

Public Document Pack



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

Samantha Lawton

Governance and Commissioning

PO Box 1720

Huddersfield

HD1 9EL

Tel: 01484 221000

Please ask for: Jenny Bryce-Chan

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

Monday 17 June 2024

Notice of Meeting

Dear Member

Licensing Panel

The **Licensing Panel** will meet in the **Council Chamber - Town Hall, Huddersfield** at **1.00 pm** on **Tuesday 25 June 2024**.

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 "S Lawton".

Samantha Lawton

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 Zarina Amin

Councillor Jane Rylah

Agenda

Reports or Explanatory Notes Attached

Pages

1: Site Visit

Site Visit to be undertaken prior to the hearing.

2: Declaration of Interests

1 - 2

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.

3: 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.

4: 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.

**5: Licensing Act 2003 - Application for the Full Variation of
Le Sorelle, 5 Pickford Street, Milnsbridge, Huddersfield,
HD3 4LH** 3 - 54

To consider the application at 1:00pm.

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

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.



REPORT TITLE:

Licensing Act 2003 – Application for the Full Variation of Le Sorelle, 5 Pickford Street, Milnsbridge, Huddersfield, HD3 4LH.

Meeting:	Licensing Panel
Date:	25 th June 2024
Cabinet Member (if applicable)	Councillor Adam Zaman
Key Decision Eligible for Call In	No No
Purpose of Report To determine the application.	
<p>Recommendations</p> <ul style="list-style-type: none"> Members of the panel are requested to determine the application. <p>Reasons for Recommendations</p> <ul style="list-style-type: none"> In accordance with the requirements as set out in the Licensing Act 2003, where relevant representations are received by either a responsible authority or any other person, the matter is referred to the panel for a decision. 	
<p>Resource Implications: There are no resource implications.</p>	
Date signed off by <u>Strategic Director</u> & name	Fiona Goldsmith – on behalf of Rachel Spencer-Henshall Strategic Director for Corporate Strategy, Commissioning and Public Health
Is it also signed off by the Service Director for Finance?	Not applicable
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Not applicable

Electoral wards affected: Golcar

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

Public or private: Report to be heard in Public.

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

1. Executive Summary

1.1 The purpose of this report is to inform Members of an application for the Full Variation of a premises licence, 14 representations have been received, and is therefore referred to this Panel for determination.

2. Information required to take a decision.

2.1 Application

2.1.1 On 30th April 2024 the Licensing Department received an application for the full variation of a premises licence for Le Sorelle, 5 Pickford Street, Milnsbridge, Huddersfield, HD3 4LH. A copy of this application and plan is shown at **Appendix A**. The applicant has confirmed that the opening times on the application should reflect the sales of alcohol. This can be seen at **Appendix D**.

2.1.2 The licensable activities applied for are as follows: -

Sale of Alcohol (on the premises) Monday – Sunday 10am – 10pm

2.1.3 A total of 14 representations have been received in respect of this application, 1 from Environmental Health, the remaining have been received from residents.

2.1.4 These representations consider the following licensing objectives would not be met should this full variation application be granted:

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

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

2.1.5 The applicant applied for a licence for this premises in August 2023. The applicant applied for:

Sale of Alcohol, Monday – Sunday 10am – 10pm
Live Music 6:30pm – 10:30pm on Fridays.

The application received 21 objections in total, 1 objection from Environmental Health and 20 from members of the public. This application went to a hearing on 11th October 2023 and the panel decided to grant the licence, however only allowing the premises to sell alcohol between the hours of 10am – 6pm and added a condition on the licence that licensable activities must only take place inside the premises and no alcohol is allowed to be taken outside of the premises or consumed outside the premises and also that music should be inaudible to residents. A copy of this licence can be seen at **Appendix C**

The applicant has applied for a full variation to increase the hours for the Sale of Alcohol to 10am – 10pm every day and they want to remove the conditions attached at the previous hearing.

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(s):

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 statement and procedures mentioned in this policy statement. Notwithstanding this statement, all applications will be treated on their own 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.

2.4 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.

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

2.13 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 an application is lawfully made and no relevant representations are made in respect of an application, the Licensing Authority is under a duty to grant the licence on the terms sought. Only if relevant representations are made will the Council's discretion be engaged.

2.3 Secretary of State Guidance

Members also need to consider the statutory guidance issued, by the Secretary of State, under Section 182 of the Licensing Act 2003. As the representations related to all 4 of the licensing objectives. Member's attention is drawn to Section 2 of this guidance, the relevant parts may be found at **Appendix E**.

3. **Implications for the Council**

3.1 Working with People

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

3.2 Working with Partners

The Council's licensing team work closely with partnering agencies, named 'Responsible Authorities' under the Licensing Act 2003. Responsible authorities include Planning, West Yorkshire Police, Trading Standards, Environmental Health, Fire Service, and 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 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 the Licensing Authority, will have regard to this objective.

3.6 Financial Implications

There are no financial implications in relation to this report.

3.7 Legal Implications

In determining the application Members should have regard to the Authority's licensing policy statement and the Secretary of States 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.

3.8 Other (eg Risk, Integrated Impact Assessment or Human Resources)

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 Consultation

4.1 Consultation has taken place in accordance with the requirements set out in the Licensing Act 2003. 14 Representations have been received as detailed above.

5 Engagement

5.1 Engagement is not a requirement as set out in the Licensing Act 2003.

6 Options

6.1 Options considered

Members of the Panel are requested to determine the application.

6.2 Reasons for recommended option

In accordance with the requirements as set out in the Licensing Act 2003, where relevant representations are received by either a responsible authority or any other person, the matter is referred to the panel for a decision.

7 Next steps and timelines

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

- Grant the Full Variation application
- Grant the Full Variation application with appropriate conditions
- Exclude from the scope of the licence any of the licensable activities which relate to this application, or
- Reject the Full Variation application

7.2 Findings on any issues of fact should be on the balance of probability.

7.3 In arriving at a decision Members must have regard to the relevant provisions of the statutory guidance and the licensing policy statement and reasons must be given for any departure.

7.4 The decision should be based on the individual merits of the application.

8 **Contact officer**

Jordan Barrett, Licensing Officer
01484 221000 ext 71665.
jordan.barrett@kirklees.gov.uk

9 **Background Papers and History of Decisions**

[Agenda for Licensing Panel on Wednesday 11th October 2023, 10.00 am | Kirklees Council](#)

[Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK \(www.gov.uk\)](#)

[Licensing Policy \(kirklees.gov.uk\)](#)

10 **Appendices**

Appendix A – Full Variation Application

Appendix B - Representations

Appendix C – Existing Premises Licence

Appendix D – Confirmation of Opening Hours

Appendix E – Section of 182 Guidance

11 **Service Director responsible**

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



Application to vary a premise licence under the licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I [REDACTED]

.....
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

Part 1– Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Le Sorelle 5 Pickford Street Milnsbridge			
Post town	Huddersfield	Postcode	HD3 4LH

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	[REDACTED]

Part 2– Applicant details

Daytime contact telephone	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

I would like the hours of the premises license to be changed to between 10:00am to 22:00pm

I would also like the variation to include the front outdoor area of the premises.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

N/A

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

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

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

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) <p style="text-align: center;">N/A</p>		
Mon	10:00	22:00			
Tue	10:00	22:00			
Wed	10:00	22:00			
Thur	10:00	22:00			
Fri	10:00	22:00			
Sat	10:00	22:00			
Sun	10:00	22:00	<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5) <p style="text-align: center;">N/A</p>		

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Tue	10:00	14:00	
Wed	10:00	14:00	
Thur	10:00	14:00	
Fri	10:00	14:00	
Sat	10:00	14:00	
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation. I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 5 Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant, please state in what capacity.

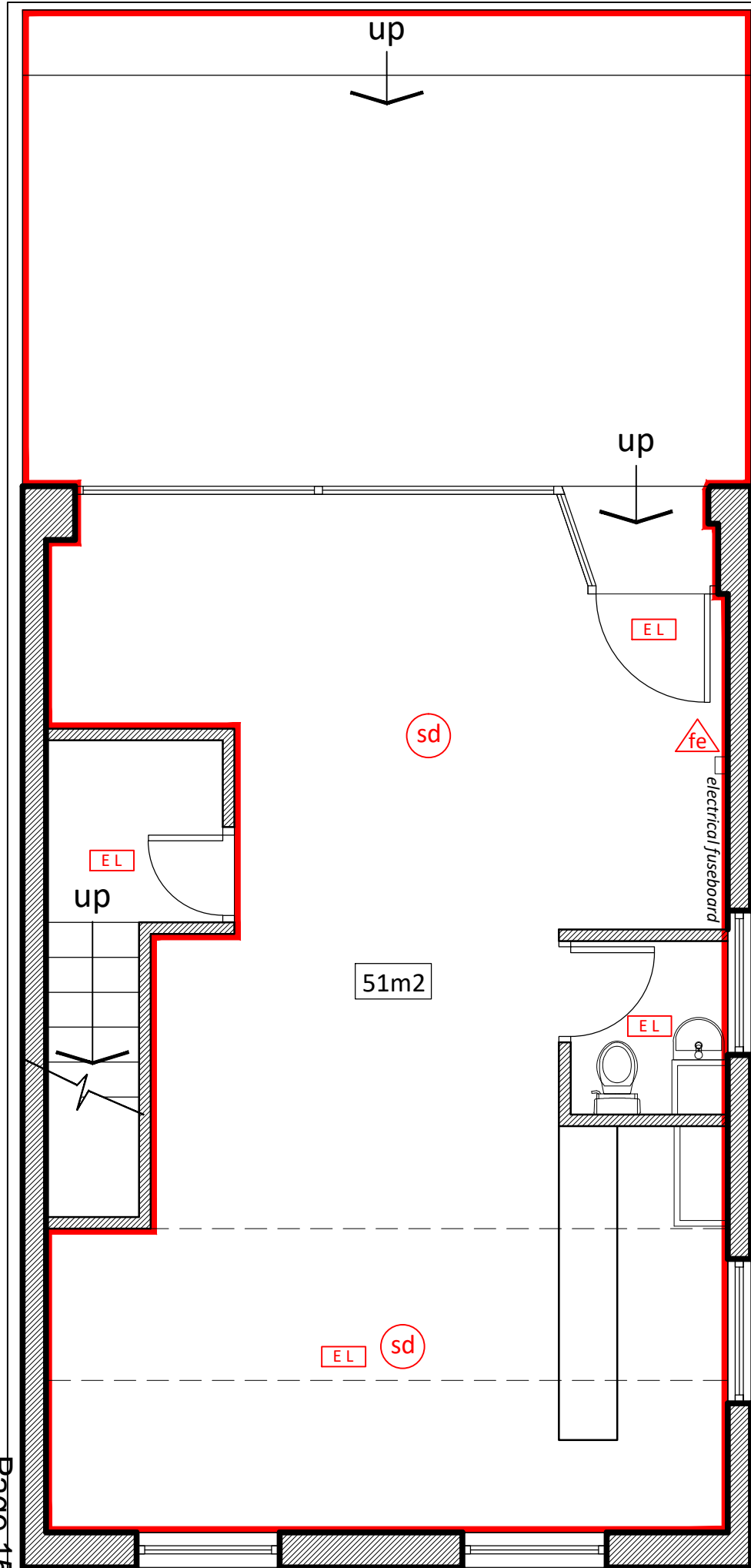
Signature	[REDACTED]
Date	[REDACTED]
Capacity	

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

[REDACTED]			
Post town	[REDACTED]	Post code	[REDACTED]
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
Personal Data			
We have recently updated our Privacy Notice about how we use personal data provided to the Council. Further information can be found at: http://www.kirklees.gov.uk/beta/information-and-data/pdf/privacy-notice-licensing-gambling-act.pdf			



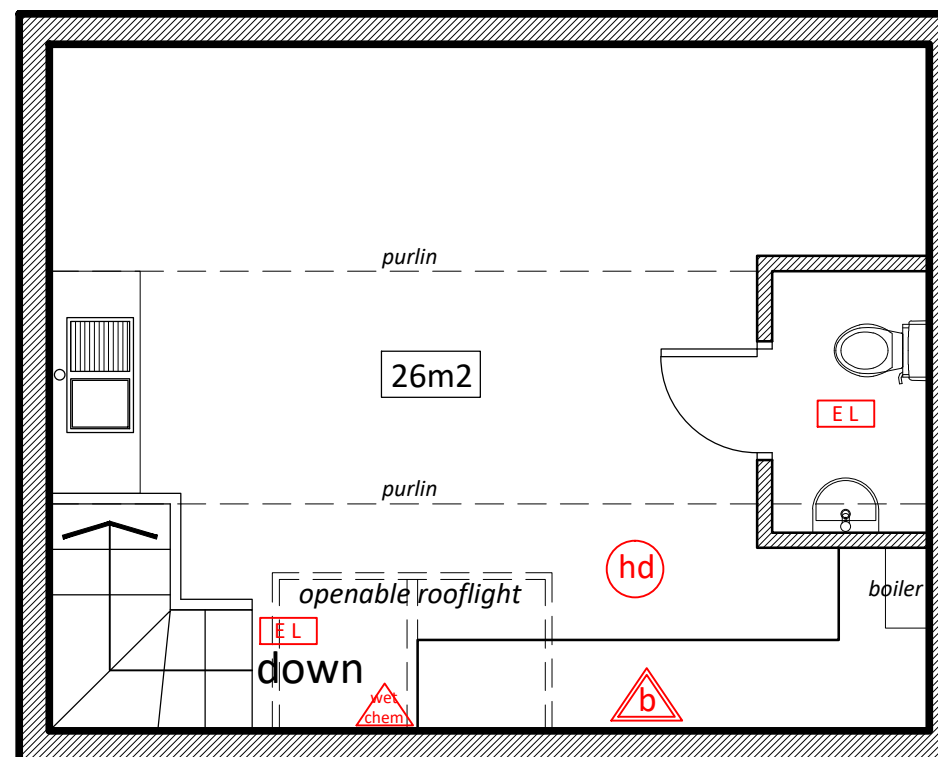
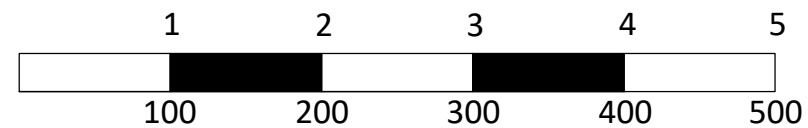
GROUND FLOOR LAYOUT

SCALE 1:50

KEY

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

scale 1:50 at A3



FIRST FLOOR LAYOUT

SCALE 1:50

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

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

DRN BY T.D DATE 20/08/23

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Appendix B

From: [REDACTED]
Sent: Friday, May 24, 2024 3:30 PM
To: Lee Rushworth <Lee.Rushworth@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.

Good afternoon,

A feeling of deja vu seems to be happening!

I wish to object strongly once again to the latest application for the above premises to extend the opening hours from 10.00 until 22.00 Monday to Sunday selling alcohol.

The same objections are valid from the applicant's earlier application.

Noise, litter, parking, scouts activities, inconvenience of living so close to licensed premises and all that entails.

Surrounding properties must surely be devalued by this.

There have been some major alterations to the front of the premises, has planning permission been granted for this raised seating area and alterations in a conservation area?

Parking on Pickford Street by the owner and patrons is already causing problems. They park on the pavement almost all the way up to Manchester Road, so people with prams/pushchairs/wheelchairs must walk on the road to pass. There is not enough room for two people to walk side by side on the pavement because of the cars parked.

At the previous meeting the applicant acknowledged that, with hindsight, she should have informed the local residents personally of her intentions, but this never happened this time either, no consideration.

Alcohol, live music, late nights are a recipe for disturbed evenings for all local residents and the scouts once again.

Trying to leave School Terrace (behind these premises) is a "taking your life in your hands" exercise as view to both ways of Pickford Street is severely compromised by the large fence surrounding it and the parking on Pickford Street.

I urge and plead with you to deny this latest extended application

Yours faithfully

[REDACTED]



Please acknowledge receipt

Appendix B

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

From: [REDACTED]
Sent: Saturday, May 11, 2024 12:31 PM
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Le Sorelle 5 Pickford Street HD34LH

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

Dear Sir,

I'm writing to confirm my objection with regards to the new application submitted for the license of the premises of 5, Pickford Street HD34LH.

Public Safety.

An alcohol and live music license from 10am to 10pm is totally inappropriate in this residential area, all day drinking lessons peoples inhibitions and leads to rowdy behaviour, 42% of violent incidents are alcohol related. People walking past will feel intimidated by groups of people drinking and listening to live music outside the premises. I myself would feel unsafe [REDACTED]

[REDACTED] Parking is also a safety issue , since Le sorelle opened congestion as increased , cars regularly double park on pavement's and people have to walk in the road to passbye. Emerging from School Terrace on to Pickford Street in a vehicle is particularly dangerous.

Crime and disorder

Having a venue with alcohol live music people drinking outside will see an increase in anti social behaviour including drug abuse and dealing, violence and threatening drunken incidents

Protection of children

Le sorelle is adjacent to the local scout and guides groups only a few yards away, children have to pass the premises day and night and would have to witness all of the above activities and run the gauntlet of groups of intoxicated adult's whilst attending their scout meetings.

Public nuisance

All of the above issues will cause nuisances to local residents most of which are elderly Including distress to some. Noise from loud music, rowdy groups of people drinking outside ect [REDACTED]

Regards [REDACTED]

Sent from my iPhone

Appendix B

From: [REDACTED]
Sent: Sunday, May 19, 2024 6:02 PM
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Objection to Le Sorelle 5 pickford Street

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

Good afternoon,

I'm writing to object to the late alcohol licence for Le Sorelle 5 pickford Street in Huddersfield.

[REDACTED]

[REDACTED] and I have worries about loud
drunken behaviour [REDACTED]
[REDACTED] the noise will be a
massive issue. The street is and always has been residential.

[REDACTED]

[REDACTED]

Appendix B

From: [REDACTED]
Sent: Monday, May 27, 2024 6:19 PM
To: Licensing <Licensing@kirklees.gov.uk>; Lee Rushworth <Lee.Rushworth@kirklees.gov.uk>
Subject: Le Sorelle, 5 Pickford St, Milnsbridge - licensing application for the sale of alcohol

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

Dear Council Officer

As residents of Radcliffe Road which is directly opposite the above premises we wish to object to the granting of an alcohol license to Le Sorelle cafe on Pickford Street.

Parking

The cafe is currently opening for a limited number of hours per day, five days a week and this is perfectly fine other than some problems with cafe users parking at the top of our road where poor parking results in it being unsafe to pull out onto Pickford Street because of limited visibility and space to manoeuvre.

An extended licence from 10 a.m. - 10 p.m. seven days per week is a cause for concern for us as this will inevitably mean more problems with parking and being able to access in and out of our road safely. for a greater number of hours in the day.

Alcohol and noise

People drinking inside and outside the cafe for 12 hours per day, seven days per week is going to cause an unacceptable level of noise in a residential area where we live.

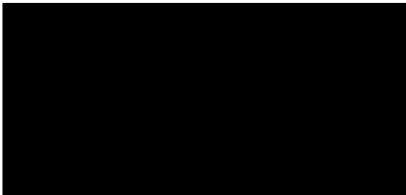
We are also concerned about the behaviour of drunken people in our area and of men in particular urinating in the woods opposite the cafe which are by the side of our road and causing a public nuisance and potential anti-social behaviour.

Litter

There is bound to be an increase in the amount of rubbish in the area with people throwing cigarette butts and used vaping equipment onto the street.

In conclusion

We seriously object to the granting of this licence and we hope you will take our concerns seriously and keep us informed about the progress of this application and updated with the decision you make.



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

Reference:	WK/202413788
Premises:	Le Sorelle, 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:	07 May 2024	Officer/Ext:	Kevin Ellam 01484 221000
Prevention of Public Nuisance		<p>I have reviewed the information submitted for the variation of the premises licence. I have no objections to the proposed variation of hours for the sale of alcohol within the premises to be changed to 22.00.</p> <p>However, I would object to any change to the hours of use and sale of alcohol for consumption in the outside area of the premises. The Environmental Health service has not had the chance to evaluate the impact the use of this outside area with its present operating times will have on nearby residents during the summer months as the current licence was only granted in October.</p>	
Date:	08 May 2024	Officer/Ext:	Kevin Ellam 01484 221000

Appendix B

From: [REDACTED]
Sent: Monday, May 27, 2024 5:03 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 'Supply of Alcohol by or behalf of a club', 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 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 noise to the adjacent properties on Manchester Road, Pickford Street, Wilson Gardens and New Street.

I do not believe that the proposed activities would enhance or benefit the area, nor would they be compatible with the Sabbath hours which are sunset Friday to sunset Saturday.

If you have any queries please let me know.

--

Kind regards,
[REDACTED]

Appendix B

From: [REDACTED]
Sent: Friday, May 24, 2024 4:24 PM
To: Lee Rushworth <Lee.Rushworth@kirklees.gov.uk>
Subject: Le Sorelle

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

This latest application should be rejected out of hand.

The noise, litter and unsociable behaviour this will attract does not bear thinking about.

The intrusion into privacy of our neighbours will be excruciating, now that there is quite a high seating area [REDACTED]

Devaluation of our property will certainly follow should this application be granted.

Inconsiderate parking is already causing problems and will only increase with extended opening hours.

I trust this will be rejected.

[REDACTED]

Appendix B

From: [REDACTED]
Sent: Tuesday, May 28, 2024 3:11 PM
To: Lee Rushworth <Lee.Rushworth@kirklees.gov.uk>
Subject: La Sorelle - 5 Pickford street, Milnsbridge, Huddersfield

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 wish to object to the extended opening hours for the above premises, my objections are based on my concerns that the extended opening hours will increase the likelihood of anti social behaviour and public nuisance in this residential area. Another concern is noise; as I have noticed that the premises have erected an outside seating area and the sale of alcohol over these extended hours is likely to encourage a drinking culture and as the premises are situated right next to the local scout headquarters I feel this is not the right area to be encouraging this type of behaviour.

Since the premises has been opened parking in this residential area has on several occasions been a problem for our household. By extending the opening hours it will increase this problem as residents won't be able to park when they get back from work. Customers at the venue often park on Pickford Street by the junction with Manchester Road causing obstructions when leaving or turning onto Pickford Street and making it unsafe when pulling out onto Manchester road or onto Pickford street and since the premises does not have any allocated parking this will only increase the likely hood of an accident or obstruction to emergency vehicles accessing the area.

regards

[REDACTED]

Appendix B

From: [REDACTED]
Sent: Monday, May 27, 2024 11:33 AM
To: Lee Rushworth <Lee.Rushworth@kirklees.gov.uk>
Subject: Le sorelle planning application

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

Dear Sirs

I would like to put in an objection to the above property putting in planning permission for extended hours and the selling of alcohol between these times for the following reasons:

1. Noise and litter, eg: cigarette ends thrown on the floor.
2. Inadequate parking, customers at the moment parking part way on the pavement. Pickford street gets very busy at certain times so cars parked will cause more traffic problems.
3. This is a quiet residential area, what sort of clientele will it attract if open at 10am till 10pm.
4. The coffee shop is next to a scout hut with small children going to beavers etc passing by.
5. Are the customers coming for a drink going to be driving?

At the moment the coffee shop seems to be going well apart from the pavement parking, and the owner has made the outside nice.

I cannot see the reasoning in wanting to have the opening times and usage altered.

Yours faithfully

[REDACTED]

Appendix B

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

From: [REDACTED]
Sent: Monday, May 27, 2024 5:39 PM
To: Lee Rushworth <Lee.Rushworth@kirklees.gov.uk>
Subject: Planning Application re Le Sorelle

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

Sir I am writing to you to put forward objections regarding proposed application for extended license hours at the above property. The property has built an outside garden with fixed tables, as at the moment alcohol cannot be drunk outside the building I believe that with extended hours people will congregate outside creating noise in a residential area. I would also think that with the new proposed hours there will be more problems with parking on Pickford Street. We live on Manchester Road with access to our parking at the rear of the house, we have already experienced problems with people's parking which can restrict our access and egress onto Pickford Street.

Last year we had problems with anti social behaviour and noise pollution from what was the Queens Public House and were not helped by the environment agency it was only when police were involved that it calmed and we were repeatedly told as the tenant had a license there was nothing we could do. We do not want to see the same happen again with premises given licenses and then have free rein to do whatever they want. This is now a quiet residential area and we would like it to stay that way, the houses by Le Sorelle did not buy their houses next to a public house and do not want to have a public house there which is in essence what it will become.

I hope that you will understand our objections and refuse this application.

Regards

[REDACTED]

Appendix B

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

From: [REDACTED]

Sent: Tuesday, May 28, 2024 11:53 PM

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

Subject: Objection - Premises Licence at 5 Pickford Street (Le Sorelle)

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,

I wish to strongly object to the application for the grant of a premises licence at No.5 Pickford Street -
10:00 to 22:00 Monday to Sunday.

My family have lived on Pickford Street, close to No.5, for over forty years. The households surrounding No.5 are mostly made up of long term residents, some of whom are very young, and some elderly and frail. Pickford Street is a relatively quiet street, especially on an evening.

Should this licence be granted, it will impact very negatively on local residents for the following reasons:

NOISE - To allow opening of these premises to 10pm, with the inevitable increase in noise, antisocial behaviour, activity and traffic, it will without doubt negatively impact the current peace and quality of life of residents.

And please remember, the noise will also disturb residents in the nearby properties on Manchester Road, School Terrace, Wilson Gardens and Glendene Mews.

PARKING - It is sometimes difficult to park during the day - and this has been made worse by the introduction of daytime Le Sorelle. So to extend their opening hours to cover the evening, with residents returning home, Scout Association meetings, carers and the like, all vying for spaces, parking will become even more difficult and dangerous for residents.

NEARBY PUBS - There are already two pubs, just short walks away - The Horse and Groom and the Four Horseshoes. Is there really a need for a third evening drinking house in this small area?

NOTE: Both pubs are detached properties, with good space between them and their adjacent building. They are certainly not attached to a domestic dwelling, as No.5 is. I guess that is because it would make no sense, and it would be grossly unfair to the residents of the dwelling.

[REDACTED]
[REDACTED] To now allow evening opening hours would be beyond cruel.

Allowing this licence would without doubt increase anti-social behaviour, noise, crime, and parking problems.
I ask that you deeply consider the negative impact that this will have on local residents and reject this application.

Yours faithfully,

A solid black rectangular box redacting the signature of the sender.

Appendix B

From: [REDACTED]
Sent: Friday, May 24, 2024 11:54 AM
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Re: Objections to le sorrel

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

[REDACTED]

Dear Kirklees Council, Subject: Objection to the Application for Alcohol License for Le Sorelle, 5 Pickford Street, HD3 4LH

I am writing to formally object to the application for an alcohol license by Le Sorelle, located at 5 Pickford Street, HD3 4LH. As a resident of this community, I have significant concerns regarding the potential impact of granting this license on the surrounding area, which is home to numerous children and families. The proposed establishment is situated in close proximity to a scout hut, which is frequented by young children and families. Allowing an alcohol-serving venue to operate in such a location poses several risks and concerns:

1 Safety Concerns: The presence of an alcohol-serving establishment near areas where children congregate increases the risk of exposing minors to inappropriate behaviour and potential harm. This could include increased traffic, potential for accidents, and exposure to alcohol-related incidents.

2 Negative Influence: Children and teenagers are impressionable, and the normalisation of alcohol consumption in their immediate environment could have detrimental effects on their perceptions and behaviours. The visibility and accessibility of alcohol might inadvertently encourage underage drinking.

3 Noise and Disturbance: Establishments that serve alcohol often generate noise and disturbances, particularly during late hours. This can disrupt the peace and quiet of a residential area, affecting the quality of life for families who live nearby and rely on a safe and tranquil environment for their children.

4 Community Well-being: The presence of an alcohol-serving venue may lead to increased littering, vandalism, and other antisocial behaviours that can degrade the community atmosphere. Families choose to live in this neighbourhood because it offers a safe and nurturing environment, and introducing such an establishment threatens to undermine these qualities.

I urge the licensing authority to consider these concerns seriously. The welfare of our children and the preservation of a safe, family-friendly community should take precedence over commercial interests. I respectfully request that you deny the application for an alcohol license for Le Sorelle at this location. Thank you for your attention to this matter. I am confident that the licensing authority will make a decision that prioritises the best interests of our community.



Appendix B

From: [REDACTED]
Sent: Monday, May 27, 2024 3:22 PM
To: Lee Rushworth <Lee.Rushworth@kirklees.gov.uk>
Subject: LE SORELLE application for extending opening hour

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

Dear Lee.

As a local resident, I am writing to object to the extension of the alcohol license and opening hours of LE SORELLE Pickford Street in Milnsbridge.

My main concerns surrounds the potential increase of anti social behaviour with alcohol, increase noise and the potential for general public nuisance.

With longer opening hours there are likely to be a greater increase in visitors to the premises hence leading to a potential increase in the number of cars in the immediate vicinity which will directly increase parking problems.

There are already traffic issues on the road and having these premises open for longer and selling alcohol then the situation will only worsen.

i do not have an issue with small business trying to be successful, be profitable and potentially offer local employment, but practical concerns should be taken into account for the already established homeowners who have been residents in the area long before this business opened.

How things are presently are workable for both the cafe and local residents, so I do not believe things should change or this could cause potential issues as noted previously. There should be a balance taken between the needs of the residents and requirements of the cafe which is operating successfully just as they are within their originally applied for licensing order.

Why change things if they are 'not broken'?!

I hope the voice of the local residents is acted upon and not just the needs of a commercial business.

Thank you

[REDACTED]

Appendix B

To whom it may concern Objection to alcohol licence amendment & erection of external structure at 5 Pickford Street, Milnsbridge HD3 4LH T/A Le Sorelle. The above café/bar is situated on a corner, just off the busy Manchester Road. There are no parking provisions with this café bar other than on street parking. Already, since the café commenced trading it has created a problem with parking during the existing daytime operating hours, when most residents are out working. To extend the opening hours & particularly the alcohol licencing hours would create further problems. Cars are already parking on pavements on both sides of the road, a road which is already a busy cut through from Manchester Road to Milnsbridge for people avoiding the traffic lights & queuing traffic at Cowlersley crossroads. The local scout hut operates at the rear of this café & access to this, both by car & on foot is down the side of the café. Cars are often parked on both sides of this lane on the road & pavement making it dangerous for children and drivers to get out as it is restricting vision of anything coming up or down the road. Also pushchairs cannot get past, I appreciate that the road isn't wide enough for them to park opposite each other on the road as this would make it difficult for emergency services, dustbin wagons etc to pass but this is a residential street, in a conservation area & it wasn't designed for licenced premises. The owner of this café has recently erected a seating area, without any planning permission or regulations. It is of a timber structure which is totally out of keeping with the area & looking at the poles attached, appears to be awaiting a roof canopy to be fixed onto it. The seating area is elevated above the pavement & is intrusive into the neighbouring home due to the design of the property's original low level front windows. The noise is already travelling through the walls & now with external seating for smokers & drinkers late into the evening it is going to make neighbouring homes lives a misery. Most of the residents on this row of terraces are elderly & will feel intimidated by groups of people sat drinking outside their front doors. We ourselves have young grandchildren & we are concerned about outside noise affecting their sleep. Most of the residents immediately affected have resided in this street for 35/45 plus years & we are all finding this very unsettling & are concerned about the value of our properties being affected by finding ourselves now living next door to a licenced premise along with the added structure that has been the most recent addition. We do wish Amy's café business every success, but not as a licenced premise, it is the wrong place for the sale or consumption of alcohol. I'm sure Amy would be as upset & concerned as we all are if it was next door to her home. We have attached some photos to give you visual information in support of my objection











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**PREMISES
LICENCE**

Licensing Act 2003

Licence number:
PR00391Online Reference number:
PR00391**THIS LICENCE IS ISSUED BY**Kirklees Council
Public Protection Services
Licensing Department
PO Box 1720
Huddersfield
HD1 9ELTel: 01484 456868
Email: licensing@kirklees.gov.uk**POSTAL ADDRESS OF PREMISES****Le Sorelle**
5 Pickford Street
Milnsbridge
Huddersfield
HD3 4LH**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**Sale of Alcohol
Live Music**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES****Sale of Alcohol**

Day(s)	From - To
Every Day	10:00 - 18:00

Live Music (Indoors)

Day(s)	From - To
Friday	18:30 - 22:30

Non-Standard Timings

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

Seasonal Details

This would only occur once a month.

THE OPENING HOURS OF THE PREMISES

DAY(S)	FROM	TO
Tuesday	10:00	22:00
Wednesday	10:00	22:00
Thursday	10:00	22:00
Friday	10:00	22:30

Saturday	10:00	22:00
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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 on the Premises

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

[REDACTED]

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

[REDACTED]

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

[REDACTED]

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:

[REDACTED]

ANNEXES**ANNEX 1 – MANDATORY CONDITIONS**

1. No supply of alcohol may be made under the premises 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. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) 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.
 - (2) 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.
 - (3) 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.

6. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7. 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 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" means value added tax charged in accordance with the Value Added Tax Act 1994.

8. 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.

9. (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.

If the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring

the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where:

- (a) The film classification body is not specified in the licence, or
- (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section "children" means any person aged under 18; and "film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984 (c39) (authority to determine suitability of video works for classification).

ANNEX 2 – CONDITIONS CONSISTANT WITH THE OPERATING SCHEDULE

- o To limit the number of members of public on the premises to avoid public nuisance,
- o CCTV to be operated with security staff present as and when required,
- o Noise prevention measures, sensible closing time and dispersal policy,
- o Children not allowed unaccompanied by an adult after 8pm,
- o No alcohol to be sold to anyone under the age of 21,
- o Appropriate outside lighting,
- o Access to local transport numbers.

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

There is a restriction on the licensing activity inside the premises only,

No alcohol to be taken outside of the premises or consumed outside the premises.

The Panel recommended that music be inaudible to residents

ANNEX 4 – PLANS OF PREMISE

As outlined in the operating schedule and attached plan

Date Granted: 11 October 2023

Date Commences/Varied: 11 October 2023

Martin Wood

Head of Public Protection Service

PREMISES LICENCE SUMMARY

Licensing Act 2003

PR00391

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

Le Sorelle
5 Pickford Street
Milnsbridge
Huddersfield
HD3 4LH

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Sale of Alcohol
Live Music

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Sale of Alcohol

Day(s)	From - To
Every Day	10:00 - 18:00

Live Music (Indoors)

Day(s)	From - To
Friday	18:30 - 22:30

Non-Standard Timings

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

Seasonal Details

This would only occur once a month.

THE OPENING HOURS OF THE PREMISES

DAY(S)	FROM	TO
Tuesday	10:00	22:00
Wednesday	10:00	22:00
Thursday	10:00	22:00
Friday	10:00	22:30
Saturday	10:00	22:00

--	--	--

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 on the Premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Mrs Amy Lambert
[REDACTED]

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

Mrs Amy Lambert

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

Mrs Amy Lambert

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: 11 October 2023

Date Commences/Varied: 11 October 2023



Head of Public Protection Service

Appendix D

From: [REDACTED]
Sent: Friday, June 7, 2024 12:55 PM
To: Jordan Barrett <Jordan.Barrett@kirklees.gov.uk>
Subject: Re: Le Sorelle - PR00391

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

Hi Jordan,

Yes apologies, I did this last time!

Yes please could you change the opening hours to match the sale of alcohol times.

Kind Regards

[REDACTED]

Sent from [Outlook for iOS](#)

From: Jordan Barrett <Jordan.Barrett@kirklees.gov.uk>
Sent: Friday, June 7, 2024 10:14:19 AM
To: [REDACTED]
Subject: Le Sorelle - PR00391

Hi [REDACTED]

Whilst I was putting the report together for the hearing, I have noticed on section L of the application regarding the opening hours you have put:-

Tuesday – Saturday 10:00 – 14:00

For the sale of alcohol, you have put:

Monday – Sunday 10:00 – 22:00.

Could you please confirm that you wish your opening times to reflect the sales of alcohol times.

I appreciate that you may not be open on the days but as you have applied for the sale of alcohol for Monday – Sunday your opening hours need to reflect this.

You do not need to amend any forms but if you could just confirm you wish your opening hours to reflect your sales of alcohol times, I can include your email within the hearing report.

Kind regards

Appendix D

Jordan Barrett | Licensing | Place – Investment & Regeneration |
Kirklees Council | Licensing, PO Box 1720, Huddersfield, HD1 9EL |
' 01484 221000 | '(Int) 71665 ✉ jordan.barrett@kirklees.gov.uk

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

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

Crime and disorder

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority (“SIA”) as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances

where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

Public safety

2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.8 A number of matters should be considered in relation to public safety. These may include:

- Fire safety;*
- Ensuring appropriate access for emergency services such as ambulances;*
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);*
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;*
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);*
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;*
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and*
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).*

2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

Public nuisance

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the morning.

2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.

2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

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 I 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.