

# Public Document Pack



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

**Samantha Lawton**

Governance and Commissioning

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Huddersfield

HD1 9EL

**Tel:** 01484 221000

Please ask for: Nicola Sylvester

Email: [nicola.sylvester@kirklees.gov.uk](mailto:nicola.sylvester@kirklees.gov.uk)

Friday 27 June 2025

## Notice of Meeting

Dear Member

### Licensing Panel

The **Licensing Panel** will meet in the **Council Chamber - Town Hall, Huddersfield** at **2.00 pm** on **Monday 7 July 2025**.

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 Eric Firth (Chair)

Councillor Donna Bellamy

Councillor Mohan Sokhal

# Agenda

## Reports or Explanatory Notes Attached

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### Pages

**1: Membership of the Panel**

To receive apologies for absence from those Members who are unable to attend the meeting.

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**2: Minutes of Previous Meeting**

1 - 2

To approve the Minutes of the meeting of the Panel held on the 4<sup>th</sup> June 2025.

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**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.

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**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.

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**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.

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## **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.

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## **7: Licensing Act 2003 Section 51 - Application for the review of a Premises Licence, Hao Lai Karaoke Bar, 33-35 Kirkgate, Huddersfield, HD1 1QT** 5 - 42

To consider the application at 2:00pm.

Contact: Rox Javaid, Licensing Officer, Tel: 01484 221 000

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## **8: Licensing Act 2003 Section 51 – Application for the review of a Premises Licence, Ravensthorpe Off Licence - 618 Huddersfield Road, Ravensthorpe, Dewsbury, WF13 3HL** 43 - 78

To consider the application at 3:00pm.

Contact: Lee Rushworth, Licensing Officer, Tel: 01484 221 000

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Contact Officer: Jenny Bryce-Chan

## KIRKLEES COUNCIL

### LICENSING PANEL

**Wednesday 4th June 2025**

Present: Councillor Eric Firth (Chair)  
Councillor Mohan Sokhal

In attendance: David Stickley, Legal Advisor to the Panel  
Jordan Barrett, Licensing Officer  
Stephanie Mashiter, Senior Licensing Officer

Apologies: Councillor Ali Arshad

- 1 Membership of the Panel**  
Councillor Ali Arshad sent his apologies.
- 2 Minutes of Previous Meeting**  
The minutes of the meetings held on 26<sup>th</sup> February 2025 and 11<sup>th</sup> March 2025 were agreed as a correct record.
- 3 Declaration of Interests**  
No interests were declared.
- 4 Admission of the Public**  
All agenda items were considered in public.
- 5 Deputations/Petitions**  
No deputations or petitions were received.
- 6 Public Question Time**  
No public questions were asked.
- 7 Licensing Act 2003 - Application for the Full Variation of a Premises Licence, Empire House, Lewisham Road, Slaithwaite, Huddersfield, HD7 5AL**  
The Panel considered a report which outlined an application for the full variation of Empire House, Lewisham Road, Slaithwaite, Huddersfield, HD7 5AL.

The Licensing Officer advised the Panel that on the 9th April 2025, the Licensing Department received an application for the full variation of a premises Licence, in respect of Empire House, Lewisham Road, Slaithwaite, Huddersfield, HD7 5AL.

The licensable activities applied for were:-

## Licensing Panel - 4 June 2025

- Sale of alcohol (on and off the premises) Monday – Sunday 08:00 – 23:00.

The premises currently has a licence in place, and the licensable activities are as follows:-

- Sale of Alcohol (on and off the premises) Monday – Sunday 08:00 – 22:00
- Sale of Alcohol (on and off the premises) New Years Eve 08:00 – 01:00 (The Following Day)

In response to the application, one representation was received from a local resident objecting to the variation.

The applicant advised the Panel that the premises is a business members club which has been operating for over four years. The closing time for the business is 23:00 hours, however, alcohol can only be sold up until 22:00 hours. By increasing the hours of sale of alcohol would give the business more flexibility to cater for events and bring it in line with other businesses in the area.

The representation received from a member of the public stated that the licensing objectives in respect of the Prevention of Crime and Disorder, Public Safety, the Prevention of Public Nuisance and the Protection of Children from Harm would not be achieved if the variation was granted. Concerns were also raised that there would likely be an increase in noise, anti-social behaviour and public nuisance and asked that the application be rejected.

Having considered all the information presented both verbally and in writing, the Panel, in reaching its decision, had due regard to the provisions of the Licensing Act 2003, the statutory guidance issued under section 182 of the Act, the Councils Statement of Licensing Policy and the relevant provisions of the Human Rights Act.

### **RESOLVED -**

That the application for the full variation in respect of premises known as, Empire House, Lewisham Road, Slaithwaite, Huddersfield, HD7 5AL, be approved as requested.

<b>KIRKLEES COUNCIL</b>				
<b>COUNCIL/CABINET/COMMITTEE MEETINGS ETC</b>				
<b>DECLARATION OF INTERESTS</b>				
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 Section 51 – Application for the review of a Premises Licence, Hao Lai Karaoke Bar, 33-35 Kirkgate, Huddersfield, HD1 1QT

<b>Meeting:</b>	Licensing Panel
<b>Date:</b>	Monday 7 <sup>th</sup> July 2025
<b>Cabinet Member (if applicable)</b>	Cllr Amanda Pinnock
<b>Key Decision Eligible for Call In</b>	No No
<b>Purpose of Report</b> To determine the application	
<p><b>Recommendations</b></p> <ul style="list-style-type: none"> <li>• Members of the panel are requested to determine the application.</li> </ul> <p><b>Reasons for Recommendations</b></p> <ul style="list-style-type: none"> <li>• In accordance with the requirements as set out in the Licensing Act 2003, where an application for the review of a premises licence is received by either a responsible authority or any other person, the matter is referred to the panel for a decision.</li> </ul>	
<p><b>Resource Implications:</b> There are no resource implications.</p>	
<b>Date signed off by <u>Executive Director</u> &amp; name</b>	<b>Fiona Goldsmith – on behalf of David Shepherd, Strategic Director for Place, Growth and Regeneration</b>
<b>Is it also signed off by the Service Director for Finance?</b>	Not applicable
<b>Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?</b>	Not applicable

**Electoral wards affected:** Newsome

**Ward councillors consulted:** Yes

**Public or private:** Report to be heard in Public

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

## **1. Executive Summary**

1.1 The purpose of the report is to inform members of an application for the review of a premises licence, which has been referred to this panel for determination.

## **2. Information required to take a decision**

### **2.1 Application**

2.1.1 On 12<sup>th</sup> May 2025, West Yorkshire Police submitted an application for the review of the premises licence at Hao Lai Karaoke Bar, under Section 51 of the Licensing Act 2003. A copy of this application can be seen at Appendix A

The applicant believes that the following Licensing Objectives are not being met.

- Prevention of Crime and Disorder
- Public Safety

2.1.3 On 25<sup>th</sup> April 2025, a joint operation was carried out which included officers from West Yorkshire Police, Licensing officers from Kirklees Council and Immigration officers from the Home Office. The purpose of the operation was to visit certain premises across Huddersfield to investigate the employment of illegal workers.

2.1.4 One of the premises visited was Hao Lai Karaoke Bar, who are located at 33-35 Kirkgate, Huddersfield. During the visit, Immigration officers discovered illegal workers at the premises.

2.1.5 Immigration officers carried out arrests which consisted of two females being detained and one male arrested. The illegal workers were subsequently placed on Immigration bail due to an outstanding asylum application.

2.1.6 West Yorkshire Police believe the premises licence holder may have breached employment/criminal law by allowing illegal workers to operate from licensed premises.

2.1.7 West Yorkshire Police further inspected the premises, and found three massage rooms, two of which were in the basement and one on the ground floor. West Yorkshire Police suspect that, in addition to massages, sexual services may have been offered to clients.

2.1.8 As part of the visit, Kirklees Council Licensing Officers also found several breaches of the premises licence conditions. These included:

- Lack of CCTV recordings
- A failure to maintain refusal logs
- No incident log available for inspection
- No evidence of training logs

2.1.9 A copy of the Premises licence can be seen at Appendix B

2.2.1 A letter has been received from the licence holder stating they will stop selling alcohol; however, the premises licence has not been surrendered, and alcohol sales are still part of the active licence. The letter can be seen at Appendix C.

## 2.2 Licensing Policy

Members considering the application must 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).

### **Executive Summary**

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.

### **Purpose**

The Licensing Authority recognises the importance of its ability to review premises licences. The proceedings set out in the 203 Act for reviewing premises licence represent a key protection concerning problems associated with crime and disorder, public safety, public nuisance, and the protection of children from harm. Partnership working is important to achieve the promotion of the licensing objectives and responsible authorities are encouraged to give licensees early warning of any concerns identified at a premise.

For cases which are being considered as a result of a review or potential enforcement action, the Council will take into account all relevant circumstances, but will view the following matters particularly seriously:

- Failure to promptly respond to a warning properly given by a responsible authority
- Failure to engage with the responsible authorities in an effective manner
- Previous convictions for licensing offences

- Previous failure to comply with licence conditions

In cases where the crime prevention objective is being undermined through the premises being used for criminal activities, such as the supply of drugs and money laundering, it is expected that revocation of the licence, even in the first instance, will be seriously considered.

### **Licensing Objectives**

1. Public Safety
2. Prevention of Crime and Disorder
3. Prevention of Public Nuisance
4. Protection of Children from Harm

### **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 relate to 3 of the licensing objectives. Member's attention is drawn to this guidance, the relevant parts may be found at Appendix E.

### **3. Implications for the Council**

#### **3.1 Council Plan**

The Licensing Service and its Statement of Licensing Policy balance the objective of improving the local economy, improving health and wellbeing and tackling health inequalities and cultural development against noise, nuisance, safeguarding and crime and disorder.

#### **3.2 Financial Implications**

There are no financial implications in relation to this report.

#### **3.3 Legal Implications**

In determining the application Members should have regard to the Authority's licensing policy statement and the Secretary of State Guidance. The applicant or any other person who made relevant representations in relation to the application have the right of appeal to the Magistrates Court.

#### **3.4 Climate Change and Air Quality**

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

#### **3.5 Other (eg Risk, Integrated Impact Assessment or Human Resources)**

Under the provisions of the Licensing Act 2003 there is no requirement for an Integrated Impact Assessment, 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. Home Office Immigration representation in support of the Review application can be seen at Appendix D.

#### **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 an application for the review of a premises licence is 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 any representations, may take such steps as they consider appropriate for the promotion of the licensing objectives. These steps are:
- a) Modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition);
  - b) Exclude a licensable activity from the scope of the licence;
  - c) Remove the designated premises supervisor;

- d) Suspend the licence for a period not exceeding three months;
- e) Revoke the licence.

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 provide reasons for their decision.

## 8. Contact officer

Rox Javaid – Licensing Officer  
Tel: 01484 221000 (ext. 70545)  
Email: [rox.javaid@kirklees.gov.uk](mailto:rox.javaid@kirklees.gov.uk)

## 9. Background Papers and History of Decisions

Licensing Act 2003 Statement of Licensing Policy - [Licensing Policy](#)

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

Cumulative Impact Assessment 2025 [Cumulative Impact Assessment 2025-2028](#)

## 10. Appendices

- Appendix A – Review Application
- Appendix B – Premises Licence PR(A)1459 Hao Lai Wu Karaoke Bar
- Appendix C – Letter from Licence Holder withdrawing alcohol sales
- Appendix D – Home Office Immigration in support of Review application
- Appendix E - Relevant sections of Secretary of State Guidance – Section 182 of the Licensing Act 2003.

## 11. Service Director responsible

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

# APPENDIX A



**APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE 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, (insert name of applicant) **RICHARD WOODHEAD**

- **Apply for the review of a Premises Licence under Section 51**
- **Apply for the review of a Club Premises Certificate under Section 87 of the Licensing Act 2003 for the premises described in Part 1 below**

**Part 1 – Premises or Club Premises details**

Postal address of premises or, if none, Ordnance Survey map reference or description:

Hao Lai Karaoke Bar  
33-35 Kingsgate,

Town/City: **Huddersfield**

Postcode: **HD1 1QT**

Name of premises licence holder or club holding club premises certificate (if known):

Number of premises licence or club premises certificate (if known):

**Part 2 – Applicant details**

Please 'check' appropriate box(es)

I am:

1. An interested party (please complete A or B below)
  - (a) a person living in the vicinity of the premises
  - (b) a body representing persons living in the vicinity of the premises
  - (c) a person involved in business in the vicinity of the premises
  - (d) a body representing persons involved in business in the vicinity of the premises
2. A responsible authority (please complete C below)
3. A member of the club to which this application relates (please complete A below)

**A – Details of individual applicant**

Surname:

Forename(s):

I am 18 years old or over:

Current postal address if different from premises address:

Town/City:

Postcode:

Daytime contact telephone number:

E-mail address (optional):

**B – Details of other applicant**

Surname:

Forename(s):

Address:

Town/City:

Postcode:

Daytime contact telephone number:

E-mail address (optional):

**C – Details of responsible authority applicant**

Other title, e.g. R. Mr

Surname:

WOODHEAD

Forename(s):

RICHARD

Address:

West Yorkshire Police Licensing, Flint Steet

Town/City:

Huddersfield

Postcode:

HD1 6LG

Daytime contact telephone number:

E-mail address (optional):

richard.woodhead1@westyorkshire.police.uk

This application to review relates to the following licensing objective(s): (Please 'check' one or more boxes)

- (a) The prevention of crime and disorder
- (b) Public Safety
- (c) The prevention of public nuisance
- (d) The protection of children from harm

State the ground(s) for review (please read Guidance note 1):

On Friday 25<sup>th</sup> of April 2025 a joint operation was put in place between W.Y.P. Kirklees licensing and the Home office. This was to visit certain businesses across Huddersfield to investigate the employment of illegal workers. One of the premises visited was the Karaoke bar 33-35 Kingsgate Huddersfield.

Please provide as much information as possible to support the application (please read Guidance note 2)

The owner of this business has been found to have illegal workers on the premises by a joint partnership visit between the Home Office, West Yorkshire Police and the local authority. The Kirklees licensing officers were Mr Anwar Butt, and Mr Lee Rushworth.

Three arrests were made: two females were detained, and one male was arrested, which yielded positive outcomes concerning illegal working.

Below is the email statement from Mr Wasseem Ahmed, the immigration officer who attended the bar on April 25<sup>th</sup>.

Good morning,

Thank you for your response and for confirming your availability for future visits.

We have successfully completed visits to the following addresses, both of which yielded positive outcomes concerning illegal working:

- **Hao Lai Wu Karaoke Bar 33-35 Kirkgate Huddersfield, HD1 1QT** – Three arrests were made: two females were detained, and one male was arrested and subsequently placed on Immigration Bail due to an outstanding asylum application. The premises contained three massage rooms—two located in the basement and one on the ground floor. We have reasonable grounds to suspect that, in addition to massages, sexual services may be offered to clients.

Licensing Officers were also present during the visit. Several breaches of licence conditions were identified, including the absence of a Designated Premises Supervisor (DPS), lack of CCTV recordings, and the failure to maintain refusal logs. Licensing Officers are currently investigating these breaches.

**Waseem Ahmed**

**Immigration Officer 21514**

**Yorkshire and Humberside ICE Team**

In the summer of 2024 intelligence was received by West Yorkshire police that illicit sexual activities were taking place in the rooms below the Karaoke bar, which could only be accessed by walking through the bar area to go down the stairs into the basement.

P.C. Katie Swift and I visited the bar and went into the basement area where a bed was in one room, along with empty condom wrappers and baby wipes were present, indicating sexual activity was taking place. I informed the person behind the bar, who is also the premises licence holder, Mrs Ming Li, that all such activities must cease with immediate effect. On a follow up visit in September 2024 a further visit was taken place, and the bed had been replaced with a massage table, and no evidence of sexual activity was present. A sign had been put in place saying:

**No Sexual Activities to take place during Massage.**

The actions of the bar operator have breached employment law, and criminal law, by allowing illegal workers to operate on licenced premises. I have attached guidance from the Government on what should be classed as serious offences when deeming the outcome of a licensing review.

Guidance for local authorities under the licensing Act:

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

West Yorkshire Police request that the panel seriously consider revocation of the licence, evidence of alleged illegal sexual activities have been witnessed, and three illegal workers were found to be on the premises at the time of the partnership visit. The operators have no regard for UK laws, and revocation of this licence will send a strong message to other business operators within Kirklees considering employing illegal workers.

The current fine for employing illegal workers can be up to £60,000.

The use of illegal workers may also indicate that the workers could be victims of people smuggling, or victims of modern-day slavery.

Have you made an application for review relating to this premises before? NO

If 'YES', please state the date of that application:

**RESTRICTED**

If you have made representations before relating to this premises, please state what they were and when you made them:

No

Signature

Date

12<sup>th</sup> May 2025.

Capacity.

Police Licensing Officer.

Please 'check' appropriate box(es)

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements, my application will be rejected

**It is an offence, liable on conviction to a fine up to 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 3 – 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:.....

Capacity:.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read Guidance note 5):

Surname:

Forename(s):

Address:

Town/City:

Postcode:

Telephone number (if any):

If you would prefer us to correspond with you using an e-mail address, please state your e-mail address (optional):

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

# APPENDIX B

**PREMISES LICENCE**

Licensing Act 2003

Licence number:

**PR(A)1459**

Online Reference number:

**LATRAN/21353/24****THIS LICENCE IS ISSUED BY**

Kirklees Council  
 Public Protection Services  
 Licensing Department  
 PO Box 1720  
 Huddersfield  
 HD1 9EL

Tel: 01484 456868  
 Email: [licensing@kirklees.gov.uk](mailto:licensing@kirklees.gov.uk)

**POSTAL ADDRESS OF PREMISES****Hao Lai Wu Karaoke Bar**

Hao Lai Wu Karaoke Bar

33 - 35 Kirkgate

Huddersfield

HD1 1QT

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

Sale of Alcohol  
 Performances of Dance  
 Live Music  
 Recorded Music  
 Provision of entertainment or similar

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES****Sale of Alcohol**

Day(s)	From - To
Monday	17:00 - 02:00 The Following Morning
Tuesday	17:00 - 02:00 The Following Morning
Wednesday	17:00 - 02:00 The Following Morning
Thursday	17:00 - 02:00 The Following Morning
Friday	17:00 - 04:00 The Following Morning
Saturday	17:00 - 04:00 The Following Morning
Sunday	17:00 - 04:00 The Following Morning

**Performances of Dance (Indoors)**

Day(s)	From - To
Monday	17:00 - 02:00 The Following Morning

Tuesday	17:00 - 02:00	The Following Morning
Wednesday	17:00 - 02:00	The Following Morning
Thursday	17:00 - 02:00	The Following Morning
Friday	17:00 - 04:00	The Following Morning
Saturday	17:00 - 04:00	The Following Morning
Sunday	17:00 - 04:00	The Following Morning

**Live Music (Indoors)**

<b>Day(s)</b>	<b>From - To</b>	
Monday	17:00 - 02:00	The Following Morning
Tuesday	17:00 - 02:00	The Following Morning
Wednesday	17:00 - 02:00	The Following Morning
Thursday	17:00 - 02:00	The Following Morning
Friday	17:00 - 04:00	The Following Morning
Saturday	17:00 - 04:00	The Following Morning
Sunday	17:00 - 04:00	The Following Morning

**Recorded Music (Indoors)**

<b>Day(s)</b>	<b>From - To</b>	
Monday	17:00 - 02:00	The Following Morning
Tuesday	17:00 - 02:00	The Following Morning
Wednesday	17:00 - 02:00	The Following Morning
Thursday	17:00 - 02:00	The Following Morning
Friday	17:00 - 04:00	The Following Morning
Saturday	17:00 - 04:00	The Following Morning
Sunday	17:00 - 04:00	The Following Morning

**Provision of entertainment or similar (Indoors)**

<b>Day(s)</b>	<b>From - To</b>	
Monday	17:00 - 02:00	The Following Morning
Tuesday	17:00 - 02:00	The Following Morning

Wednesday 17:00 - 02:00 The Following Morning  
 Thursday 17:00 - 02:00 The Following Morning  
 Friday 17:00 - 04:00 The Following Morning  
 Saturday 17:00 - 04:00 The Following Morning  
 Sunday 17:00 - 04:00 The Following Morning

**THE OPENING HOURS OF THE PREMISES**

DAY(S)	FROM	TO
Friday to Sunday	17:00	04:15
Monday to Thursday	17:00	02:15

**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**

Mrs Ming Li

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

Mrs Ming Li

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

Mr Wei Zhang

**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:

KMCPL3248

**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**

**General**

- 1 Regular Inspections will take place by staff to ensure that there is no broken glass on the premises.
- 2 All staff to be trained in evacuation procedures.
- 3. No children under 18 shall be allowed on the premises unless accompanied by an adult and no children to be allowed in after 21.00 hours.

**West Yorkshire Police**

4 CCTV to be installed covering all licensable activity areas, the public entrances to the premises, entrance foyers and any external drinking and smoking area of the building.

The CCTV system installed and operated in accordance with Home Office/ACPO guidelines as adopted by West Yorkshire Police.

A competent person must be present during licensable activities that can operate the CCTV system.

Footage from the CCTV system to be made available on request to a police constable or representative of a responsible authority as defined by the Licensing Act 2003 where the images are to be used in the prevention or detection of crime, the prosecution or apprehension of offenders or where the disclosure is required by law:

The disclosure and request must be in accordance with the Data Protection Act 1998

5 No drinks to be allowed outside the premises unless in an area cover by a Café on the Highways Licence

6 Management must carry out continuous risk assessments as to admission into the club. If it is decided that Door Staff are required, then Door Staff must be employed. If there is a marked increase in Crime and Disorder directly linked to the club the West Yorkshire Police Licensing will insist that Door Staff are to be employed. Amount of Door Staff to be agreed in writing.

7 Incident and accident books to be maintained along with a refusal register detailing any attempted purchases by underage or drunken customers. These books to be made available for inspection by any police constable or representative of a responsible authority as defined by the Licensing Act 2003 on request.

8 Challenge 21 policy to be adopted with appropriate signage prominently displayed in the bar area.

9 Staff training records to be maintained recording training in relation to the Licensing Act 2003 and the Health Act 2006 (smoking legislation). These records to incorporate authorisation for staff to sell alcohol. These records to be made available for inspection on request of a police constable or representative of a responsible authority as defined by the Licensing Act 2003.

**Environmental Services**

10 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 the Karaoke Bar.

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.

**Informative Note:**

Licensees are advised to carry out a simple "sound check" outside the nearest noise sensitive property by listening to 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.

In case of dispute, the applicant can verify inaudibility by demonstrating

Zero increase in the LAeq, 1 min (music playing) over the background LA90 (music off) and  
Zero increase in the L10, T VS L90, T exceedence in each 1/3 octave band between 40Hz and 160 Hz

11 Clear and conspicuous notices shall be displayed at all entrances, exits and in outdoor areas (eg beer gardens) requesting patrons to respect the needs of the local residents and to leave the premises and are quietly. All staff shall be trained in ensuring the quiet dispersal of patron.

12 There shall be a 15-minute 'cooling down' period at the end of the evening when the regulated entertainment shall cease. This will allow customers hearing to adjust before they leave the premises and will mean they are more likely to be quieter as they leave. The aim of the 'cooling down' period is to stagger the departure of the customers to help prevent public nuisance.

13 All external doors and windows to the room/s where regulated entertainment is provided shall remain closed (other than for normal access and egress) during the course of the entertainment

The conditions are reasonable and proportionate due to the fact that noise sensitive premises are in the vicinity of the Karaoke Bar.

**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: 9 November 2013**

**Date Commences/Varied: 20 May 2024**



Head of Public Protection Service

# PREMISES LICENCE SUMMARY

Licensing Act 2003

# PR(A)1459

## THIS LICENCE IS ISSUED BY



LICENSING  
Flint Street Depot  
Flint Street  
Fartown  
Huddersfield  
HD1 6LG

Tel: 01484 456868  
Email: [licensing@kirklees.gov.uk](mailto:licensing@kirklees.gov.uk)

## POSTAL ADDRESS OF PREMISES

### Hao Lai Wu Karaoke Bar

Hao Lai Wu Karaoke Bar  
33 - 35 Kirkgate  
Huddersfield  
HD1 1QT

## LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Sale of Alcohol  
Performances of Dance  
Live Music  
Recorded Music  
Provision of entertainment or similar

## THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

### Sale of Alcohol

Day(s)	From - To
Monday	17:00 - 02:00 The Following Morning
Tuesday	17:00 - 02:00 The Following Morning
Wednesday	17:00 - 02:00 The Following Morning
Thursday	17:00 - 02:00 The Following Morning
Friday	17:00 - 04:00 The Following Morning
Saturday	17:00 - 04:00 The Following Morning
Sunday	17:00 - 04:00 The Following Morning

### Performances of Dance (Indoors)

Day(s)	From - To
Monday	17:00 - 02:00 The Following Morning

Tuesday	17:00 - 02:00	The Following Morning
Wednesday	17:00 - 02:00	The Following Morning
Thursday	17:00 - 02:00	The Following Morning
Friday	17:00 - 04:00	The Following Morning
Saturday	17:00 - 04:00	The Following Morning
Sunday	17:00 - 04:00	The Following Morning

**Live Music (Indoors)**

<b>Day(s)</b>	<b>From - To</b>	
Monday	17:00 - 02:00	The Following Morning
Tuesday	17:00 - 02:00	The Following Morning
Wednesday	17:00 - 02:00	The Following Morning
Thursday	17:00 - 02:00	The Following Morning
Friday	17:00 - 04:00	The Following Morning
Saturday	17:00 - 04:00	The Following Morning
Sunday	17:00 - 04:00	The Following Morning

**Recorded Music (Indoors)**

<b>Day(s)</b>	<b>From - To</b>	
Monday	17:00 - 02:00	The Following Morning
Tuesday	17:00 - 02:00	The Following Morning
Wednesday	17:00 - 02:00	The Following Morning
Thursday	17:00 - 02:00	The Following Morning
Friday	17:00 - 04:00	The Following Morning
Saturday	17:00 - 04:00	The Following Morning
Sunday	17:00 - 04:00	The Following Morning

**Provision of entertainment or similar (Indoors)**

<b>Day(s)</b>	<b>From - To</b>	
Monday	17:00 - 02:00	The Following Morning
Tuesday	17:00 - 02:00	The Following Morning

Wednesday	17:00 - 02:00	The Following Morning
Thursday	17:00 - 02:00	The Following Morning
Friday	17:00 - 04:00	The Following Morning
Saturday	17:00 - 04:00	The Following Morning
Sunday	17:00 - 04:00	The Following Morning

THE OPENING HOURS OF THE PREMISES		
DAY(S)	FROM	TO
Friday to Sunday	17:00	04:15
Monday to Thursday	17:00	02:15

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 Ming Li
REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)
Mrs Ming Li
NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL
Mr Wei Zhang
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: 9 November 2013**

**Date Commences/Varied: 20 May 2024**

Martin Wood

Head of Public Protection Service

# APPENDIX C

Hao Lai Wu Karaoke  
33 – 35 Kingsgate  
Huddersfield  
HD1 1QT  
29<sup>th</sup> May 2025

To whom it may concern with reference to the licence review application by the West Yorkshire Police.

On the 25<sup>th</sup> April 2025 my establishment was visited by twelve Immigration Police and Licencing officers.

They found three Chinese individuals [REDACTED] none of who speak English . There was no interpreter present .  
I returned to my club from shopping to find my relatives in a state of shock and bewilderment being aggressively interviewed .  
None of these individuals were working at the club .

We were all made to sign statements which we did not understand .  
I informed the officers that my statement was not correct but I signed due to the pressure being exerted by the officers on my relatives and myself .  
I informed them that the content of my statement was not correct and was told that the statement would be changed , which did not happen .

The two females [REDACTED] were removed from the premises .  
They have since been released .

I opened the club in June 2024 after spending a lot of money on complete refurbishment.  
I offer Karaoke to the multinational student community in Huddersfield .  
I also offer basic massage services including foot washing , non-nude body massage ,hair washing services for females and males in separate rooms .

Initially there may have been illicit practices but these were quickly stopped when identified .

There are no sexual services , indeed we have notices informing clients .

We have been investigated and visited by the local police on a number of occasions and nothing untoward has been found by them .On one evening we were visited by five police including a sergeant with door forcing equipment which was not used due to there being no locks on the internal doors .  
We do have people phoning up and asking for " extras " and we inform them that only straight massages are available .

We also have people entering the premises demanding sexual services which are refused .  
On more than one occasion I have been assaulted for refusing these services and have reported these to the police with little feedback.

We know we have been reported to the police by jealous competitors and by refused clients on a number of occasions with threats to shut the club down.

Due to this recent investigation I have decided not to offer alcoholic drinks and have removed all alcohol from the premises and do not intend to offer alcoholic drinks in the future .  
We now only offer soft drinks and tea or coffee .

I most certainly do not employ illegal workers and now do not offer alcoholic drinks.

Yours sincerely

[REDACTED]  
[REDACTED]

# APPENDIX D



## Immigration Enforcement

### Immigration representation in support of an application for the review of a premises Licence

On behalf of the Secretary of State, Home Office (Immigration Enforcement) makes representations in support of the following application for the review of a premises licence, relating to the prevention of crime and disorder objective, including the prevention of illegal working and immigration crime in licensed premises.

IE wishes to make representations on an application for a review of a premises licence.

Details of Premises:			
Premises Licence Holder:			
Mrs Ming Li			
Name and Address of Premises:			
Hao Lai Wu Karaoke Bar 33 – 35 Kingsgate			
Post Town:	Huddersfield	Post Code:	HD1 1QT

Representations are being made for the following reasons:

The Licensing Act 2003 outlines four objectives that are to be upheld, the Home Office (Immigration Enforcement) is concerned regarding the prevention of crime and disorder. Home Office (Immigration Enforcement) considers that **Mrs Ming LI** is not taking suitable measures to prevent crime and disorder. The business has employed illegal workers which is prohibited under the Licensing Act 2003 and the Immigration Act 1971 (as amended). Employing illegal workers in the UK has the following impact on the community and society as a whole: -

- It deprives HMRC and the Government of revenue by non-payment of tax and national insurance.
- It exploits the undocumented by paying them less than the minimum wage and provides no employment or income protection.
- It encourages those without permission to work to seek similar employment.
- It allows a business to unfairly undercut other businesses by employing cheap labor.
- Illegal workers are often housed in cramped and unsatisfactory conditions by the employer as part of their working arrangement.

On 25 April 2025, immigration officers from North East, Yorkshire & Humber ICE conducted an enforcement visit to Hao Lai Karaoke Bar, 33 – 35 Kingsgate, Huddersfield, HD1 1QT after intelligence was received the premises was employing illegal workers. Immigration officers encountered the following illegal workers:

██████████

As immigration officers gained entry to the premises ██████ was encountered behind the bar area. It was noted ██████ was evasive and refused to answer, when asked for basic details.

During the illegal working interview ██████ claimed to not be working at the premises and claimed he was there to 'have fun' as the owner of the premises was ██████ sister (Ming LI). ██████ stated his sister (the owner) went home at 17:00 and ██████ was at the premises to 'help her to look after things until she comes back'. ██████ was questioned why he was the only person in the bar and if he would serve customers, ██████ responded that he is unaware of how to serve customers and unaware of prices for drinks and had only gone behind the bar to use his phone. He was unable to provide a credible explanation to immigration officers as to why he was the sole person behind the bar where alcohol was being served.

Home Office checks showed ██████ entered the UK on a visit visa issued in June 2024. ██████ made a claim for protection in August 2024 which was ongoing at the time of the visit. ██████ has never held the right to work in the UK.

██████████

██████████ was encountered by the front door of the premises, during the encounter ██████ was non-compliant and displayed suspicious behavior by declining to engage in conversation with immigration officers.

When questioned by immigration officers ██████ stated she was visiting the UK after she had some financial issues back home and wanted to have some alone time. She later admitted she arrived at the premises the day before and wanted to make some money. She confirmed that she had planned to work there for 2 days. Although ██████ claimed to have no money, she later stated to have £400 but could not confirm where the money had come from.

Home Office checks showed ██████ entered the UK on a visit visa issued in January 2025 valid to January 2027. ██████ does not hold the right to work in the UK.

██████████

██████████ was encountered in one of the massage rooms on the premises, actively engaged in providing massage therapy to a customer.

During interviewing, ██████ stated that she had arrived at the premises at 10:30am that morning and claimed she was there visiting. When questioned regarding the massage she was observed providing, ██████ claimed she was massaging a friend, whose name she could not say in English. However, this claim was contradicted when the individual admitted to being a customer. ██████ repeatedly enquired whether her actions were illegal by immigration officers. When asked to provide pictures as evidence of her tourist trips, she was unable to do so. ██████ later disclosed that she was residing with owner (Ming LI), who was her aunt. ██████ did not respond when asked why the owner's son had confirmed that she had been working at the premises for the past four months.

Home Office checks showed ██████ entered the UK on a visit visa issued in December 2024 valid until December 2026. ██████ does not hold the right to work in the UK.

### **Ming Li - Licence Holder**

Ming Li confirmed that she had owned the premises for approximately 10 months and claimed full responsibility for the operation of the business, including the recruitment and management of staff.

Ming Li denied that the illegal workers encountered on the premises were employed. However, she acknowledged that ██████ was "helping out". Ming Li stated that the ██████ was not working, but was practicing by massaging a customer. Ming Li confirmed that the customer had given her money in return for the massage, but Ming Li claimed that she did not give the payment to ██████ and she was only provided free food.

█████ confirmed that no employee records were maintained and that none of the individuals working at the premises received any form of monetary payment. She also admitted to being aware that none of the illegal workers encountered held the legal right to work in the UK. However, she attempted to justify their involvement by stating they were family members who were merely assisting her.

A civil penalty referral notice was served, with a result currently under consideration.

### **RIGHT TO WORK CHECKS AND THE PREVENTION OF CRIME AND DISORDER**

The objective of the Licensing Act 2003 (the Act) is to provide a clear, transparent framework for making decisions about applications by individuals or businesses wishing to sell or supply alcohol or provide certain types of regulated entertainment and late-night refreshment.

There are four licensing objectives which underpin the Act, and which need to be taken into account and promoted throughout the licensing process.

The licensing objectives are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance and
- the protection of children from harm

Mrs Ming Li has been found employing illegal workers. This business has clearly failed to meet the prevention of crime and disorder objective. The license holder would have been aware of their responsibilities to uphold the licensing objectives as they are clearly defined as part of the premises license application. It is an offence to work when a person is disqualified to do so, and such an offence can only be committed with the co-operation of a premises license holder or its agents.

The employer could have protected themselves and prevented crime and disorder by completing a straightforward right to work check prior to commencing work. Should the license holder have conducted the relevant right to work checks, the workers would have failed at the first stage. This would have quickly and easily confirmed that they had no right to work, and the license holder could have protected themselves from employing illegal workers. All employers are dutybound by law to conduct these checks if they wish to avoid being penalised if found to have employed

someone who is prohibited from working, and guidance can be found on the gov.uk website or by using a search engine. Additional information on how to conduct these checks is available online, this includes the Home Office's official YouTube page.

The use of illegal labour provides an unfair competitive edge and deprives the UK economy of tax revenue. Illegal workers are often paid below the minimum wage (itself an offence) and National Insurance payments are not paid. In this case, the licence holder confirmed that although a customer had paid for a massage, she had not paid the worker for her work and only provided her with free food. Actions such as this exploits workers as well as providing an unfair competitive advantage over businesses that adhere to wage regulations. A key draw for illegal immigration is work and low-skilled migrants that are increasingly vulnerable to exploitation by unlawful enterprises, finding themselves in sub-standard accommodation and toiling in poor working conditions for long hours.

Whether by negligence or willful blindness illegal workers were engaged in activity on the premises. Section 182 guidance of the Licensing Act 2003 at point 11.27 states that certain activity should be treated particularly seriously, and this includes employing someone who is disqualified from that work by reason of their immigration status in the UK. 11.28 of the guidance states that it is expected that revocation of the license – even in the first instance – should be seriously considered.

**Details of Responsible Authority**

Name and Address:

**Immigration Enforcement  
Immigration Enforcement Licensing Compliance Team  
6th Floor, 2 Ruskin Square  
Dingwall Road  
Croydon  
CR0 2WF**

	<b>Email address</b> (optional):	<u><a href="mailto:IE.licensing.applications@homeoffice.gov.uk">IE.licensing.applications@homeoffice.gov.uk</a></u>
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**Signatures**

**Signature of Responsible Authority**

**Home Office Immigration Enforcement**

<b>Date:</b>	02/06/2025	<b>Capacity:</b>	<b>Responsible Authority</b>
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# APPENDIX E

## **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 evidence of a right to work check, either physical or digital

(e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises.

2.7 The objective to crime under the Licensing Act 2003 would include taking measures to prevent incidents of spiking which would usually be prosecuted under section 23 and 24 of the Offences Against the Person Act 1861, and section 61 of the Sexual Offences Act 2003. The following examples are within the range of behaviours that would be considered spiking. This list is not exhaustive:

- Putting alcohol into someone's drink without their knowledge or permission
- Putting prescription or illegal drugs into an alcoholic or non-alcoholic drink without their knowledge or permission
- Injecting another person with prescription or illegal drugs without their knowledge or permission
- Putting prescription or illegal drugs into another person's food without their knowledge or permission
- Putting prescription or illegal drugs into another person's cigarette or vape without their knowledge or permission

## **Public safety**

2.8 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.

2.9 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).

2.10 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.

2.11 Counter terrorism and public safety

2.12 Licensing committees may wish to give due consideration to appropriate counter- terrorism measures and advice when considering licence applications, for example at high profile or large premises or events or where there are factors which may increase attractiveness to attacks, and in particular when in receipt of relevant advice from police counter terrorist staff.

2.13 It is particularly relevant to consider conditions around health care provision in this regard. Any additional licensing conditions should be appropriate and proportionate to the venue as noted in para 1.16. We recommend that all licensing authorities pay particular attention to terrorist threats when making specific licence conditions in relation to security or health care provision at appropriate premises and events applying for a licence.

2.14 As noted in para 2.8 licensing authorities can recommend conditions where appropriate to do so, such as ensuring appropriate access for emergency services

and vehicles 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); and ensuring the presence of sufficient trained first aiders on the premises and appropriate first aid kits.

2.15 However, in some instances, licensing authorities may wish to tailor their approach, depending on the particular nature of the application, and go further when addressing concerns around possible terrorist or other such risks. We have provided an Annex to help inform and support licensing authorities in their decision making with regards to additional licence conditions for premises and events, that may benefit from further security planning and health care provision in the aftermath of a particular type of incident



**REPORT TITLE:** Licensing Act 2003 – Application for the review of a premises licence for Ravensthorpe Off Licence - 618 Huddersfield Road, Ravensthorpe, Dewsbury, WF13 3HL

<b>Meeting:</b>	Licensing Panel
<b>Date:</b>	Monday 7 <sup>th</sup> July 2025
<b>Cabinet Member</b> (if applicable)	Cllr Amanda Pinnock
<b>Key Decision Eligible for Call In</b>	No No
<b>Purpose of Report</b> To determine the application	
<p><b>Recommendations</b></p> <ul style="list-style-type: none"> <li>Members of the panel are requested to determine the application</li> </ul> <p><b>Reasons for Recommendations</b></p> <ul style="list-style-type: none"> <li>In accordance with the requirements as set out in the Licensing Act 2003, where an application for the review of a premises licence is received by either a responsible authority or any other person, the matter is referred to the panel for a decision.</li> </ul>	
<p><b>Resource Implications:</b> There are no resource implications.</p>	
<b>Date signed off by <u>Executive Director</u> &amp; name</b>	<b>Fiona Goldsmith – on behalf of David Shepherd, Strategic Director for Place, Growth and Regeneration</b>
<b>Is it also signed off by the Service Director for Finance?</b>	Not applicable
<b>Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?</b>	Not applicable

**Electoral wards affected:** Dewsbury West

**Ward councillors consulted:** No

**Public or private:** Report to be heard in Public

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

## 1. Executive Summary

1.1 The purpose of the report is to inform members of an application for the review of a premises licence, which has been referred to this panel for determination

## 2. Information required to take a decision

### 2.1 Application

2.1.1 On 13<sup>th</sup> May 2025 West Yorkshire Police submitted an application for the review of the premises licence at Ravensthorpe Off Licence, under Section 51 of the Licensing Act 2003. A copy of this application can be seen at **Appendix A**

The applicant believes that the following Licensing Objectives are not being met.

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

2.1.2 On 4<sup>th</sup> March 2025 a test purchase operation was conducted by West Yorkshire Police at Ravensthorpe Off Licence - 618 Huddersfield Road, Ravensthorpe, Dewsbury, WF13 3HL. The officer conducting the test purchase was able to buy an illegal packet of 20 Marlborough Gold for £7.50. The Cigarettes were stored under the counter.

2.1.3 On 16<sup>th</sup> April 2025 a test purchase operation was conducted by Trading Standards at Ravensthorpe Off Licence - 618 Huddersfield Road, Ravensthorpe, Dewsbury, WF13 3HL. The officer conducting the test purchase was able to buy an illegal packet of Richmond cigarettes for £3.50.

2.1.3 On 22<sup>nd</sup> April 2025 West Yorkshire Police and Trading Standards attended and searched the premises for Illegal tobacco. This search was conducted due to intelligence received and previous findings on test purchases. Hidden in the shop were illegal cigarettes which were situated behind the counter in a blue plastic bag and also a large quantity of illegal disposable vapes where were on display for sale behind the sales counter.

2.1.4 A copy of the Premises Licence can be seen at **Appendix B**.

2.1.5 Statements received from the attending Trading Standards officers who support the review application can be seen at **Appendix C**.

2.1.6 The current licence was issued, with conditions, following a hearing on 30<sup>th</sup> January 2024, following representations being received from 3 ward councillors.

2.1.7 Prior to the current licence the premises was licensed from 2020. This licence was surrendered on 4<sup>th</sup> September 2023, this was following the premises failing a test purchase in relation to the sale of alcohol to a person under 18 years of age, which was carried out by the police, as the licence holder / DPS had sold the business and no longer had any involvement with the premises.

2.1.8 This surrender of the licence resulted in an application to transfer the premises licence and vary the Designated Premises Supervisor being submitted

on 8<sup>th</sup> September 2023 by those persons in charge at the time of the police test purchase operation. West Yorkshire Police submitted an objection to the application to transfer the licence resulting in a hearing being held on 11<sup>th</sup> October 2023 whereby members refused the transfer application.

## 2.2 Licensing Policy

Members considering the application must 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).

### **Executive Summary**

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.

### **Purpose**

The Licensing Authority recognises the importance of its ability to review premises licences. The proceedings set out in the 203 Act for reviewing premises licence represent a key protection concerning problems associated with crime and disorder, public safety, public nuisance, and the protection of children from harm. Partnership working is important to achieve the promotion of the licensing objectives and responsible authorities are encouraged to give licensees early warning of any concerns identified at a premise.

For cases which are being considered as a result of a review or potential enforcement action, the Council will take into account all relevant circumstances, but will view the following matters particularly seriously:

- Failure to promptly respond to a warning properly given by a responsible authority
- Failure to engage with the responsible authorities in an effective manner
- Previous convictions for licensing offences
- Previous failure to comply with licence conditions

In cases where the crime prevention objective is being undermined through the premises being used for criminal activities, such as the supply of drugs and money laundering, it is expected that revocation of the licence, even in the first instance, will be seriously considered.

### **Licensing Objectives**

1. Public Safety
2. Prevention of Crime and Disorder
3. Prevention of Public Nuisance
4. Protection of Children from Harm

## 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 3 of the licensing objectives. Member's attention is drawn to this guidance, the relevant parts may be found at **Appendix D**

## 3. **Implications for the Council**

### 3.1 **Council Plan**

The Licensing Service and its Statement of Licensing Policy balance the objective of improving the local economy, improving health and wellbeing and tackling health inequalities and cultural development against noise, nuisance, safeguarding and crime and disorder.

### 3.2 **Financial Implications**

There are no financial implications in relation to this report.

### 3.3 **Legal Implications**

In determining the application Members should have regard to the Authority's licensing policy statement and the Secretary of State Guidance. The applicant or any other person who made relevant representations in relation to the application have the right of appeal to the Magistrates Court.

### 3.4 **Climate Change and Air Quality**

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

### 3.5 **Other (eg Risk, Integrated Impact Assessment or Human Resources)**

Under the provisions of the Licensing Act 2003 there is no requirement for an Integrated Impact Assessment, 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, Trading standards representation in support of the review application can be seen at **Appendix C**.

## **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 an application for the review of a premises licence is 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 any representations, may take such steps as they consider appropriate for the promotion of the licensing objectives. These steps are:

- a) Modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition);
- b) Exclude a licensable activity from the scope of the licence;
- c) Remove the designated premises supervisor;
- d) Suspend the licence for a period not exceeding three months;
- e) Revoke the licence.

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 provide reasons for their decision.

## **8. Contact officer**

Lee Rushworth – Licensing Officer  
Tel: 01484 221000 (ext. 78217)  
Email [Lee.Rushworth@kirklees.gov.uk](mailto:Lee.Rushworth@kirklees.gov.uk)

## **9. Background Papers and History of Decisions**

Licensing Act 2003 Statement of Licensing Policy - [Licensing Policy](#)

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

Cumulative Impact Assessment 2025 [Cumulative Impact Assessment 2025-2028](#)

**10. Appendices**

**Appendix A** – Review Application

**Appendix B** – Premises Licence PR00412 Ravensthorpe Off Licence

**Appendix C** – Trading standards representation

**Appendix D** - Relevant sections of Secretary of State Guidance – Section 182 of the Licensing Act 2003.

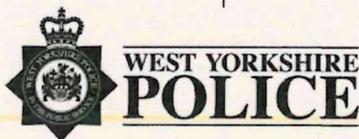
**11. Service Director responsible**

Katherine Armitage

Service Director – Environmental Strategy and Climate Change

Tel: 01484 221000

Email: [Katherine.armitage@kirklees.gov.uk](mailto:Katherine.armitage@kirklees.gov.uk)



RESTRICTED

# APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE 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, (insert name of applicant) PC 4346 Katie Swift

- Apply for the review of a Premises Licence under Section 51
- Apply for the review of a Club Premises Certificate under Section 87 of the Licensing Act 2003 for the premises described in Part 1 below

### Part 1 – Premises or Club Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description:

Ravensthorpe Off Licence  
618 Huddersfield Road  
Ravensthorpe

Town/City: Dewsbury

Postcode: WF13 3HL

Name of premises licence holder or club holding club premises certificate (if known):

Mr Reman Hassan

Number of premises licence or club premises certificate (if known): PR00412

### Part 2 – Applicant details

Please 'check' appropriate box(es)

I am:

1. An interested party (please complete A or B below)
  - (a) a person living in the vicinity of the premises
  - (b) a body representing persons living in the vicinity of the premises
  - (c) a person involved in business in the vicinity of the premises
  - (d) a body representing persons involved in business in the vicinity of the premises
2. A responsible authority (please complete C below)
3. A member of the club to which this application relates (please complete A below)

### A – Details of individual applicant

Surname:

Forename(s):

I am 18 years old or over:

Current postal address if different from premises address:

Town/City:

Postcode:

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Daytime contact telephone number:  
E-mail address (optional):

**B – Details of other applicant**

Surname: Forename(s):  
Address:  
Town/City: Postcode:

Daytime contact telephone number:  
E-mail address (optional):

**C – Details of responsible authority applicant**

Other title, e.g. R: PC 4346

Surname: Swift Forename(s): Katie  
Address: West Yorkshire Police Licensing, Flint Street  
Town/City: Huddersfield Postcode: HD1 6LG

Daytime contact telephone number:  
E-mail address (optional):

This application to review relates to the following licensing objective(s): (Please 'check' one or more boxes)

- (a) The prevention of crime and disorder
- (b) Public Safety
- (c) The prevention of public nuisance
- (d) The protection of children from harm

State the ground(s) for review (please read Guidance note 1):

Ravensthorpe Off Licence is a small Off Licence situated in Ravensthorpe town centre. It sells alcohol, vapes, soft drinks and snacks. Its alcohol licence was granted on the 5<sup>th</sup> February 2024.

Illegal cigarettes have been found hidden inside the shop.

The shop has failed a test purchase for illegal cigarettes.

Illegal vapes were found to be on sale in this shop.

Packets of open cigarettes were found under the counter of the shop, these were two different brands. It is believed that these were being sold as separate cigarettes to customers and they are especially attractive to young people who cannot afford a full packet.

The below licensing objectives have been impacted upon:

Prevention of crime and disorder.

Public safety

The protection of children from harm

Mr Reman Hassan is the Premises Licence Holder and the Designated Premises Supervisor.

Please provide as much information as possible to support the application (please read Guidance note 2)

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On the 30<sup>th</sup> January 2024 a Licensing Panel chaired by Cllr Pinnock granted a premises licence for Ravensthorpe Off Licence, 618 Huddersfield Road, Ravensthorpe.

On the 4<sup>th</sup> March 2025 a test purchase was carried out at this premises by a West Yorkshire Police Licensing Officer. They were able to buy a packet of 20 Marlborough Gold for £7.50. The cigarettes were stored under the counter.

On the 22<sup>nd</sup> April 2025 Trading Standards and West Yorkshire Police attended and searched this premises. This was due to intelligence received regarding the sales of illegal cigarettes and vapes.

Hidden in the shop were 26 x 20 packets of cigarettes, these were situated behind the counter stored in blue plastic bags. **Exhibit KJS.1**

Under the counter were two packets of open illegal cigarettes, a packet of Marlborough and a packet of Benson & Hedges. **Exhibit KJS.2** It is believed that that these cigarettes were being sold as separates. It is illegal to sell cigarettes in separate form they must be sold in packs of 20, which contain the relevant health warnings. Selling separate cigarettes has been found to encourage persons under 18 to smoke as they are sold for anything between fifty pence to one pound.

Also on display were 115 oversized illegal vapes.

The female working there was called [REDACTED],

She said she was helping a friend and had only worked there a couple of times before. She was going to be paid approximately £40 cash in hand. When asked if she knew the legal age that she could sell vapes, she was very vague and said she thought it was either 18 or 21. She denied any knowledge of the illegal cigarettes and said she did not know anything about oversized vapes.

[REDACTED] could only give the name of [REDACTED] as the person to contact if she had an issue and could not tell me who the owner of the shop was or who was the Designated Premises Supervisor. She stated she had not received any training as she was only helping out.

I asked her to contact the Designated Premises Supervisor or the owner of the shop. She did not know who this was and only knew to contact a male called [REDACTED]. She could not give me any further details for [REDACTED] apart from two telephone numbers.

The two numbers she gave for [REDACTED] were: ○

On police systems this phone number is linked to a male who lives in [REDACTED] and has no right to work.

Can the panel please consider revocation of the alcohol licence as the actions of the Premises Licence Holder and the staff are greatly impacting upon three of the licensing objectives.

Trading Standards Officer Noreen Aktar will provide a statement detailing the visit on 22<sup>nd</sup> April 2025, what she found where and what was seized.

I have attached guidance from the Government on what should be classed as serious offences when deeming the outcome of a licensing review.

Guidance for local authorities under the licensing Act:

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

Have you made an application for review relating to this premises before? NO

If 'YES', please state the date of that application:

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If you have made representations before relating to this premises, please state what they were and when you made them:

[Empty box for representations]

Please 'check' appropriate box(es)

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements, my application will be rejected

It is an offence, liable on conviction to a fine up to 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 3 – 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: KSuft Date: 13/05/25

Capacity: PC 4346 Licensing officer WYP

Contact name (where not previously given) and postal address for correspondence associated with this application (please read Guidance note 5):

Surname: Forename(s):

Address:

Town/City: Postcode:

Telephone number (if any):

If you would prefer us to correspond with you using an e-mail address, please state your e-mail address (optional):

**Notes for Guidance**

- The ground(s) for review must be based on one of the licensing objectives.
- Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
- The application form must be signed.
- An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- This is the address which we shall use to correspond with you about this application.

**PREMISES  
LICENCE**

Licensing Act 2003

Licence number:  
**PR00412**Online Reference number:  
**PR00481****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](mailto:licensing@kirklees.gov.uk)**POSTAL ADDRESS OF PREMISES****Ravensthorpe Off Licence**  
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
Every Day	08:00 - 23:00

**Seasonal Details**

1 additional hour at the end of the terminal hour on Christmas Eve and New Years Eve

**THE OPENING HOURS OF THE PREMISES**

DAY(S)	FROM	TO
Every Day	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**

Mr Reman Hassan



Email address



Email address



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

Mr Reman Hassan

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

PC Kathryn Swift  
Licensing Flint Street Huddersfield West Yorkshire HD16LG

**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**

### **Prevention of Crime and Disorder -**

An incident log must be kept at the premises. 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' (as defined by section 13 of the Licensing Act 2003), an authorised trading standards officer or the police, and must record the following;

- (a) All crimes reported to the premises (where relevant to the licensing objectives)
- (b) Any incidents of disorder involving the premises or its customers

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. Roller shutters have been installed at the front of the premises.

### **Prevention of Public Nuisance -**

Prominent, clear and legible signage shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quickly and quietly.

The premises shall install and maintain a digital CCTV system. The CCTV system shall have sufficient hard drive storage capacity to store a minimum of 31 days. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises at each exit and entrance point. 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 to ensure rapid data retrieval & downloads of footage can be provided to the Police & the Local Authority Officer upon reasonable request in accordance with the Data Protection Act. CCTV shall be continually recording during licensable hours. In the event of a failure of the CCTV system for any reason, a record of the failure will be recorded in the premises CCTV log and immediate steps will be made to rectify the problem.

### **The Protection of Children From Harm -**

A written register of refusals will be kept including a brief description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months and will be produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer the local authority/council on request. All staff engaged in the sale of alcohol to be trained in Challenge 25. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer of the local authority/council on request.

The premises shall operate a Challenge 25 policy and scheme. These shall be written down and kept at the premises in the training log book. They shall be produced on request of the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer the local authority/council. Prominent, clear and legible Challenge 25 signage shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme operated.

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

3 CCTV cameras internally and 3 CCTV cameras externally be operational during licensing hours

Training of the applicant and staff in dealing with difficult customers in relation to crime and antisocial behaviour be undertaken.

That the applicant works with the Licensing Department and the Police to resolve any issues.

**ANNEX 4 – PLANS OF PREMISE**

As outlined in the operating schedule and attached plan

**Date Granted:**

**Date Commences/Varied:**

A handwritten signature in black ink that reads "Martin Wood". The signature is written in a cursive, slightly slanted style.

Head of Public Protection Service

**PREMISES LICENCE SUMMARY**

Licensing Act 2003

**PR00412****THIS LICENCE IS ISSUED BY**

LICENSING  
 Flint Street Depot  
 Flint Street  
 Fartown  
 Huddersfield  
 HD1 6LG

Tel: 01484 456868  
 Email: [licensing@kirklees.gov.uk](mailto:licensing@kirklees.gov.uk)

**POSTAL ADDRESS OF PREMISES**

**Ravensthorpe Off Licence**  
 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
Every Day	08:00 - 23:00

**Seasonal Details**

1 additional hour at the end of the terminal hour on Christmas Eve and New Years Eve

**THE OPENING HOURS OF THE PREMISES**

DAY(S)	FROM	TO
Every Day	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**

Mr Reman Hassan  
[REDACTED]

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

Mr Reman Hassan

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

PC Kathryn Swift

**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:**

**Date Commences/Varied:**



Head of Public Protection Service

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**WITNESS STATEMENT**

**Criminal Procedure Rules, r 27.2  
Criminal Justice Act 1967, S. 9  
Magistrates Courts Act 1980, 5B**

**Statement of:**

**Age of witness:** *(if over 18 enter 'over 18')*

**Occupation:**

This statement (consisting of 4 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

**Dated:**  **Signature:** 

I am an Enforcement Officer officer employed by West Yorkshire Trading Standards Service (WYTSS). I am an authorised officer for the purposes of the Trade Marks Act 1994, the Tobacco and Related Products Regulations 2016, the Standardised Packaging of Tobacco Regulations 2015 and the Consumer Rights Act 2015.

On 22<sup>nd</sup> April 2025 I was in company with Police and Licensing officers when I attended Ravensthorpe Off Licence, 618 Huddersfield Road, Ravensthorpe, Dewsbury, WF13 3HL to carry out an inspection visit. I entered the store and identified myself to the female working there [REDACTED]. She stated that she was not an employee and did not know who the owner was but was standing in for 'a friend', [REDACTED].

**NOTE :** *If statements are typed double spacing should be used.  
One side only of this paper should be used.*

(Signed)   
Dated: 14/05/2025 Page: 1 of 3

To be completed if applicable: .....being unable to read the above statement I, .....of....., read it to him/her before he/she signed it. **Signed** ..... **Dated**.....

**WITNESS STATEMENT**

**Criminal Procedure Rules, r 27.2  
Criminal Justice Act 1967, S. 9  
Magistrates Courts Act 1980, 5B**

**Continuation Statement of:** N Akhtar

An inspection was conducted at the store and 26 x 20 illegal cigarettes were found behind the counter. There were also 115 disposable electronic cigarettes (Vapes) on display for sale behind the sales counter which had a tank capacity larger than the maximum permitted of 2ml nicotine containing liquid, making them illegal.

The packaging of the cigarettes found behind the counter is not the correct colour as required by The Standardised Packaging of Tobacco Products Regulations 2015 and the prescribed health warnings are not present in English as required by the Tobacco and Related Products Regulations 2016. From discrepancies in the packaging of some of the cigarettes and the foreign excise stamps present on others, I believe them to be a mix of counterfeit and smuggled items.

The sale of Counterfeit/Illicit Tobacco products is not a minor breach of Trading Regulations but is in fact Serious Organised Criminality. These items which cannot be legally sold in the UK are smuggled into the country on a vast scale. The Profits of this illegal trade going to criminals while the treasury is deprived of the Tax/Excise. The current yearly loss in revenue is in excess of £2.5 billion which in turn deprives public services of funding.

Smoking is the leading cause of preventable diseases in the UK and over half of long term smokers will die prematurely from smoking related diseases. Tobacco taxes are a proven strategy

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One side only of this paper should be used.*

**(Signed)**



**Dated:** 14/05/2025

**Page:** 2 of 3

To be completed if applicable: .....being unable to read the above statement I, .....of....., read it to him/her before he/she signed it. **Signed** ..... **Dated**.....

**WITNESS STATEMENT**

**Criminal Procedure Rules, r 27.2  
Criminal Justice Act 1967, S. 9  
Magistrates Courts Act 1980, 5B**

**Continuation Statement of:** N Akhtar

to reduce smoking and extend lives. The illegal, cheap sale of this product removes this incentive of helping people to quit and also makes cigarettes more affordable to children, making it more likely they will start.

The supply of illegal tobacco not only causes harm to people but also causes genuine businesses to lose income and potentially close. This damages local communities with reduced employment and the loss of essential services.

The regulation restricting the tank capacity of electronic cigarettes to 2ml was implemented to ensure they are used responsibly and that consumers are protected from excessive nicotine intake. By selling these illegal products sourced from an illegitimate supplier this business owner is causing a risk to public safety.

**NOTE :** *If statements are typed double spacing should be used.  
One side only of this paper should be used.*

**(Signed)**



**Dated:** 14/05/2025

**Page:** 3 of 3

To be completed if applicable: .....being unable to read the above statement I, .....of....., read it to him/her before he/she signed it. **Signed** ..... **Dated**.....

**WITNESS STATEMENT**

**Criminal Procedure Rules, r 27.2  
Criminal Justice Act 1967, S. 9  
Magistrates Courts Act 1980, 5B**

**Statement of:**

**Age of witness:** *(if over 18 enter 'over 18')*

**Occupation:**

This statement (consisting of 2 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

**Dated:**  **Signature: A.Woodward**

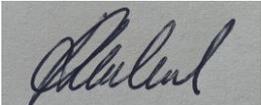
I am the above named person and I am a regulatory compliance enforcement Officer employed by West Yorkshire Trading Standards Service based in Leeds. I am an authorised officer for the purposes of the Trade Marks Act 1994, Tobacco and Related Products Regulations 2016, Standardised Packaging of Tobacco Regulations 2015 and the Consumer Rights Act 2015.

On 16<sup>th</sup> of April 2025, I was in civilian clothing when I attended the premises of Ravensthorpe Off Licence, 618 Huddersfield Road, Ravensthorpe, WF13 3HL in order to carry out a test purchase for illegal tobacco and cigarettes. I was in company with a colleague Jason Bethell who waited in our vehicle while I went to the store. As I approached the store I saw there was a male working

**NOTE :** *If statements are typed double spacing should be used. One side only of this paper should be used.* **(Signed)** .....

**Dated**.....09/05/25..... **Page 2 of 2**

To be completed if applicable: I, .....being unable to read the above statement I, .....of.....

read it to him/her before he/she signed it. **Signed** ...  ..... **Dated**...09/05/25..

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B4.0.9b 01/09/11 Page 66

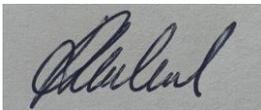
**WITNESS STATEMENT**

**Criminal Procedure Rules, r 27.2  
Criminal Justice Act 1967, S. 9  
Magistrates Courts Act 1980, 5B**

behind the counter. I estimate the male to be around 30-35 years of age, and of eastern European descent.

I approached the counter and asked to purchase a packet of Richmond cigarettes. The male behind the counter then handed me a packet of Richmond cigarettes in blue packaging which I paid £3.50 for in cash, I then left the store.

The packet of cigarettes purchased did not conform to the Tobacco and Related Products Regulations 2016 and I suspect them to be counterfeit. The normal price for these cigarettes is around £14.00 or above.



X

adele woodward  
regulatory compliance officer

**NOTE :** *If statements are typed double spacing should be used. One side only of this paper should be used.* (Signed) .....

Dated.....09/05/25..... Page 2 of 2

To be completed if applicable: I, .....being unable to read the above statement I, .....of.....,

read it to him/her before he/she signed it. Signed ...  ..... Dated...09/05/25..

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## **APPENDIX C**

### **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 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.*

## **Public Safety**

### 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 Act<sup>1</sup>, 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.

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