth [redacted] I am 18 years old or over 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 2 for information)

Current residential address if different from premises address

Post town

Post code

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
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

Please tick yes

Are you the holder of the premises licence under an interim authority notice?

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please tick yes

I have enclosed the consent form signed by the existing premises licence holder

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?

The application has been submitted under S50 of the Licensing Act 2003. The Premises Licence was surrendered on 5th September, therefore there is no current PLH registered on the Premises Licence.

Please tick yes

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

Please tick yes

I have enclosed the premises licence

If you have not enclosed premises licence referred to above please give the reasons why not.

The new owner is looking for the paper Premises Licence and when he finds it, he will forward it to your office within the next few days. However we can attach a copy of the page 1 of the Summary.

- I have made or enclosed payment of the fee -
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today
- I have sent a copy of this form to Home Office Immigration Enforcement today
- 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, or my Home Office online right to work checking service share code, to demonstrate my entitlement to work in the United Kingdom (please read note 2)

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.

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 2)

Part 4 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date 6th September 2023

Capacity Agent on behalf of the applicant

For joint applicants signature of second applicant, second applicant’s solicitor or other authorised agent (please read guidance note 5). **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 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

PREMISES LICENCE Licensing Act 2003	Licence number:	Online Reference number:
	PR00182	PR00182

THIS LICENCE IS ISSUED BY

	<p align="right">Kirklees Council Public Protection Services Licensing Department PO Box 1720 Huddersfield HD1 9EL</p>
	<p align="right">Tel: 01484 456868 Email: licensing@kirklees.gov.uk</p>

POSTAL ADDRESS OF PREMISES

Ravensthorpe Off License
618 Huddersfield Road
Ravensthorpe
Dewsbury
WF13 3HL

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Sale of Alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Sale of Alcohol

Day(s)	From - To
Monday	08:00 - 23:00
Tuesday	08:00 - 23:00
Wednesday	08:00 - 23:00
Thursday	08:00 - 23:00
Friday	08:00 - 23:00
Saturday	08:00 - 23:00
Sunday	08:00 - 23:00

THE OPENING HOURS OF THE PREMISES

DAY(S)	FROM	TO
Monday	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00
Thursday	08:00	23:00

Friday	08:00	23:00
Saturday	08:00	23:00
Sunday	08:00	23:00

NON STANDARD TIMINGS FOR OPENING HOURS (IF ANY)

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

Alcohol is supplied for consumption off the Premises

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

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

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

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

PERSONAL LICENCE NUMBER: LICENSING AUTHORITY:	
--	--

ANNEXES**ANNEX 1 – MANDATORY CONDITIONS****ANNEX 1 - MANDATORY CONDITIONS**

Alcohol:

1. No supply of alcohol may be made under this licence:

- a. At a time when there is no designated premises supervisor in respect of the premises licence, or
- b. At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- a. a holographic mark, or
- b. an ultraviolet feature.

4. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1 of this condition -

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

b. "permitted price" is the price found by applying the formula $P = D + (D \times V)$ where -

- i. P is the permitted price,
- ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

c. "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- i. the holder of the premises licence,
- ii. the designated premises supervisor (if any) in respect of such a licence, or
- iii. the personal licence holder who makes or authorises a supply of alcohol under such a licence;

d. "relevant person" means, in relation to premises in respect of which there is in force a club premises

certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

e. "value added tax" mean value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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

ANNEX 2 – CONDITIONS CONSISTANT WITH THE OPERATING SCHEDULE

The Prevention of Crime and Disorder -

An incident log must be kept at the premise. Log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'authorised person'. When the designated premises supervisor is not on duty, a contact telephone number will be available at all times. All spirits will be stored and sold behind the counter.

The premise shall install and maintain digital CCTV system. The CCTV system shall have sufficient hard drive storage capacity to store a minimum of 31 days. A CCTV log will be completed on a weekly basis to record all elements of the CCTV System is maintained in good working order and recordings date and time stamped. Only nominated staff shall be trained in the operation of the CCTV system. CCTV shall be continually recording during licensable hours.

The Prevention of Public Nuisance -

Prominent, clear and legible signage shall be displayed at all exits to the premises requesting the public to leave quietly.

The Protection of Children from Harm -

A written register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records will be kept for a period of 12 months. All staff engaged in the sale of alcohol to be trained in Challenge 25. Training records shall be kept on the premises and available at request for an 'authorised person'. Prominent, clear and legible Challenge 25 signage shall also be displayed in the premises.

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

ANNEX 4 – PLANS OF PREMISE

As outlined in the operating schedule and attached plan

Date Granted: 27 October 2020

Date Commences/Varied: 27 October 2020

Martin Wood

Head of Public Protection Service

PREMISES LICENCE SUMMARY

Licensing Act 2003

PR00182

THIS LICENCE IS ISSUED BY



LICENSING
Flint Street Depot
Flint Street
Fartown
Huddersfield
HD1 6LG

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

POSTAL ADDRESS OF PREMISES

Ravensthorpe Off License
Casa Blanca
618 Huddersfield Road
Ravensthorpe
Dewsbury
WF13 3HL

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Sale of Alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Sale of Alcohol

Day(s)	From - To
Monday	08:00 - 23:00
Tuesday	08:00 - 23:00
Wednesday	08:00 - 23:00
Thursday	08:00 - 23:00
Friday	08:00 - 23:00
Saturday	08:00 - 23:00
Sunday	08:00 - 23:00

THE OPENING HOURS OF THE PREMISES

DAY(S)	FROM	TO
Monday	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00

Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00
Sunday	08:00	23:00

NON STANDARD TIMINGS FOR OPENING HOURS (IF ANY)

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

Alcohol is supplied for consumption off the Premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

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

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

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

As per Licensing Act 2003

Any conditions applicable to these premises are attached to the licence

Date Granted: 27 October 2020

Date Commences/Varied: 27 October 2020

Martin Wood

Head of Public Protection Service

APPENDIX B

-----Original Message-----

From: Darius Dosky <[REDACTED]>

Sent: Monday, September 4, 2023 12:48 PM

To: Licensing <Licensing@kirklees.gov.uk>

Subject: Surrounded

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

Hi all I confirm the surrender of the off licence below business as not responsible anymore.

Revethorpe off license
618 Huddersfild road
Dewsbury
WF133HL
United Kingdom

Darius Dosky,

APPENDIX C

From: Woodhead, Richard
Sent: Monday, September 11, 2023 3:12 PM
To: Mike Skelton <Mike.Skelton@kirklees.gov.uk>; Fiona Goldsmith <Fiona.Goldsmith@kirklees.gov.uk>; Jagger, Kathryn <kathryn.jagger@westyorkshire.police.uk>
Cc: Craig Heywood <Craig.Heywood@kirklees.gov.uk>
Subject: OBJECTION TO TRANSFER 618 HUDDERSFIELD RD.

Dear All,
West Yorkshire Police wish to object to the transfer of the premise licence to 618 Huddersfield Rd, Ravensthorpe under two of the licensing objectives.

Protection of Children from Harm.
Prevention of crime and disorder.

On Wednesday 30th August a test purchase was carried out in the shop where an underage test purchase subject was sold a can of alcohol. The time was 15.00hrs
On entering the shop to make them aware that they failed we talked to an Asian lady in her mid-thirties who confirmed she had made the sale.
She confirmed that she had not challenged the child when the purchase was made. She also disclosed she worked 8 hours a day for £40, making her hourly rate £5.00 an hour, which is breaking employment law.
The sale of alcohol to a minor is a criminal offence and does pose harm to an underage person.

When we contacted the DPS who was also the premises licence holder, he stated he had sold the business and was no longer in day-to-day control of the alcohol sales. When we explained what had happened and how the business was being ran, he immediately surrendered the licence.

We then requested the shop immediately stop selling alcohol as there was no DPS in place. West Yorkshire police feel that the transfer is a way for the shop to keep retailing alcohol after failing a test purchase, therefore are objecting.

R.Woodhead

APPENDIX D

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.

wellbeing of the children during any emergency.