

Public Document Pack



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

Samantha Lawton

Governance and Commissioning

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Huddersfield

HD1 9EL

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Please ask for: Jenny Bryce-Chan

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

Monday 4 August 2025

Notice of Meeting

Dear Member

Licensing Panel

The **Licensing Panel** will meet in the **Council Chamber - Town Hall, Huddersfield** at **10.00 am** on **Tuesday 12 August 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 Alex Vickers

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Panel

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

2: Minutes of Previous Meeting

1 - 4

To approve the Minutes of the meeting of the Panel held on the 7th July 2025.

3: Declaration of Interests

5 - 6

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

4: Admission of the Public

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

5: Deputations/Petitions

The Panel will receive any petitions and/or deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also submit a petition at the meeting relating to a matter on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10, Members of the Public must submit a deputation in writing, at least three clear working days in advance of the meeting and shall subsequently be notified if the deputation shall be heard. A maximum of four deputations shall be heard at any one meeting.

6: Public Question Time

To receive any public questions.

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

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

7: Licensing Act 2003 Section 51 - Application for the review of a Premises Licence, Gomersal Lodge Hotel (Marquee), 189 Spen Lane, Gomersal, Cleckheaton, BD19 4PJ

7 - 82

To consider the Licensing Application at 10:00am.

Contact – Anwar Butt, Licensing Officer – Tel 01484 221000

8: Licensing Act 2003 - Application for a full variation of a Premises Licence, Fenay Bridge Stores, 17 Penistone Road, Fenay Bridge, Huddersfield, HD8 0AS

83 - 120

To consider the Licensing Application at 11:30am.

Contact – Lee Rushworth, Licensing Officer – Tel: 01484 221000

Contact Officer: Nicola Sylvester

KIRKLEES COUNCIL

LICENSING PANEL

Monday 7th July 2025

Present: Councillor Eric Firth (Chair)
Councillor Donna Bellamy
Councillor Mohan Sokhal

In attendance: Rox Javaid, Licensing Officer
Craig Heywood, Licensing Officer
Lee Rushworth, Licensing Officer
Fiona Goldsmith, Public Protection Group Leader
Tahir Hanif, Senior Lawyer
Richard Woodhead, West Yorkshire Police
Kathryn Swift, West Yorkshire Police

8 Membership of the Panel

All Panel Members were in attendance.

**9 Minutes of Previous Meeting
RESOLVED -**

That the minutes of the meeting held on 4th June 2025 be approved as a correct record.

10 Declaration of Interests

No interests were declared.

11 Admission of the Public

All agenda items were held in public session.

12 Deputations/Petitions

No deputations or petitions were received.

13 Public Question Time

No public questions were asked.

14 Licensing Act 2003 Section 51 - Application for the review of a Premises Licence, Hao Lai Karaoke Bar, 33-35 Kirkgate, Huddersfield, HD1 1QT

The Panel considered a report which outlined an application for the review of a Premises Licence for Hao Lai Karaoke Bar, 33-35 Kirkgate, Huddersfield, HD1 1QT.

The Licensing Officer advised the Panel that on 12th May 2025, West Yorkshire Police submitted an application for the review of the premises licence for Hao Lai Karaoke Bar under section 51 of the Licensing Act 2003.

Licensing Panel - 7 July 2025

The applicant believed that the licensing objectives in respect of Prevention of Crime and Disorder and Public Safety were not being met.

The Panel were informed that on 25th 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.

Immigration workers discovered illegal workers at the premises and carried out arrests. West Yorkshire Police believed the premises licence holder may have breached employment/criminal law by allowing illegal workers to operate from licensed premises, and suspected that sexual services may have been offered to clients in the massage rooms that were found in the basement and on the ground floor.

Further breaches of the licence conditions were found, including: a lack of CCTV recordings, a failure to maintain refusal logs, no incident log available for inspection and no evidence of training logs.

The Licensing Officer further advised that the Designated Premises Supervisor (DPS) had resigned his voluntary post as of 1st June 2025 and the Premises License Holder had been informed that they would need to stop selling alcohol while a DPS was not in place.

A letter had been received from the Premises Licence Holder stating that they had stopped selling alcohol, however the premises license had not been surrendered, and alcohol sales were still part of the active licence.

Richard Woodhead, West Yorkshire Police advised the Panel that Police and Council Officers had visited the premises on several occasions since review proceedings had begun, and the bar had been closed.

A representative for the Premises Licence Holder read a statement advising the Panel that there were no illegal workers, but family members, who spoke no English and had been confused by the questioning from West Yorkshire Police and the Immigration Officer. The statement also confirmed that Mrs Li did not employ illegal workers or sell alcoholic drinks.

Mrs Li's representative also informed the Panel that as soon as Mrs Li had been made aware of the illicit sexual activity taking place, Mrs Li had taken action to stop this, and that Police Officers had visited the premises on several occasions, along with immigration officers visiting their home address.

During consideration of all the information presented both verbally and in writing, the Panel felt it necessary to ask further questions regarding the licensing objectives in respect to the CCTV and refusal book and asked all parties to rejoin the meeting.

Licensing Panel - 7 July 2025

The Chair requested further detail from the Licensing Officer around the CCTV not being available to view and the refusal book not being in place, which were conditions of the original Premises Licence.

The Licensing Officer confirmed that at the visit on 25th April 2025 the CCTV had not been working and there was no one available who was trained to operate it. There was no refusal book available for inspection, and no incident book, and despite the Premises Licence Holder being emailed about this there had been no further information given.

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 Premises License for Hao Lai Karaoke Bar, 33-35 Kirkgate, Huddersfield, HD1 1QT, be revoked.

15

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

The Panel considered a report which outlined an application for a review under S51 of the Licensing Act 2003, in respect of premises license Ravensthorpe Off Licence, 618 Huddersfield Road, Ravensthorpe, Dewsbury, WF13 3HL.

The Licensing Officer advised the Panel that the application for review had been received on 13th May from West Yorkshire Police, as they believed the following licensing objectives were not being met: the prevention of crime and disorder, public safety and the protection of children from harm.

The Premises Licence Holder had provided a statement which was read out by the Licensing Officer. The statement advised the Panel that the named License Premises Holder had sold the shop two years previously and was unaware that his name was still being used by the current owner as he had been told that it had been transferred into the new owner's name. He wished to cancel and surrender the license.

The Panel were advised by PC Kathryn Swift, West Yorkshire Police, that during a test purchase operation by West Yorkshire Police on 4th March 2025 at Ravensthorpe Off Licence, a police officer was able to buy an illegal packet of cigarettes, The packet of cigarettes did not conform to the tobacco and related products regulations 2016, and were stored under the counter.

On 22nd April 2025 West Yorkshire Police and Trading Standards attended and searched the premises for illegal tobacco. Illegal cigarettes were found hidden behind the counter and 115 disposable electronic cigarettes were on display for sale which had a tank capacity larger than the maximum permitted of 2ml nicotine, making them illegal. Under the counter were two packets of open cigarettes which it

Licensing Panel - 7 July 2025

was believed were being sold as single cigarettes. A female working at the store advised that she was being paid £40 cash in hand, and had received no training and was unsure of the legal age for buying vapes. She said she did not know about the illegal cigarettes, did not know who the Designated Premises Supervisor was and also did not know the owner. The shop worker was able to provide the first name of someone to contact, and two telephone numbers to contact them on. The Police Officer followed up the numbers, one which was not recognised and one which was linked to a male in Coventry who did not have the right to work.

West Yorkshire Police advised the Panel on government guidance regarding what was deemed a serious offence included the sale and storage of smuggled tobacco.

In reaching its decision, the Panel 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 Premises License for Ravensthorpe Off Licence, 618 Huddersfield Road, Ravensthorpe, Dewsbury, WF13 3HL, be revoked.

KIRKLEES COUNCIL				
COUNCIL/CABINET/COMMITTEE MEETINGS ETC				
DECLARATION OF INTERESTS				
Licensing Panel				
Name of Councillor				
Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest	

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

(a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and

(b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



REPORT TITLE: Licensing Act 2003 Section 51 – Application for the review of a Premises Licence, Gomersal Lodge Hotel (Marquee), 189 Spen Lane, Gomersal, Cleckheaton, BD19 4PJ

Meeting:	Licensing Panel
Date:	Monday 12 th August 2025
Cabinet Member (if applicable)	Cllr Amanda Pinnock
Key Decision Eligible for Call In	No No
Purpose of Report To determine the application	
<p>Recommendations</p> <ul style="list-style-type: none"> Members of the panel are requested to determine the application. <p>Reasons for Recommendations</p> <ul style="list-style-type: none"> In accordance with the requirements as set out in the Licensing Act 2003, where 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. 	
<p>Resource Implications: There are no resource implications.</p>	
Date signed off by <u>Executive Director</u> & name	Russell Williams – on behalf of David Shepherd, Strategic Director for Place, Growth and Regeneration
Is it also signed off by the Service Director for Finance?	Not applicable
Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?	Not applicable

Electoral wards affected: Liversedge & Gomersal

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 17th June 2025, Environmental Health applied for a review of the premises licence PR(A)1340 for the Wedding Marquee at Gomersal Lodge Hotel, under Section 51 of the Licensing Act 2003.

2.1.2 A copy of the application can be seen at **Appendix A**

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

- Prevention of public nuisance

2.1.3 Gomersal Lodge Hotel have the benefit of two licensed premises set within the grounds of 189 Spen Lane, Gomersal. These comprise Gomersal Lodge Hotel PR(A)0437 Licensed since 05.10.2005 and the Wedding Marquee PR(A)1340.

A copy of the licence for the Wedding Marquee can be seen **Appendix B**

2.1.4 The Review is concerned with the Wedding Marquee, which was first licensed 28.06.2011. At the time of the initial grant application, representations were made by Environmental Health in their capacity as Responsible Authority, these concerns were supported by residents with similar concerns that the prevention of public nuisance licensing objective would not be achieved should the Marquee be granted a licence. The licensing committee resolved to grant the licence for the marquee with appropriate conditions. A copy of the report, representations and decision letter following the hearing can be seen at **Appendix C**

2.1.4 The review application has been advertised and consulted on in accordance with the requirements of the licensing Act 2003 & The Licensing Act 2003 (Hearings) Regulations 2005. During the consultation period there have been 8 additional representations received from residents, these can be seen at **Appendix D**

2.1.5 The review notice seeks revocation of this licence, and states that the following licensing objectives are not being met.

- The prevention of public nuisance

During the consultation period, Environmental Health have also provided additional information to evidence the noise nuisance that is referred to in the review application. This evidence is in the form of officer statements who have witnessed the nuisance during out of hours call out visits. These may be seen at **Appendix E**

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. This review has received support from 8 local residents and are included as appendices to this report.

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

Anwar Butt – Licensing Officer
Tel: 01484 221000 (ext. 70525)
Email: anwar.butt@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)

10. Appendices

Appendix A – Review Application

Appendix B – Premises Licence PR(A)1340 GLH Wedding Marquee

Appendix C – Report, Representations and Decision letter 28.062011

Appendix D – Representations, supporting the review application.

Appendix E - Officer Statements.

Appendix F - 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

Appendix A

Licensing Department

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, Joanne Cooper

(Insert name of applicant)

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 (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Gomersal Lodge 189 Spen Lane, Gomersal	
Post town Cleckheaton	Post code (if known) BD19 4JP

Name of premises licence holder or club holding club premises certificate (if known)
Mr Nazir Hussain

Number of premises licence or club premises certificate (if known)
Gomersal Lodge Hotel PR(A)1340

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 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 (fill in as applicable)

Please tick ✓ yes

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

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Current postal
address if
different from
premises
address

Post town

Post Code

Daytime contact telephone number

E-mail address
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Joanne Cooper Kirklees Council Environmental Health PO Box 1720 Huddersfield HD1 9EL
Telephone number (if any) 01424 221000
E-mail address (optional) Joanne.Cooper@kirklees.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes ✓

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

On behalf of the Environmental Health Pollution and Noise Control team, I am formally requesting a review of the premises licence for Gomersal Lodge Hotel due to ongoing noise nuisance complaints. As a responsible authority, this request follows extensive joint working between the Environmental Health and Licensing teams to support Gomersal Lodge Hotel in complying with the conditions of their licence, specifically the requirement to prevent public nuisance.

Despite these efforts, it has become evident that the conditions currently attached to the licence are inadequate in controlling the noise levels emanating from the premises. The hotel has persistently failed to meet the licensing objective of preventing public nuisance, and residents continue to be adversely affected.

While the Gomersal Lodge Hotel team have provided reassurances that appropriate steps have been taken to control noise levels, the continuation of complaints — including those substantiated by officer attendance and recordings — indicates that these measures have not been effective. Despite multiple opportunities to rectify the issue, the premises continue to cause public nuisance.

Given the continued non-compliance and the ineffectiveness of the existing measures, we now seek consideration by the Licensing Sub-Committee for revocation of the premises licence.

Please provide as much information as possible to support the application (please read guidance note 3)

We have received repeated complaints of noise from loud amplified sound, amplified speech and drumming from instruments from the venue over the last few years which has affected a number of nearby noise sensitive residential receptors.

The Environmental Health team served an Abatement Notice under Section 80 of the Environmental Protection Act 1990 against Gomersal Lodge Hotel based on noise witnessed from loud music and drumming from the premises. The notice was served on 7th September 2023. Serving of the abatement notice made it an offence for noise from loud music and drumming and offence, if deemed by authorised officers as a statutory nuisance.

In the 12 months prior to serving the notice there had been 30 calls to Pollution and Noise Control regarding complaints of noise nuisance from the premises.

Since the notice has been served there have been 17 further complaints of noise nuisance. Five of those complaints involved officers on the immediate callout service visiting a noise sensitive neighbouring property and witnessing a breach of the notice served on 7th September 2023.

Breaches of the abatement notice:

- 12th July 2024
- 21st July 2024
- 9th August 2024
- 12th October 2024
- 5th June 2025

Further to the breaches of the notice there have been further calls to our service to witness noise on the following dates where an officer was unable to witness it:

- 16th February 2025
- 17th February 2025
- 18th April 2025

We have received recordings via the Noise App of loud intrusive noise at nuisance level from the premises on:

- 18th April 2025
- 28th May 2025

The Pollution and Noise Control team have tried to work with Gomersal Lodge Hotel in order to bring noise levels back into line by setting a noise limiter at the premises. We have had meetings with them at the Council's Licensing office, at their premises and as an interview under the Police and Criminal Evidence Act in order to explain the consequences of continuing to disturb neighbours by way of loud music and drumming.

The last meeting planned to set the noise limiter before the 2025 wedding season was canceled by the Gomersal Lodge Hotel team and not rearranged. We have done our due diligence to support the owners of the business in managing noise levels and it seems as though this is not possible. Therefore, in light of the public nuisance caused by events at Gomersal Lodge Hotel, I am calling for a review of their premises licence.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year

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

N/A

Please tick ✓ yes

- 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 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature 

Date 17/06/25

Capacity Environmental Health Officer

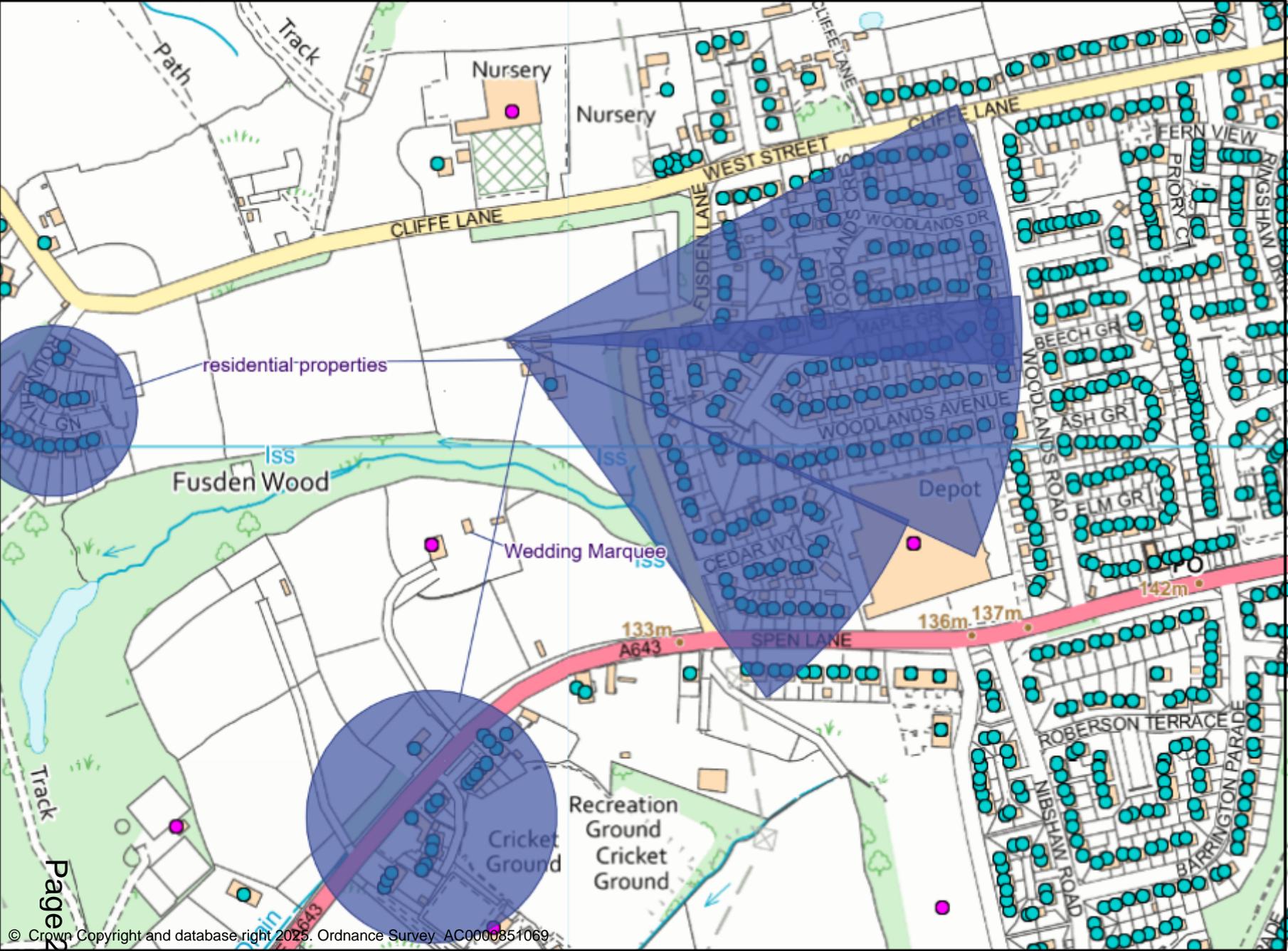
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address Joanne.Cooper@kirklees.gov.uk	

We have recently updated our Privacy Notice about how we use personal data provided to the Council. Further information can be found at:
<http://www.kirklees.gov.uk/beta/information-and-data/pdf/privacy-notice-licensing-gambling-act.pdf>

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Gomersal Lodge Hotel Plan



Scale = 1:3776.220
© Crown Copyright and database right 2025. Ordnance Survey AC000851069

maps@kirklees.gov.uk



Appendix B

PREMISES LICENCE

Licensing Act 2003

Licence number:

PR(A)1340

Online Reference number:

PR(A)1340/6**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

POSTAL ADDRESS OF PREMISES**Gomersal Lodge Hotel**

189 Spen Lane
Gomersal
Cleckheaton
BD19 4PJ

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Sale of Alcohol
Performances of Dance
Films
Indoor Sporting Events
Live Music
Late Night Refreshment
Plays
Recorded Music

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

Day(s)	From - To
	10:00 - 01:00 The Following Morning
	10:00 - 23:00

Seasonal Details

Christmas Eve: 09.00 - 03.00 - The Following Morning

New Years Eve: 09.00 - 03.00 - The Following Morning

Performances of Dance (Both)

Day(s)	From - To
	10:00 - 01:00 The Following Morning
	10:00 - 23:00

Films (Both)

Day(s)	From - To
	10:00 - 01:00 The Following Morning
	10:00 - 23:00

Indoor Sporting Events (Indoors)

Day(s)	From - To
	10:00 - 01:00 The Following Morning
	10:00 - 23:00

Live Music (Both)

Day(s)	From - To
	10:00 - 01:00 The Following Morning
	10:00 - 23:00

Late Night Refreshment (Both)

Day(s)	From - To
	23:00 - 01:00 The Following Morning

Plays (Both)

Day(s)	From - To
	10:00 - 01:00 The Following Morning
	10:00 - 23:00

Recorded Music (Both)

Day(s)	From - To
	10:00 - 01:00 The Following Morning
	10:00 - 23:00

THE OPENING HOURS OF THE PREMISES		
DAY(S)	FROM	TO
Friday to Sunday	10:00	01:00
Monday to Thursday	10:00	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 both on and off the Premises

NAME (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF THE PREMISES LICENCE HOLDER
<p>Mr Nazir Hussain Gomersal Lodge 189 Spen Lane, Gomersal Cleckheaton West Yorkshire BD19 4PJ Email address enquiries@gomersallodge.co.uk</p> <p>Mobile Number [REDACTED]</p>

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

NAME, ADDRESS OF THE DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL
<p>Mr Nazir Hussain 189 Spen Lane Gomersal Cleckheaton West Yorkshire BD19 4PJ</p>

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OR PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR (WHERE THE PREMISES AUTHORISES THE SUPPLY OF ALCOHOL)		
<table border="1"> <tr> <td>PERSONAL LICENCE NUMBER: LICENSING AUTHORITY:</td> <td>KMCPL0990 Kirklees Council</td> </tr> </table>	PERSONAL LICENCE NUMBER: LICENSING AUTHORITY:	KMCPL0990 Kirklees Council
PERSONAL LICENCE NUMBER: LICENSING AUTHORITY:	KMCPL0990 Kirklees Council	

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) CCTV is in operation.
- 2) There is a zero tolerance policy on the use of drugs.
- 3) All children will be accompanied by responsible adults.

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

Hearing date: 28 June 2011

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 Gomersal Lodge Hotel.

Conspicuous notices shall be displayed at all entrances, exits and in outdoor areas requesting patrons to respect the needs of the local residents and to leave the premises and area quietly. All staff shall be trained in ensuring the quiet dispersal of patrons.

Informative Note

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.

Licensees are advised to carry out a simple "sound check" outside the nearest noise sensitive property by listening to the music etc. coming from regulated entertainment. If the music ect. 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.

Incase 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 L10, T VS L90, T exceedence in each 1/3 octave band between 40HZ and 160HZ.

ANNEX 4 – PLANS OF PREMISE

As outlined in the operating schedule and attached plan

Date Granted:

28 June 2011

Page 6 of 10 PR(A)1340

Date Commences/Varied: 12 February 2013

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

PR(A)1340

THIS LICENCE IS ISSUED BY



LICENSING
Flint Street Depot
Flint Street
Fartown
Huddersfield
HD1 6LG

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

POSTAL ADDRESS OF PREMISES

Gomersal Lodge Hotel
189 Spen Lane
Gomersal
Cleckheaton
BD19 4PJ

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Sale of Alcohol
Performances of Dance
Films
Indoor Sporting Events
Live Music
Late Night Refreshment
Plays
Recorded Music

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Sale of Alcohol

Day(s)	From - To
	10:00 - 01:00 The Following Morning
	10:00 - 23:00

Seasonal Details

Christmas Eve: 09.00 - 03.00 - The Following Morning

New Years Eve: 09.00 - 03.00 - The Following Morning

Performances of Dance (Both)

Day(s)	From - To
	10:00 - 01:00 The Following Morning
	10:00 - 23:00

Films (Both)

Day(s)	From - To
	10:00 - 01:00 The Following Morning
	10:00 - 23:00

Indoor Sporting Events (Indoors)

Day(s)	From - To
	10:00 - 01:00 The Following Morning
	10:00 - 23:00

Live Music (Both)

Day(s)	From - To
	10:00 - 01:00 The Following Morning
	10:00 - 23:00

Late Night Refreshment (Both)

Day(s)	From - To
	23:00 - 01:00 The Following Morning

Plays (Both)

Day(s)	From - To
	10:00 - 01:00 The Following Morning
	10:00 - 23:00

Recorded Music (Both)

Day(s)	From - To
	10:00 - 01:00 The Following Morning
	10:00 - 23:00

THE OPENING HOURS OF THE PREMISES		
DAY(S)	FROM	TO
Friday to Sunday	10:00	01:00
Monday to Thursday	10:00	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 both on and off the Premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE
Mr Nazir Hussain Gomersal Lodge 189 Spen Lane, Gomersal Cleckheaton West Yorkshire BD19 4PJ
REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)
Mr Nazir Hussain
NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL
Mr Nazir Hussain
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: 28 June 2011

Date Commences/Varied: 12 February 2013



Head of Public Protection Service

Appendix C

Name of meeting and date: Licensing Panel – 28 June 2011

Title of report: Application for the Grant of a Premises Licence under the Licensing Act 2003 for Association of Gomersal Lodge Hotel

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not Applicable
Is it in the <u>Council's Forward Plan</u>?	Not Applicable
Is it eligible for "call in" by <u>Scrutiny</u>?	Not Applicable
Cabinet member <u>portfolio</u>	Not Applicable

Electoral wards affected and ward councillors consulted: Liversedge and Gomersal. Public or private: Public

1. Purpose of report

To determine the application

2. Key points

2.1 Background

Application received for the grant of a Premises licence for the provision of regulated entertainment, late night refreshment, the supply of alcohol on and off the premises and the hours requested for the premises to be open to the public.

Gomersal Lodge Hotel currently has the benefit of a Premises Licence under the Licensing Act 2003 which allows for playing of recorded music and the sale of alcohol. A premises licence will allow the Gomersal Lodge Hotel to make its facilities available in a marquee and the grounds around the Lodge. The current Premises Licence is attached at (Appendix A).

2.2 The Application

The Application is in the name of Gomersal Lodge Hotel

The applicant originally requests the following hours to be granted under the new Premise licence:

	Plays (indoors and outdoors)		Films (indoor and outdoors)		Indoor sporting events (indoors)	
	Start	Finish	Start	Finish	Start	Finish
Monday	09.00	01.00	09.00	01.00	09.00	01.00
Tuesday	09.00	01.00	09.00	01.00	09.00	01.00
Wednesday	09.00	01.00	09.00	01.00	09.00	01.00
Thursday	09.00	01.00	09.00	01.00	09.00	01.00
Friday	09.00	01.00	09.00	01.00	09.00	01.00
Saturday	09.00	01.00	09.00	01.00	09.00	01.00
Sunday	09.00	01.00	09.00	01.00	09.00	01.00

	Live Music (indoors and outdoors)		Recorded Music (indoor and outdoors)		Provision of dance (indoors and outdoors)	
	Start	Finish	Start	Finish	Start	Finish
Monday	09.00	01.00	09.00	01.00	09.00	01.00
Tuesday	09.00	01.00	09.00	01.00	09.00	01.00
Wednesday	09.00	01.00	09.00	01.00	09.00	01.00
Thursday	09.00	01.00	09.00	01.00	09.00	01.00
Friday	09.00	01.00	09.00	01.00	09.00	01.00
Saturday	09.00	01.00	09.00	01.00	09.00	01.00
Sunday	09.00	01.00	09.00	01.00	09.00	01.00

	Provision of facilities for making music (indoors)		Provision of facilities for dancing (indoor)		Provision of late night refreshment (indoors/ outdoors)	
	Start	Finish	Start	Finish	Start	Finish
Monday	09.00	01.00	09.00	01.00	23.00	01.00
Tuesday	09.00	01.00	09.00	01.00	23.00	01.00

Wednesday	09.00	01.00	09.00	01.00	23.00	01.00
Thursday	09.00	01.00	09.00	01.00	23.00	01.00
Friday	09.00	01.00	09.00	01.00	23.00	01.00
Saturday	09.00	01.00	09.00	01.00	23.00	01.00
Sunday	09.00	01.00	09.00	01.00	23.00	11.00

	Supply of alcohol (indoors/outdoors)		Hours premises are open to the public	
	Start	Finish	Start	Finish
Monday	09.00	01.00	09.00	01.00
Tuesday	09.00	01.00	09.00	01.00
Wednesday	09.00	01.00	09.00	01.00
Thursday	09.00	01.00	09.00	01.00
Friday	09.00	01.00	09.00	01.00
Saturday	09.00	01.00	09.00	01.00
Sunday	09.00	01.00	09.00	01.00

Non standard timings where the premises intend to be open to the public at different times from those listed in the columns above.

None

2.3 Representations

Objections have been received from two local residents copies attached at (Appendix B)

3. Implications for the Council

3.1 Policy considerations (extracts from Kirklees Licensing Policy 2011-2014).

Para 2.3 Licensing Objectives

The Policy promotes the four licensing objectives contained in the Act and each has equal weight.

- The prevention of crime and disorder.
- Public Safety.
- The prevention of public nuisance.
- The protection of children from harm.

Para 6.9 The Licensing Authority will determine any application by considering the Act, the statutory guidance, this Policy and the four licensing objectives including how it may support other key aims, strategies and objectives.

Para 6.10 The following factors would normally be considered (although other relevant matters may be considered as the individual case dictates):

- The type of use, the numbers and type of customers likely to attend the premises;
- The proposed hours of operation;
- The level of public transport accessibility for customers either arriving or leaving the premises and the likely means of public or private transport that would be used by the customers;
- The impact of car parking on local residents or businesses;
- The scope for mitigating any impact;
- How often the activity occurs.

and, in considering any application for a variation the Licensing Authority may also take into account

- historical evidence, whether favourable or adverse, relating to activities carried out at the premises, especially on local residents or businesses;
- and where adverse impact has been caused, appropriate measures have been agreed and put into effect by the applicant to mitigate that adverse impact.

3.2 The following provisions of the Secretary of State's guidance apply to this application:

Paras 2.1 - 2.18 Crime and disorder

Paras 2.19 – 2.31 Public safety

Paras 2.32 – 2.40 Public nuisance

Paras 2.41 – 2.51 Protection of children from harm

4. Consultees and their opinions

West Yorkshire Police – No observations

West Yorkshire Fire Service – No observations
Kirklees Environmental Health: Observations
Pollution & Noise Control – No response
Kirklees Planning Services – No objections
West Yorkshire Trading Standards Service – No response
Kirklees Social Service – No response

Gomersal Lodge Hotel has already agreed to accept the proposed Environmental Health conditions.

5. Officer recommendations and reasons

Members of the Committee are requested to determine the application

6. Cabinet portfolio holder recommendation

Not applicable

7. Next steps

Not applicable

8. Contact officer and relevant papers

Catherine Walter, Licensing Manager, 01484 456860
Premises licence (Appendix A)
Environmental Health Observations(Appendix B)
Objection letters from local residents ((Appendix C)
Operational Plan (Appendix D)
Map of Location (Appendix E)

Licensing Act 2003

Premises Licence

PR(A)0437

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Gomersal Lodge Hotel

189 Spen Lane, Gomersal, Cleckheaton, West Yorkshire, BD19 4AB.

Telephone 01274 861111

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors)	Monday to Sunday Playing of recorded music is permitted during opening hours		
M. The sale by retail of alcohol for consumption ON the premises only	Monday to Saturday	10:00am	11:00pm
	Sunday	Noon	10:30pm
	Good Friday	Noon	10:30pm
	Christmas Day	Noon	3:00pm
	Christmas Day	7:00pm	10:30pm
	New Year's Eve	10:00am	10:00am The following day

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday		None stated

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

- M. The sale by retail of alcohol for consumption ON the premises only



Licensing Act 2003

PR(A)0437

Premises Licence

Part 2

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

Nazir Hussain

Gomersal Lodge, 189 Spen Lane, Gomersal, Cleckheaton, West Yorkshire, BD19 4PJ.

info@alderhousehotel.co.uk

Telephone 01274 861111 or 01924 444777

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

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

Nazir HUSSAIN

Gomersal Lodge, 189 Spen Lane, Gomersal, Cleckheaton, West Yorkshire, BD19 4PJ.
Telephone 01274 861111 or 01924 444777

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

Licence No. KMCPL0990

Issued by Kirklees



Licensing Act 2003

Premises Licence

PR(A)0437

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

No supply of alcohol may be made under the premises licence:

- (a) at a time when there is no Designated Premises Supervisor (DPS) in respect of the premises, or
- (b) at a time when the DPS does not hold a personal licence or his/her personal licence is suspended

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

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Alcohol shall not be sold or supplied except during permitted hours.
In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.
- f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.
- g. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the taking of alcohol from the premises by a person residing there; or
- (f) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (g) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

Additional condition

The licence is subject to the condition that intoxicating liquor shall not be sold or supplied on the premises otherwise than to a person taking table meals there and for consumption by such a person as ancillary to his meal.

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

None



Licensing Act 2003

PR(A)0437

Premises Licence

ANNEXES continued ...

ANNEX 4 - PLANS OF PREMISE

As outlined in the Operating Schedule and attached plan

Date granted: 05/10/2005

Date commences/varied: 24/11/2005



Head of Planning and Building Control Services



Licensing Act 2003

PR(A)0437

Premises Licence Summary

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Gomersal Lodge Hotel

189 Spen Lane, Gomersal, Cleckheaton, West Yorkshire, BD19 4AB.

Telephone 01274 861111

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors)	Monday to Sunday Playing of recorded music is permitted during opening hours		
M. The sale by retail of alcohol for consumption ON the premises only	Monday to Saturday	10:00am	11:00pm
	Sunday	Noon	10:30pm
	Good Friday	Noon	10:30pm
	Christmas Day	Noon	3:00pm
	Christmas Day	7:00pm	10:30pm
	New Year's Eve	10:00am	10:00am The following day

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday		None stated

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

- M. The sale by retail of alcohol for consumption ON the premises only

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Nazir Hussain

Gomersal Lodge, 189 Spen Lane, Gomersal, Cleckheaton, West Yorkshire, BD19 4PJ.



Licensing Act 2003

PR(A)0437

Premises Licence Summary

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

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

Nazir HUSSAIN

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

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (1) He is the child of the holder of the premises licence.
- (2) He resides in the premises, but is not employed there.
- (3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (4) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Any conditions applicable to these premises are attached to the Licence

Date granted: 05/10/2005

Date commences/varied: 24/11/2005



Head of Planning and Building Control Services



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

Reference:	WK/201111717
Premises:	Gomersal Lodge Hotel, 189 Spen Lane, Gomersal, Cleckheaton, BD19 4PJ

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

OBSERVATIONS			
Public Safety		No observations	
Date:	26 May 2011	Officer/Ext:	Jenny Dineen
Prevention of Public Nuisance		<p>1. Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment emanating from inside the premises shall be controlled so as to be inaudible inside any noise-sensitive location in the vicinity of the Gomersal Lodge Hotel.</p> <p>To enable the applicant to check whether this condition is being met, suitable monitoring position(s) may be agreed with the Responsible Authority. To comply with the condition, noise from the premises shall not be audible at this point.</p> <p>Informative Note: Licensees are advised to carry out a simple "sound check" outside the nearest noise sensitive property by listening to the music etc. coming from regulated entertainment. If the music etc. is clearly audible then it is likely that this condition is being breached. Therefore steps should be taken to reduce the volume of the noise.</p> <p>In case of dispute, the applicant can verify inaudibility by demonstrating</p>	

- zero increase in the $L_{Aeq, 1 \text{ min}}$ (music playing) over the background L_{A90} (music off) and
- zero increase in the $L_{10, T}$ VS $L_{90, T}$ exceedence in each 1/3 octave band between 40Hz and 160Hz.

2. Conspicuous notices shall be displayed at all entrances, exits and in outdoor areas requesting patrons to respect the needs of the local residents and to leave the premises and area quietly. All staff shall be trained in ensuring the quiet dispersal of patrons.

These conditions are proportionate and reasonable and are requested to prevent public nuisance being caused at noise sensitive properties nearby.

Date:	26 May 2011	Officer/Ext:	Angela Smith 01484 226434
--------------	-------------	---------------------	------------------------------

I am 92 in July and live [REDACTED] at the above mentioned address. I am an extremely light sleeper and likely to be affected by the noise coming from the hotel which could be, if allowed, going on until 1.00a.m. I think that this is unacceptable in what is a relatively quiet area at the moment and in my opinion could lead to rather unruly behaviour.

Thank you
[REDACTED]

This message has been sent through the [REDACTED] email Server, and is intended for the addressee(s) only. If you have received this message in error, please contact the sender, or [REDACTED] and delete the email. The views expressed are the views of the sender, and not necessarily the views of the School. The information in this message may be confidential and should not be read, copied, or otherwise distributed unless permission is given.
[REDACTED]

Mick Egan

From: Licensing
Sent: 26 May 2011 14:21
To: Mick Egan
Subject: FW: Gomersal Lodge Hotel

From: [REDACTED]
Sent: 25 May 2011 19:43
To: Licensing
Subject: Fw: Gomersal Lodge Hotel

----- Forwarded Message -----

From: [REDACTED]
To: "licencing@kirklees.gov.uk" <licencing@kirklees.gov.uk>
Sent: Wednesday, 25 May 2011, 18:35
Subject: Gomersal Lodge Hotel

[REDACTED]

Spenn Lane,
Gomersal,
Yorkshire,
BD19 4PJ

238,

W

[REDACTED]

fao Mick Egan

I am writing with regards to the planning permission for Gomersal Lodge Hotel to have their opening hours extended to 9am till 1am the following day 7 days a week.

We live [REDACTED] Hotel and have 2 Son's aged 9 and 12. We have put up with the disruption of the Hotel being open late on a weekend when there have been functions on but to think that we would have all the noise on a week/school night is another matter. We can here the noise even with our windows shut, so now the warm summer months (I am hoping for!) when we would want to leave the windows open is a worry.

It is not only the noise which causes us a problem we saw a number of fights break out on the grounds of the Hotel last year when there were functions on and that in itself is not a nice thing to see on your doorstep.

We came to live at this property 8 years ago and chose to live here as it was quiet and peaceful, if we had wanted to listen to thumping music till the early hours we would have chose to live in a City!

I hope you will see it from our point of view when you make your decision.

[REDACTED]

Mick Egan

From: Licensing
Sent: 26 May 2011 14:20
To: Mick Egan
Subject: FW: Gomersal Lodge

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

From: [REDACTED]
Sent: 25 May 2011 20:12
To: Licensing
Subject: Gomersal Lodge

For the attention of Mick Egan

I would like to object to the extended licensing hours proposed to the property known as Gomersal Lodge, Gomersal, BD19 4PJ. We live at [REDACTED]
[REDACTED]. Last year the noise from the disco could be heard in our house when we had our windows open. I have no objection to the late opening, 1am, on friday and saturdays but object strongly to a late week day.

e-mail

[REDACTED] Yours Sincerely [REDACTED]

Mick Egan

From: [REDACTED]
Sent: 02 June 2011 09:20
To: Mick Egan
Subject: Fw: Marquee - gomersal Lodge Hotel, Spen Lane Gomersal, Cleckheaton

From: [REDACTED]
Sent: Tuesday, May 31, 2011 7:26 PM
To: publicnuisancenightlicensing@kirklees.gov.uk
Subject: Marquee - gomersal Lodge Hotel, Spen Lane Gomersal, Cleckheaton

FOR THE ATTENTION OF MICK EGAN

Dear Mr Egan,

With reference to the above mentioned subject, as a resident living in [REDACTED] Gomersal, just above the marquee, I am against the license application going ahead. On numerous occasions we have been subject to loud music, unruly crowds, and a selection of beer bottles at the bottom of the cul de sac after celebrations have taken place in the marquee. I could have held a party in my own back garden and used there music and still could not have been able to hear ourselves. I am certain that if this same noise was been made by a house resident there would be numerous complaints.

The marquee is an eyesore, we have a lovely field at the bottom of the cul de sac, in which a horse is kept there, this poor animal has seen to have been terrified with all the noise and commotion this marquee brings. We have a local public house the same distance from our house as the Marquee, and we never hear a thing from there even when there are special occasions and celebrations being held.

This is a sought after residential area in which I have resided here for 20 years without disturbance. The thought of a marquee every saturday night or any night makes us consider moving from the area, but then we would have problems selling the house due to the latter. We have elderly residents living in Cedar way also, some have been here 50 years, they really do not like this disturbance, but do not have the fight in them to complain, this being another reason for not wanting the Marquee.

I would be obliged if you would seriously re-consider this application.

Regards

[REDACTED]
Gomersal
Cleckheaton
[REDACTED]
[REDACTED]

P

Describe the steps you intend to take to promote the four licensing objectives

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

THE PREMISES SUPERVISOR IS A PERSONAL LICENCE HOLDER AND HAS COMPLETED THE NATIONAL CERTIFICATE FOR LICENSEES AND THE DRUG AWARENESS TRAINING PROGRAMME. ALL STAFF WILL BE FULLY TRAINED & SUPERVISED. ANY PERSON APPEARING TO BE UNDER 25 WILL BE I.D. CHECKED. CHILDREN WILL BE ALLOWED IF ACCOMPANIED BY A RESPONSIBLE ADULT BUT NOT ALLOWED AT EITHER BAR.

b) The prevention of crime and disorder

CLOSED CIRCUIT TV IS IN OPERATION. THERE IS A ZERO TOLERANCE POLICY ON THE USE OF DRUGS. THERE IS ZERO TOLERANCE OF DRUNKENNESS, DISRUPTIVE & VIOLENT BEHAVIOUR. ALL OFFENDERS WILL BE REQUESTED TO LEAVE THE PREMISES AND THE POLICE CALLED IF NECESSARY. THE ONLY PEOPLE USING THE PREMISES/MARQUEE WILL BE RESIDENTS, INVITED GUESTS OR DINERS IN THE RESTAURANT.

c) Public safety

ALL SAFETY CERTIFICATES ARE CURRENT, A HEALTH & SAFETY POLICY IS IN PLACE AND RISK ASSESSMENTS ARE CARRIED OUT AS NECESSARY. NUMBERS OF GUESTS ARE LIMITED ACCORDING TO THE CAPACITY OF THE HOTEL OR MARQUEE.

d) The prevention of public nuisance

- WE HAVE ENGAGED THE SERVICES OF ACOUSTIC CONSULTANTS TO ADVISE ON EFFECTIVE SOUND PROOFING.
- THE BOUNDARY WALL TO THE REAR OF THE MARQUEE HAS BEEN HIRED AND STRAW BAILS ADDED AROUND THE MARQUEE.
- SPEAKERS WILL FACE DOWNWARDS, OUTPUT LEVELS PRE-SET AND MONITORED THROUGHOUT. (SEE SEPARATE SHEET)

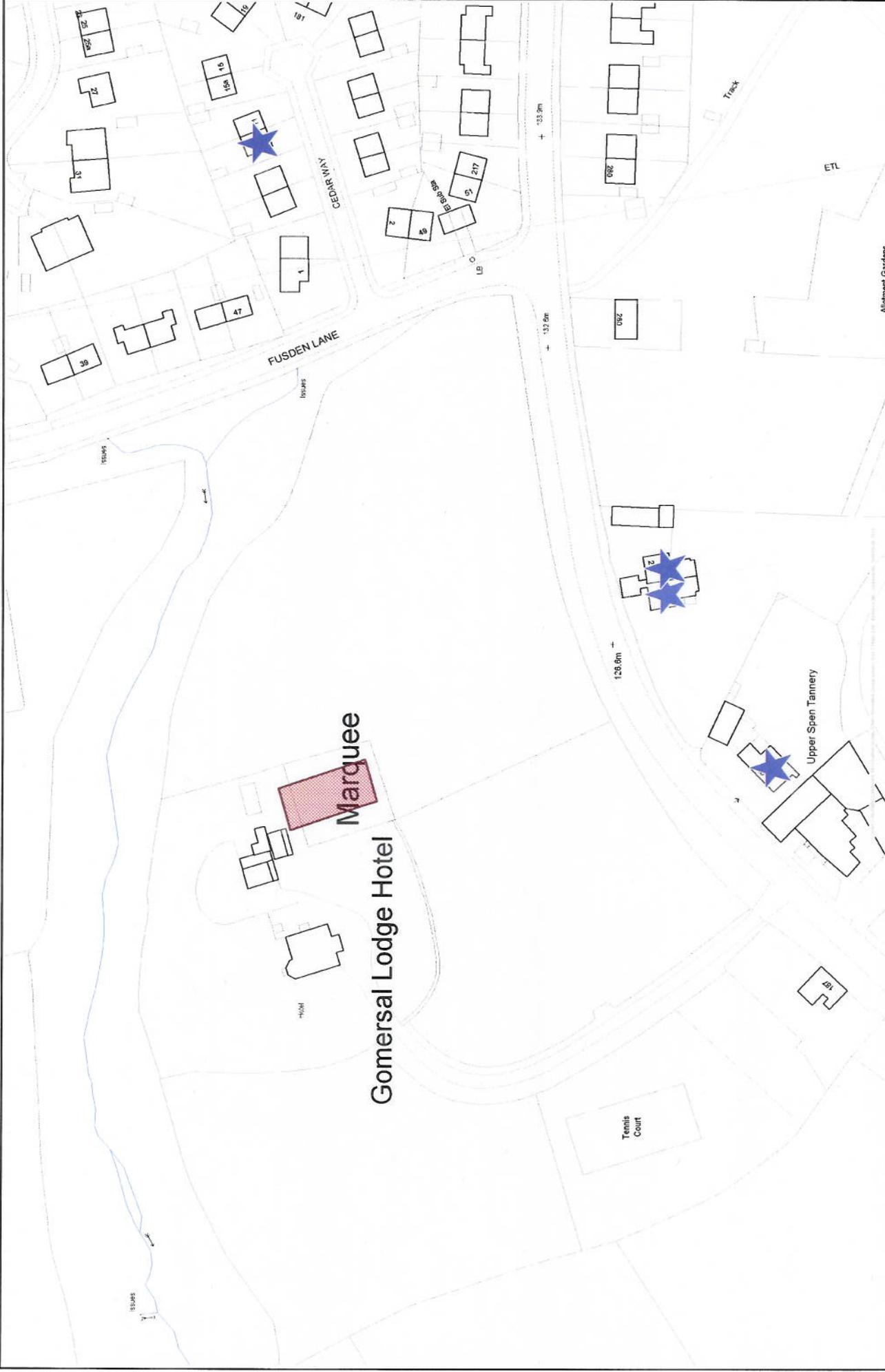
e) The protection of children from harm

ALL CHILDREN WILL BE ACCOMPANIED BY RESPONSIBLE ADULTS. NO CHILDREN WILL BE SERVED AT OR BE ALLOWED IN CLOSE PROXIMITY OF EITHER BAR. ZERO TOLERANCE OF UNQUALIFIED CHILDREN OR ADULTS. ALL THE ACTIONS IN a) TO d) WILL MITIGATE AGAINST POTENTIAL RISKS.

Appendix to support the prevention of Public Nuisance – Section P d)

We are investigating and working closely with Acoustic Consultants to produce the most appropriate solution so as to avoid any disturbance to local residents. In the meantime the following measures are being adopted as good practice:-

- We will have pre-set output levels and the control box will be operated by our own staff.
- Speakers will be downward facing.
- Our acoustic consultant will carry out independent checks around the grounds.
- Our own management will undertake regular checks around the grounds on function days.
- The wall to the rear of the marquee has been hired and conifers are being planted as well.
- Routinely we will use our own resident DJ but if an external DJ is used a contract will be executed stipulating our terms and conditions especially about noise.



<p>Kirklees MC - Planning Service</p> <p>Scale 1/1000 Date 6/6/2011</p>		<p>OS Grid Ref of Centre = 419983 E 425892 N</p>	<p>N</p> 	<p>This copy has been produced for Planning and Building Control purposes only. NO FURTHER COPIES MAY BE MADE</p> <p>© Crown Copyright and database right 2011. Ordnance Survey 100019241</p>

**Licensing Panel
28 June 2011
Decision Summary**

Item 7 - Application for the Grant of a premises licence under the Licensing Act 2003 - Gomersal Lodge Hotel, 189 Spen Lane, Gomersal, Cleckheaton

(1) That the Premises Licence be granted for:

(a) the following activities between the hours of 10:00 to 23:00 Monday to Thursday, and 10:00 to 01:00 Friday to Sunday:

- Plays (indoor and outdoors)
- Films (indoor and outdoors)
- Indoor sporting events
- Live music
- Recorded music (indoor and outdoors)
- Provision of dance (indoor and outdoors)
- Provision of facilities for making music (indoors)
- Provision of facilities for dancing (indoor)
- Supply of alcohol (indoor and outdoors)
- Hours premises open to public

(b) the following activities between the hours of 23:00 and 01:00, Friday to Sunday:

- Provision of late night refreshment (indoor and outdoors)

(2) That the Premises Licence also be subject to the imposition of the following conditions:

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 Gomersal Lodge Hotel.

Conspicuous notices shall be displayed at all entrances, exits and in outdoor areas requesting patrons to respect the needs of the local residents and to leave the premises and area quietly. All staff shall be trained in ensuring the quiet dispersal of patrons.

Appendix D

Representation 1

5th July 2025

To: Kirklees Licensing Authority

Subject: Representation Regarding Public Nuisance and Licensing

Concerns Dear Licensing Team,

Re: Licensing Review Representation – Public Nuisance and Community Impact

Ever since the first marque was erected we have had to put up with constant disturbance which has got worse since the new larger one was built and now advertises it can have up to 500 guests.

At first we kept ringing kirklees noise control who only started at 9pm so could not witness the drumming or revving of cars, or disruptive behavior at the start of the evening but did confirm that the music was too loud as it could be easily heard over the TV in the house, we were told that if we could hear it in the garden it was above the acceptable level. They said that they had also been called out by other residents. They did go up to the marque to get them to turn it down but by then it was nearly finished anyway and was as loud on the next occasion so we stopped calling them out. We were not aware of the online complaints form so the disturbance will be higher than the number of formal complaints.

These events occur regularly on both weekdays and weekends

Summary of Nuisance

- **Amplified music played at high volumes**, often continuing late into the evening, on occasions we have had to wait until after 1am before being able to sleep due to the noise
- **Loud drumming**, sometimes outdoors or amplified - have enclosed a very short video of a recent event - this went on for 45 minutes
- **Public Address systems** projecting voices across long distances - it is so loud we can make out what is being said
- **Shouting, cheering, and other disruptive behaviour** from guests, they have also come out of the event to smoke on my drive which is intimidating.

Car parking

Last year they pulled down mature trees and built a carpark right next to our fence so we

now get all the noise of slamming doors as well as the shouting even louder. Kirklees planning enforcement have issued them with a notice as there is no planning permission for a carpark but they are ignoring the enforcement notice - it was still being used yesterday which does not surprise me, i was told by planning that the large signs they had erected on the grass verge did not have planning permission either.

• **Revving and/or racing of high-performance vehicles**, - For some reason the guests park up in lines on Spen lane at both sides of the entrance and get out of their cars before eventually going in as a procession - I have attached below a statement from the government website showing **this is illegal** as the road has double lines in the middle. It causes other road users to either wait or risk an accident going past them especially coming downhill as it is on a bend. I have attached a photo of one occasion but this is a regular event.

Some come in sports cars and rev the engines both while waiting to go in and once into the venue, as well as when they leave.

Some set off flares from their cars before they go in - **this is also illegal**

Double white lines

*These are used to prevent overtaking where visibility is restricted, and to separate opposing traffic flows on steep hills with climbing lanes. Double continuous lines are also sometimes used on other single carriageway roads that have 2 lanes in at least one direction. Viewed in the direction of travel, if the line closest to you is continuous, you must not cross or straddle it (except to turn into or out of a side road or property, avoid a stationary vehicle blocking the lane, or overtake a pedalcycle, horse or roadworks vehicle moving at not more than 10 mph). Where the line closest to you is broken, you may cross the lines to overtake if it is safe to do so. **Stopping is prohibited on any length of road that has double white lines, even if the line on that side of the road is broken.** The exceptions are stopping to pick up or set down passengers, or to load or unload. In these circumstances, you should park off the main carriageway wherever possible.*

Use of fireworks and pyrotechnics, with debris landing on homes and cars • They normally set them off on the grass verge in front of my property before going in. On one occasion it was set off close to our hedge and as it was a very dry spell we were concerned it would ignite the hedge, debris came over the hedge and one burnt my wife. We rang 999 but the only comment we got was to ask our daughter to stop screaming and was it an asian wedding.

I have attached a video of one occasion when it was set off on the pavement opposite as

they were leaving where the police saw it and stopped.

I have attached below a statement from the government website showing this is illegal as well as dangerous.

Fireworks: the law

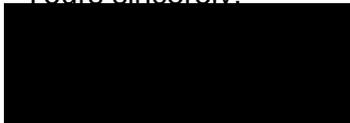
The law says you must not set off or throw fireworks (including sparklers) in the street or other public places.

- **Environmental impact on ancient woodland and wildlife**, including bats, badgers, owls, roe deer and songbirds

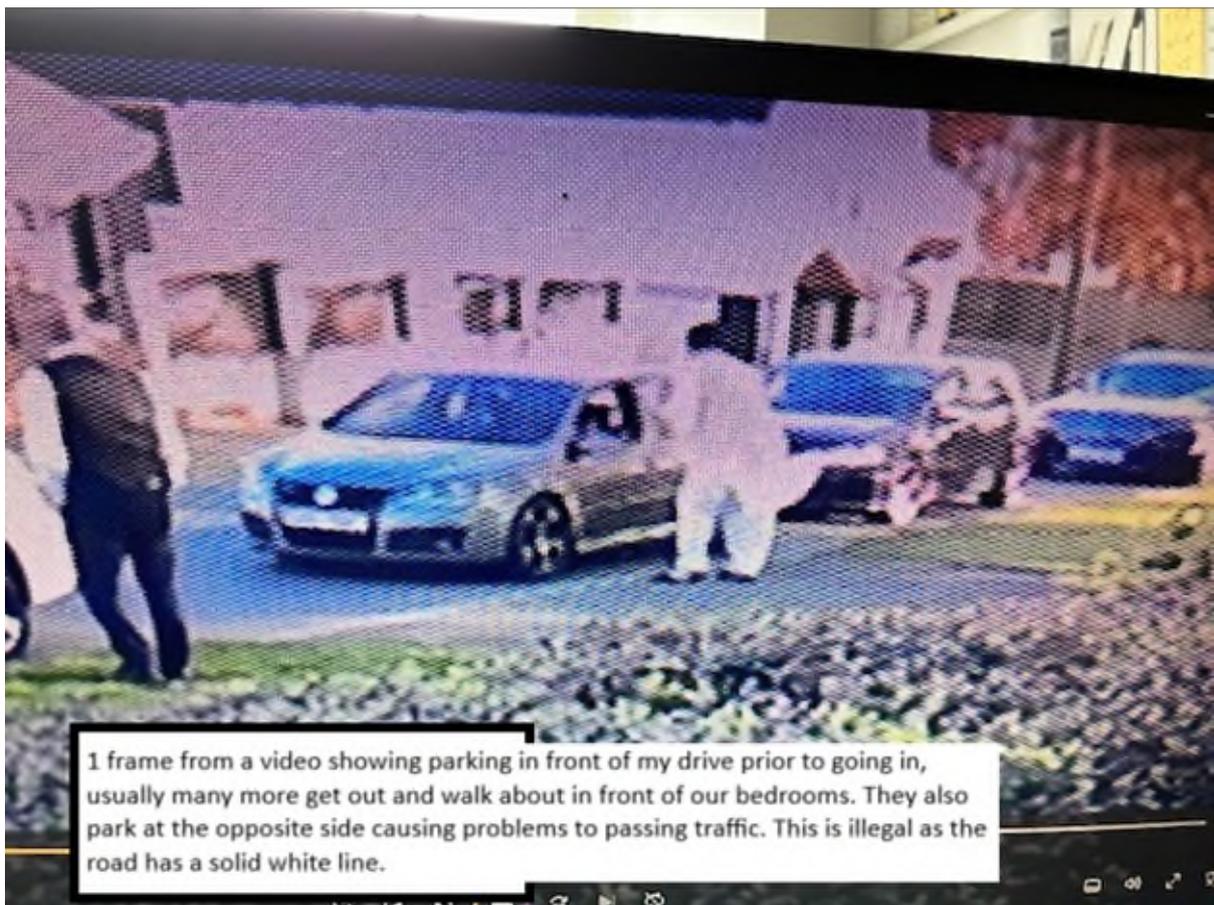
This has gone on far too long, personally causing me and my family unnecessary stress **and I would urge you to revoke the premises licence and give us all some peace.**

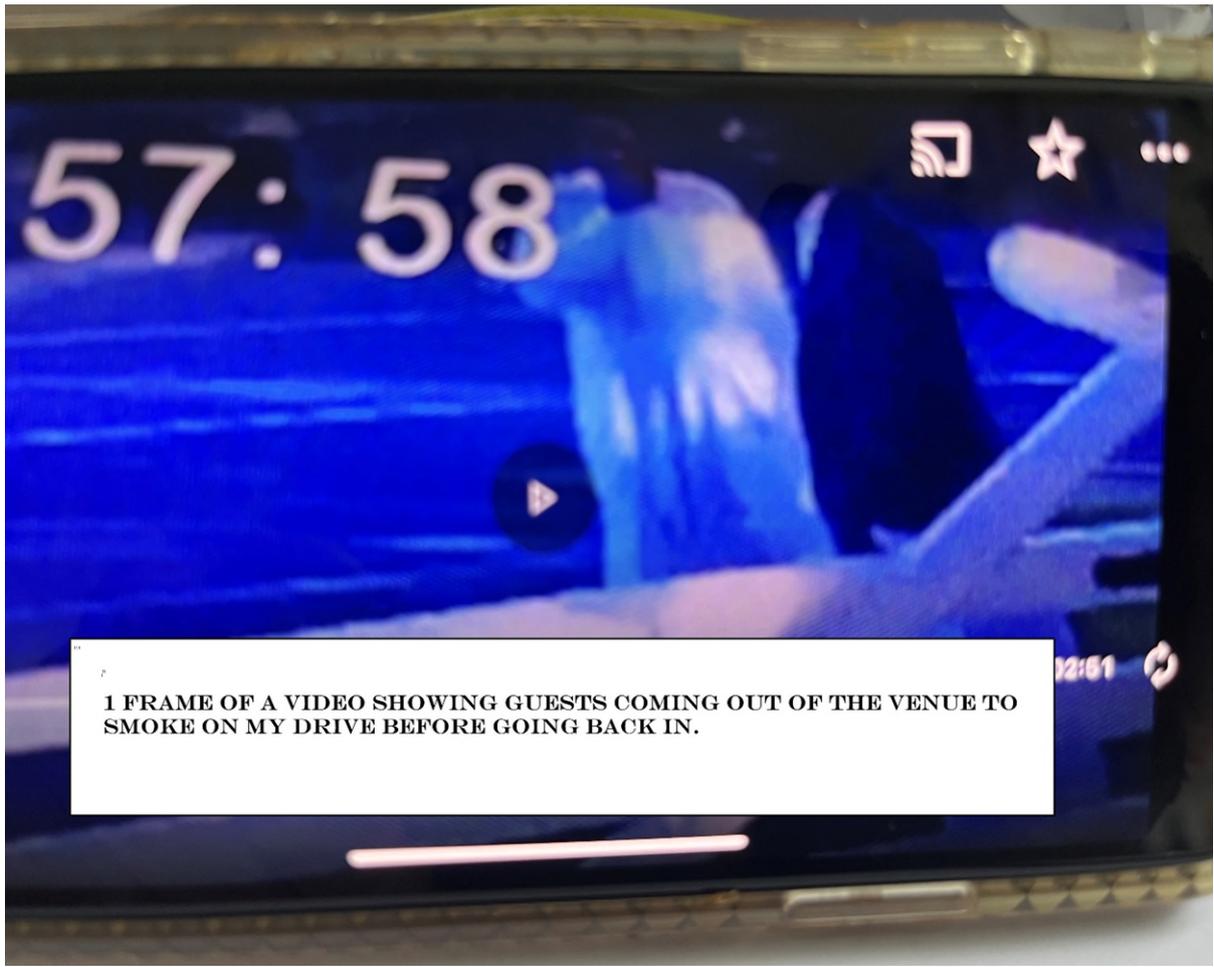
Thank you for considering this representation. I am willing to provide further evidence and attend any hearing as required.

Yours sincerely,



Images – with annotation







Guests leaning over my gate



1 frame of a video showing guests setting off fireworks. This shows a police van arriving and a guest's car parked outside my house.



FLARES ON HIGHWAY

Representation 2

From: [REDACTED]
Sent: 09 July 2025 16:10
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Gomersal Lodge Hotel Wedding Marquee Licence Review

Dear Council

We are writing to voice our views at the upcoming Licensing Review of Gomersal Lodge Hotel.

We have had to put up with noise issues over a number of years after moving to this area in 2015, day and night.

The noise is from music, including drumming and someone speaking into a microphone causing sleepless nights and inability to enjoy our garden, fireworks being let off day and night throughout the year upsetting our dogs, sports cars revving causing a safety concern for our ourselves and our children on walks and noise from a generator used by people being allowed to “camp?” on their property causing us not only a noise issue but also a security concern.

Please take our views and the views of our neighbours seriously. This has to stop.

I have reviewed the submission made by [REDACTED] and agree in its entirety with all of the contents, and hope, finally, this can be resolved.

Thank you.

[REDACTED]

Representation 3

From: [REDACTED]
Sent: 20 June 2025 11:29
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Gomersal Lodge Hotel Wedding Marquee Licence Review

Friday, 20 June 2025

To: Kirklees Licensing Authority

Subject: Representation Regarding Public Nuisance and Licensing Concerns

Dear Licensing Team,

Re: Licensing Review Representation – Public Nuisance and Community Impact

)

I am submitting this representation as a local resident of [REDACTED] in relation to serious and sustained disturbances caused by events held at Gomersal Lodge Hotel (wedding venue). I am making this submission **in my own right**, but I also confirm that **other residents share these**

concerns and may submit their own representations and use this letter to indicate their agreement with the issues raised therein.

Right to Submit Under the Licensing Act 2003

Under the Licensing Act 2003, and as outlined in the Section 182 guidance and Kirklees Council's

licensing process, individuals and groups of residents who are likely to be affected by the operation

of licensed premises **are entitled to make representations**. Furthermore, a resident may speak

on behalf of others, provided this is clearly stated.

In this instance, while I submit this as an **individual representation**, it reflects the views of a **wider**

group of concerned residents. Other residents will be submitting their own comments or letters in

support of this statement, and I request that the Licensing Authority consider the **collective weight**

of these shared concerns.

Summary of Nuisance and Community Impact

Over a prolonged period, residents in [REDACTED] and surrounding developments have been

subjected to persistent and severe disturbance from activities associated with this venue. These

include:

- **Amplified music played at high volumes**, often continuing late into the evening
- **Loud drumming**, sometimes outdoors or amplified
- **Noise extending beyond the licensed curfew**, causing loss of sleep and stress
- **Public Address systems** projecting voices across long distances
- **Shouting, cheering, and other disruptive behaviour** from guests
- **Revvng and/or racing of high-performance vehicles**, especially along Fusden Lane
- **Use of fireworks and pyrotechnics**, with debris landing on homes and cars
- **Helicopter landings**, causing major noise and disruption
- **Environmental impact on ancient woodland and wildlife**, including bats, badgers, owls,

roe deer and songbirds

These events occur on both weekdays and weekends and often into late evening hours.

The noise

frequently penetrates indoor spaces even with windows closed, preventing residents from enjoying

their homes and gardens, or from obtaining adequate rest.

This level of disruption is particularly unacceptable in a **semi-rural green belt setting**, where

residents have a legitimate expectation of tranquillity. It is also worth noting the contrast with other

local venues such as the nearby cricket club, which causes **no such issues**, highlighting the

unique nature of the problems arising from this specific premises.

Community Frustration and Reporting History

Residents have made numerous complaints over the years. A recent Freedom of Information request revealed **over 75 complaints**, although based on discussions with local people, the real figure is likely to be significantly higher. Unfortunately, many residents report that when they contact the venue directly to raise concerns, they are met with **obfuscation, denial, or outright dismissal**. The unwillingness of the operators to engage constructively reflects a lack of commitment to the wellbeing of the surrounding community. How a company behaves whilst not being watched is indicative of their moral compass.

Impact on the Licensing Objectives

The issues described undermine key licensing objectives:

1. Prevention of Public Nuisance

This is a textbook example of ongoing public nuisance. The disturbances are not isolated but represent a **systemic failure** in the management of licensable activities. They are predictable, repeated, and directly connected to the way the venue operates.

2. Public Safety

The racing and revving of high-performance vehicles and the falling debris from fireworks and helicopter activity present **real and foreseeable risks** to pedestrians, children, pets, wildlife, and motorists.

3. Protection of Children from Harm

Families have reported that children's sleep and wellbeing are routinely disrupted. This has implications for both physical and emotional health, particularly during key developmental stages.

While the Licensing Authority acknowledges that some nuisance behaviour may occur beyond the premises itself, many of the problems reported — including noise levels, drumming, use of fireworks, and poor control of traffic — are **well within the venue's control** and its immediate vicinity.

Conflict with Kirklees Council's Corporate Plan Outcomes

The nature and frequency of these events stand in direct conflict with several of the Council's nine

Corporate Plan outcomes, notably:

- **Well** – noise and stress are undermining residents' health

- **Safe and Cohesive** – the activity at this venue contributes to a sense of community disorder
- **Clean and Green** – noise pollution, fireworks and helicopter use harm the local environment
- **Best Start** – children are being prevented from sleeping and thriving
- **Independent** – older or vulnerable people feel powerless in their own homes

Request for Licensing Action

Given the scale and persistence of these problems, I respectfully request that the Licensing

Authority take the following steps:

Undertake a full review of the premises licence, particularly in relation to whether existing

conditions are adequate

Impose tighter licence conditions, including **but not limited to**:

- Reduced hours of operation
- Specific volume limits and control of amplified music and outdoor drumming
- A ban or strict regulation on fireworks and helicopter activity
- Management of vehicle access and driving behaviour, particularly on Fusden Lane and nearby Spen and Cliffe Lane
- A clear protocol for noise complaints and community engagement.

If it is found that the licensing objectives **cannot be met even with stricter conditions**, especially

when looking at the track record of this business, then I would urge the Authority to **consider**

revocation of the premises licence.

Closing

The Licensing Act seeks to balance the rights of businesses with the needs of residents and the

public interest. In this case, the balance has tipped dramatically in favour of a business that

appears unwilling to take responsibility for the impact it is having on its neighbours. We urge

Kirklees Council to act to restore that balance.

Thank you for considering this representation. I am willing to provide further evidence and attend

any hearing as required.

Yours sincerely

[Redacted signature]

[Redacted name]

Representation 4

15th July 2025

To - Kirklees Council Licensing Authority

Re - Gomersal Lodge Hotel and Grand Marquee, License Review

I would like to express my concerns of the aforesaid premises, and potential breach of licensing, in relation to the below.

- Excessive volume from the sound system
- Loud Drumming
- Loud screams and cheers from the attendees
- Late night Fireworks
- High performance cars revving engines, using horns, and driving erratically around the local area

Having lived at my property since 2015, over recent years the disturbance and noise pollution has become worse, to the point that i now leave the house when there is an event on. The noise can be heard through closed windows, and should you be in the garden, it's extremely loud and disturbing. Sleep can also be disrupted on occasion. Overall, this is having a detrimental effect on my quality of life at home and on my mental health. I do feel that I should be able to relax at my home without having this disturbance from a business that isn't situated that close. Long term I envisage that I will move away from the area due to this. Also showing any potential buyers around my property at the time of an event would result in a lost sale.

I would also like to point out that the License Application states a semi- permanent structure erected for a number of months at any one time. The marquee is left erected permanently, which differs from the application, and potentially requires planning permission, if this could also be investigated and considered.

As a resident of Kirklees for 54 years, I hope that the contents of this letter, and the subject in question are taken seriously. I am aware of the submission made by

[REDACTED]
I am in absolute agreement of this.

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

Representation 5

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

From: [REDACTED]

Sent: 14 July 2025 16:28

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

Subject: Representation re Nuisance from events held at The Grand Marquee, Gomersal Lodge Hotel

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

I submit this representation as a householder living on [REDACTED] whose property adjoins the Gomersal Lodge Hotel.

We have resided at our current address since 2018 and since then I would estimate we have submitted several hundred individual complaints regarding excessive noise coming from functions held at The Grand Marquee, Gomersal Lodge Hotel.

I have also called at the hotel on several occasions to politely make suggestions on how to reduce the noise (eg close marquee doors & windows, use noise limiters, request guests to leave quietly etc) but I have now stopped doing this as on my last visit I was politely but firmly requested to leave the premises and escorted off the site.

Functions are mainly but not exclusively during the Summer months and take place mainly at weekends but also regularly immediately prior to the weekend.

The excessive noise can be caused by many factors including:

- high volume amplified live music or recordings of music
- high volume live drumming
- PA systems (including the DJ encouraging the guests to shout as loudly as possible even after midnight.
- Fireworks
- Excessive revving of vehicles in the carpark on arrival and shortly before departure
- using Fusden Lane, Cliffe Lane & Spen Lane as a race track for high performance vehicles

Although we have had many visits from Kirklees employees we do not feel that our complaints have been taken seriously, particularly considering that we have 2 young children (currently aged 8 & 3) whose sleep is regularly interrupted by the excessive noise.

We do expect to have this formal representation taken seriously.

We have also seen the representation raised by [REDACTED] and fully agree with her statement.

[REDACTED]
[REDACTED] Sent from my iPhone

Representation 6

Good morning,

I am writing my submission about the Gomersal Lodge Hotel Wedding Marquee Licence Review.

I have lived within the vicinity for 8 years and I have been subjected to excessive disruption by the venue including, but not limited to;

Excessive Noise - there have been many occasions this has exceeded acceptable times prompting me to make contact with the local MP (Lisa Holmes) I have 5 children, 3 of which are very young and kept awake by this noise.

Loud Bangs - either instrumental or fireworks, this is extremely disturbing to my children again when they are trying to sleep.

Performance Cars Anti Social Behaviour - cars are being raced on both Fusden Lane and Spen Lane which poses a high risk to the public and my children. There are many of times where I have to keep my children indoors and unable to play in the front garden as I am worried that a driver would lose control and crash into my garden and harm my children, this is unacceptable as they should be able to enjoy their property without a risk of harm.

I am aware that this is effecting a number of residents, **I have seen and fully agree with** [REDACTED] **submission regarding the venue**, and her summary below is also in addition to mine;

Summary of Nuisance and Community Impact

Over a prolonged period, residents in [REDACTED] and surrounding developments have been subjected to persistent and severe disturbance from activities associated with this venue. These include:

- Amplified music played at high volumes, often continuing late into the evening
- Loud drumming, sometimes outdoors or amplified
- Noise extending beyond the licensed curfew, causing loss of sleep and stress
- Public Address systems projecting voices across long distances
- Shouting, cheering, and other disruptive behaviour from guests
- Revving and/or racing of high-performance vehicles, especially along Fusden Lane
- Use of fireworks and pyrotechnics, with debris landing on homes and cars
- Helicopter landings, causing major noise and disruption
- Environmental impact on ancient woodland and wildlife, including bats, badgers, owls, roe deer and songbirds

These events occur on both weekdays and weekends and often into late evening hours. The noise frequently penetrates indoor spaces even with windows closed, preventing residents from enjoying their homes and gardens, or from obtaining adequate rest.

I would like my submission to be taken into account to express how this venue is breaching it's current license and a review is required. The license holder is not mindful of the neighbouring properties safety and wellbeing, and this is having a negative impact on a young family and putting childrens safety at risk and you have a duty of care to minimise such risks posed.

Kind regards

[REDACTED]

Representation 7

From: [REDACTED]
Sent: 30 June 2025 10:31
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Gomersal Lodge Hotel

Dear Kirklees Licensing Team

Re: Licensing Review Representation Gomersal Lodge Hotel

Please find below my representation/objection to the above hotel under S182 of the Licensing Act 2003.

I have been disturbed by noise from the hotel on evenings when they have functions. This disturbance is caused by:

Loud music being played.

Drumming.

The use of a microphone/amplifier which carries the noise around the area.

Noise, music, fireworks past 11pm.

Rewing of vehicles.

Fireworks being set off.

This noise pollution can be heard inside my house even when my windows and doors are closed. It causes me stress and as it goes on into the evening, prevents me from going to sleep.

I know there is a lot of wildlife in the area. My dog is petrified of fireworks and loud engines, so imagine the distress this noise has on a wild animal.

Under the Fireworks Regulation 2004 it is illegal to throw or set off fireworks in the Street and fireworks shouldn't be set off after 11pm and before 7am.

Fireworks are being set off in the Street, on Spen Lane, and after 11pm. I did ring the hotel at one point during a firework 'display', to be told the customers were setting them off on the road.

This must also be in contravention of the hotels licensing conditions.

Please review this hotels license and either tighten up their conditions so their functions don't have this disturbing impact on their surrounding neighbours or revoke the licence.

Yours sincerely

[Redacted signature]

Representation 8

From: [Redacted]
Sent: 16 July 2025 10:04
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Gomersal Lodge Hotel Wedding Marquee Licence Review

Dear licensing review,

I am writing my submission about the Gomersal Lodge Hotel Wedding Marquee Licence Review.

I live at [Redacted] and have tired of the extremely disturbing noise and music coming from the weddings held in the marquee. I have lived here since September 2016, and experience noise problems even in those early days which make sleeping difficult and preventing opening windows. Recent years the weddings became much more regular and spoiled any peaceful enjoyment of my home. The sounds of drumming and multiple cars sounding their horns like an orchestra lets us know the wedding is underway and the noise begins. There is seemingly no respect for the local neighbours and no attempt to reduce noise. I am weary now of it, and my heart sinks every time I hear the start as I know it's another day spoiled by the noise. I am finding living here increasing stressful and am amazed any venue would be allowing such disruption.

My name is [Redacted] phone no [Redacted]
[Redacted] I expect the licensing review to take my submission seriously. I have read [Redacted] submission and I totally agree with her.

Yours sincerely

██████████

Appendix E

**Gomersal Lodge Hotel and Grande Marquee Licensing Review 12 August 2025
Environmental Health Statements**

Please see below the witness statements from officers on the Immediate Callout/Standby service who attended a neighbouring property to Gomersal Lodge Hotel and witnessed noise levels which breached the Abatement Notice for Noise from Loud Music and Drumming served under Section 80 of the Environmental Protection Act 1990 on 7th September 2023.

Statement of Craig Heywood (Licensing Officer):

Date: 21st July 2024

Time: 22:25

Arriving at the start of Fusden Lane, I witnessed very loud Bangra Style music from the Gomersal Lodge Marquee. This was next to a residential area and could be clearly heard before approaching complainant's home 200 yards away.

Entering complainant's home I was led into the front bedroom only and witnessed the ongoing noise from the marquee continue till 22:50pm then stopped. I would class the noise from the marquee a nuisance if trying to sleep for both nearby residents and the complainant themselves if trying to sleep.

Contemporaneous notes taken in my pace book 2325 pages 90,91,92.

Statement of James Kaye (Public Protection Group Leader):

Date: 9th August 2024

Time: 22:01

Arrived at 10.01pm and witnessed noise from living room area but this was low level, no TV on and no other background noise. We then went up to complaints bedroom and noise more intrusive in that room and would definitely affect sleep. It was live music with drums and base that could be heard with windows opened and closed. Definitely would affect sleep. Left property at 22.33 and ongoing all time they were there and can still hear it.

Statement of Craig Heywood (Licensing Officer):

Date: 12th October 2024

Time: 23:00

Arrived at the start of Fusden Lane and took a video recording of how loud the music from the Marquee was playing.

This continued until I entered the complainant's bedroom and then I witnessed with the windows fully closed that's also double glazed clear audible music.

Lyrics from Artist such as PAPA MOBIMBA (LIVE) Koffi Olomide. Then another artist was played by YO PE (Featuring Diamond Platnumz) Remix by INNOSS B.

This continued throughout the visit. Leaving the property I investigated Gomersal Lodge Marquee and noticed that all staff were indoors in the back room towards complainant's home, and the Marquees doors were fully closed. I would consider the audible music and DJ announcements heard a nuisance if trying to sleep by nearby residents. Contemporaneous notes taken in my pace book 2325 pages 112, 113, 114.

Statement of Thomas Coleman (Senior Environmental Health Officer):

Date: 5th June 2025

Time: 21:30

Complainant called saying loud music and PA System could be heard from an event at Gomersal Lodge. I headed out and was on site by 21:30. On arrival I walked round the front of the property where I could hear an event going on with music and a PA system playing loudly. The first words I could discern from the PA was the phrase "Let's make some noise" which was followed by Asian music and drumming. We went inside to experience the noise as it would be affecting them. Went into child's bedroom where the windows were open about 3". Here the music and drumming were sufficient to seriously disturb/prevent sleep. With windows closed it was surprisingly strangely similar in terms of the volume of the noise. It was a warm night so windows open would make sense. Moved to master bedroom where music and drumming was equally audible with windows open about 3". Went downstairs to the lounge as this where they would normally be at this time of evening at 21:40. The music came to an end and we didn't hear anything after that, I stayed until 22:00 and didn't witness anything further.

Appendix F

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

Crime and disorder

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

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

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

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

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

premises, poor management competency could give rise to issues of crime and disorder and public safety.

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

Public safety

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

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

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

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

2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

2.11 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

2.12 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.

2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act¹, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of those premises should be.

2.14 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.

Public nuisance

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

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

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

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

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

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

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

Protection of children from harm

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

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

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to

consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

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

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

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

- restrictions on the hours when children may be present;*
- restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;*
- restrictions on the parts of the premises to which children may have access;*
- age restrictions (below 18);*
- restrictions or exclusions when certain activities are taking place;*
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult);*
- full exclusion of people under 18 from the premises when any licensable activities are taking place.*

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

2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons

under 18 years old with alcohol- related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

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

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

2.32 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

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REPORT TITLE:

Licensing Act 2003 – Application a full variation of a Premises Licence
 Fenay Bridge Stores, 17 Penistone Road, Fenay Bridge Huddersfield, HD8 0AS

Meeting:	Licensing Panel
Date:	Tuesday 12 th August 2025
Cabinet Member (if applicable)	Cllr Amanda Pinnock
Key Decision Eligible for Call In	No No
Purpose of Report To determine the application	
Recommendations <ul style="list-style-type: none"> Members of the panel are requested to determine the application 	
Reasons for Recommendations <ul style="list-style-type: none"> In accordance with the requirements as set out in the Licensing Act 2003, where relevant representations are received by either a responsible authority or any other person, the matter is referred to the panel for a decision. 	
Resource Implications: There are no resource implications.	
Date signed off by <u>Executive Director</u> & name Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?	Fiona Goldsmith – on behalf of David Shepherd, Strategic Director for Place, Growth and Regeneration Not applicable Not applicable

Electoral wards affected: Almondbury

Ward councillors consulted: Cllr David Longstaff
 Cllr Alison Munro
 Cllr Paola Davies

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 full variation of a premises licence. A total 7 representations have been received, the application is therefore referred to this panel for determination.

2. Information required to take a decision

2.1 Application

On 5th May 2025 the Licensing department received an application for the full variation of a premises licence for Fenay Bridge Stores, 17 Penistone Road, Fenay Bridge, Huddersfield HD8 0AS. A copy of this application is shown at **Appendix A**.

The licensable activity applied for is as follows: -

Sale of Alcohol (off the premises) Monday – Sunday 00:00 - 23:59

Provision of late-night refreshment Monday – Sunday 23:00 – 05:00

The premises is currently licensed for the sale of alcohol off the premises between: -

Monday - Saturday 08:00 to 23:00

Sunday 10:00 – 22:30

Good Friday 08:00 – 22:30

Christmas Day 12:00 – 15:00 & 19:00 – 22:30

A copy of the current premises licence may be seen at **Appendix B**.

In total 7 representations have been received in relation to this application. A copy of the representations can be seen at **Appendix C**. The First two representations are from Ward Councillor's, Number 3 was received from Environmental Health as a responsible authority and numbers 4 through to 7 are from members of the public.

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

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

The Policy has four main purposes:

- To provide the basis for elected Members to make decisions on applications.
- To inform licence applicants of the basis on which decisions will be taken and therefore give some indication of how they will be able to operate.
- To inform the wider community of the basis on which decisions will be taken and therefore how their needs will be addressed.
- To inform the Courts how decisions have been made and to support those decisions.

The Licensing Authority recognises that each licence application must be considered on its own individual merits in the context of the four licensing objectives, and that unless relevant representations are received from responsible authority's or interested parties, there is no provision for a Licensing Authority to impose conditions on a licence other than those proposed within an application. Only conditions which have been volunteered by the applicant or which have been determined at a Licensing Panel hearing can be attached to a licence or certificate. If an application is lawfully made and no relevant representations are made in respect of an application, the Licensing Authority is under a duty to grant the licence on the terms sought. Only if relevant representations are made will the Council's discretion be engaged.

2.3 Secretary of State Guidance

Members also need to consider the statutory guidance issued, by the Secretary of State, under Section 182 of the Licensing Act 2003. As the representations related to 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, one representation has been received as detailed above.

5. Engagement

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

6. Options

6.1 Options considered

Members of the Panel are requested to determine the application.

6.2 Reasons for recommended option

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

7. Next steps and timelines

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

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

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

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

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

8. Contact officer

Lee Rushworth– Licensing Officer
01484 221000 extension number 718217
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)

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

10. Appendices

Appendix A – Premises Licence Application

Appendix B – Copy of Previous Premises Licence

Appendix C – Representations

Appendix D – Secretary of State Guidance

11. Service Director responsible

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

Vary a Premises Licence

Review

Please review the details to below to ensure they are correct before proceeding. If the details shown are not correct, click previous to enter the correct licence number.

Current Licence number

LAVDPS/06161/20

Current Premises address

17 Penistone Road Fenay Bridge Huddersfield HD8 0AS

Premises Details

Premises Licence Number *

LAVDPS/06161/20

Premises Address *

17 Penistone Road Fenay Bridge Huddersfield HD8 0AS

Telephone Number at Premises (if any)

[REDACTED]

Non-domestic rateable value of premises. *

£ 6000

Type of Premises Licence Holder

Type of Premises Licence Holder *

Non-Individual(s)

Premises Licence Holder - Non Individual

Name *

[REDACTED]

Street address *

[REDACTED]

[REDACTED]

Premises Licence Holder - Non Individual

Town/City *

County

Postcode *

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc.) *

Email *

Daytime Contact Telephone Number

Variation

Do you want the proposed variation to take effect as soon as possible? *

Variation

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see Guidance Note 1)*

Briefly describe the nature of the proposed variation. (Please see Guidance Note 2) *

The proposed variation for the alcohol license involves extending the permissible hours for selling alcohol, allowing sales during late night hours and potentially even operating 24 hours a day. Which helps to local community in many ways when we operate our convenience store for 24 hours and also increase the employment by extending opening hours.

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

Operating Schedule

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

Operating Schedule

Provision of regulated entertainment (please read guidance note 3) *

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

Type of Variation - Late Night Refreshment

Please select the type of variation that applies to this activity.

*

Add a new Activity

Late Night Refreshment Standard Times

Standard days and timings, where you intend to use the premises for late night refreshment. (please read guidance note 8) *

Please enter times in 24hr format (HH:MM)

Day *

Every Day

00:00

Late Night Refreshment Standard Times

Late Night Refreshment

Will the provision of late night refreshment take place indoors or outdoors or both? (please read guidance note 4) *

Please provide further details. (please read guidance note 5)

State any seasonal variations for the provision of late night refreshment. (please read guidance note 6)

Please state any non-standard timings, where you intend to use the premises for late night refreshment at different times from the Standard days and times listed? (please read guidance note 7)

Type of Variation - Supply of Alcohol

Please select the type of variation that applies to this activity. *

Supply of Alcohol Standard Times

Standard days and timings, where you intend to use the premises for the supply of alcohol. (please read guidance note 8) *
Please enter times in 24hr format (HH:MM)

Day *

Supply of Alcohol

Will the supply of alcohol be for consumption on premises or off premises or both? (please read guidance note 9) *

State any seasonal variations for the supply of alcohol. (please read guidance note 6)

Please state any non-standard timings, where you intend to use the premises for the supply of alcohol at different

Supply of Alcohol

times from the Standard days and times listed? (please read guidance note 7)

Adult Entertainment

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children. (please read guidance note 10)

N/A

Opening Hours Standard Times

Standard days and timings, where the premises are open to the public. (please read guidance note 8) * Please enter times in 24hr format (HH:MM)

Day *

Every Day

06:00

23:00

Variation

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

N/A

I agree to return the original premises licence or the relevant part of the original premises licence: *

Yes

Note: This application cannot be processed until the original licence is received or a statement as to why it cannot be returned has been accepted.

Licensing Objectives

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General - all four licensing objectives (b, c, d and e) (please read guidance note 11)

We are currently adhering to the all four licensing objectives and actively contributing to the overall safety and wellbeing of the community. In addition to our current efforts, we are committed to implementing further measures aimed at enhancing our adherence to the objectives and ensuring a safer environment for all customers and residents. Some of our major current implementations and planned future implementations mentioned in following sections.

Licensing Objectives

b) The prevention of crime and disorder

We already Implemented comprehensive security measures such as CCTV cameras and 24/7 hours alarms , effective crowd control strategies and Trained the staff members to recognize and handle potential instances of crime or disorderly conduct. In addition to that we will Partner with local law enforcement agencies to exchange information and collaborate on crime prevention initiatives. Establish strict policies against illegal activities within the premises and promptly address any breaches.

c) Public safety

We already Conduct regular safety inspections to identify and mitigate potential hazards within the establishment and Ensure all equipment and facilities meet safety standards and regulations and also provided adequate emergency exits, fire extinguishers, and clear evacuation routes. In addition to that we educated our staff members on emergency response protocols and conduct periodic drills. So we will continue to follow the above mentioned safety measures strictly.

d) The prevention of public nuisance

Monitor noise levels and ensure compliance with local noise ordinances. Implement policies to address issues such as littering, loitering, and disruptive behavior. Work closely with neighboring businesses and residents to address concerns and maintain positive community relations. Encourage customers to respect the surrounding environment and minimize disturbances to others

e) The protection of children from harm

We are currently enforced strict age verification procedures to prevent underage access to alcohol or restricted areas. Clearly display age restrictions and prohibit the sale of age-restricted products to minors. Well trained our staff on identifying and addressing situations involving minors at risk. In Addition to that, we will keep ensuring safety and wellbeing of the children.

Declarations

Declaration Type *

Sole Applicant - Individual or Other

Declarations

I have made or enclosed payment of the fee or. I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. I have sent copies of this application and the plan to responsible authorities and others where applicable. I understand I must now advertise my application. I understand I must now return the original premises licence, or relevant part of it or have provided an explanation why I will not be able to do this. I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT

Declarations

Signature/Declaration of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (see Guidance Note 13). If signing/applying on behalf of the applicant, please state your name and in what capacity you are authorised to sign/apply. When submitting an on-line application form the 'Declaration made' checkbox must be selected.

Full Name *

Date *

05/05/2025

Capacity *

Applicant



Declaration made

Do you wish to provide alternative correspondence details? *

Yes

Alternative Correspondence Address

This is the address which we shall use to correspond with you about this application.

Please provide Contact Name (where not previously given) and postal address for correspondence associated with this application (See guidance note 15).

Title *

First name *

Surname *

Street address *

Town/City *

County

Postcode *

Telephone Number

Email Address *

Alternative Correspondence Address

Email confirmation

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

Forename

Surname /Company Name

Email *

Telephone

**PREMISES
LICENCE**

Licensing Act 2003

Licence number:

PR(A)0176

Online Reference number:

LAVDPS/06161/20

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

POSTAL ADDRESS OF PREMISES

Fenay Bridge Stores
17 Penistone Road
Fenay Bridge
Huddersfield
HD8 0AS

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Sale of Alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Sale of Alcohol

Day(s)	From - To
Monday	08:00 - 23:00
Tuesday	08:00 - 23:00
Wednesday	08:00 - 23:00
Thursday	08:00 - 23:00
Friday	08:00 - 23:00
Saturday	08:00 - 23:00
Sunday	10:00 - 22:30
Good Friday	08:00 - 22:30
Christmas Day	12:00 - 15:00
Christmas Day	19:00 - 22:30

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THE OPENING HOURS OF THE PREMISES		
DAY(S)	FROM	TO
Good Friday	08:00	22:30
Monday to Saturday	08:00	23:00
Sunday	10:00	22:30
Christmas Day	12:00	15:00
Christmas Day	19:00	22:30

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 Sivanandam Ananth [REDACTED]
Email address [REDACTED]

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

NAME, ADDRESS OF THE DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL
Mr Sivanandam Ananth [REDACTED]

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

ANNEXES**ANNEX 1 – MANDATORY CONDITIONS**

ANNEX 1 - MANDATORY CONDITIONS

Alcohol:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ANNEX 2 – CONDITIONS CONSISTANT WITH THE OPERATING SCHEDULE

The times the premises licence authorises the sale by retail of alcohol do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

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

ANNEX 4 – PLANS OF PREMISE

As outlined in the operating schedule and attached plan

Date Granted: 26 August 2020

Date Commences/Varied: 26 August 2020



Head of Public Protection Service

PREMISES LICENCE SUMMARY

Licensing Act 2003

PR(A)0176

THIS LICENCE IS ISSUED BY



LICENSING
Flint Street Depot
Flint Street
Fartown
Huddersfield
HD1 6LG

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

POSTAL ADDRESS OF PREMISES

Fenay Bridge Stores
17 Penistone Road
Fenay Bridge
Huddersfield
HD8 0AS

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Sale of Alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Sale of Alcohol

Day(s)	From - To
Monday	08:00 - 23:00
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THE OPENING HOURS OF THE PREMISES		
DAY(S)	FROM	TO
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NON STANDARD TIMINGS FOR OPENING HOURS (IF ANY)

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES
Alcohol is supplied for consumption off the Premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE
Mr Sivanandam Ananth [REDACTED]
REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)
Mr Sivanandam Ananth
NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL
Mr Sivanandam Ananth
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: 26 August 2020

Date Commences/Varied: 26 August 2020

Martin Wood

Representation 1

Dear Officer,

I have read through the information you have provided and wish to raise the following objections:

The current opening hours of the shop are 6am to 11pm. I previously submitted objections to the initial application, but the applicant has decided to proceed for approval for a 24 hour licence to sell alcohol and refreshments.

Please note the following objections:

1. I spoke with the owner in connection with his application to extend the alcohol licence to 24 hours and asked him why he wanted to do this. He said some customers have asked him for the night service so they can grab a coffee and a bite to eat as they travel to work on their early shift. This did not explain why he therefore wished to sell alcohol during the night.
2. Our area is a peaceful and quiet residential place. A large social housing development is due to be built approximately 50 metres away across the road from the store in the next 12-18 months. In addition 68 houses are currently being built at Whitegates Grove just along the road with further housing planned at sites close by off Rowley Lane. In the interests of public safety, I therefore object to this application
3. We already have an element of asb in the area, with young people buying bottles of vodka and drinking them down at Mereside and drug taking on the Green way, which can be accessed from Mount Pleasant at the rear of the shop. I am concerned that serving alcohol and refreshments through the night will lead to an increase in asb in the area and activity on the greenway. The plans are to extend this greenway in the future which will link with the site referred to where 68 houses are being built and others. In the interests of public nuisance, I therefore object to this application. In the interests of protecting children and young people from harm I object to this application.
4. Having a licence to serve alcohol and refreshments through the night will encourage motorists and motorcyclists to travel to the shop during the night causing unnecessary traffic on the local roads and create unwelcome noise both from vehicles parking up and people congregating outside disturbing for residents trying to sleep in the adjoining houses with a potential for asb in the vicinity as well. In the interests of public nuisance, and public safety, I therefore object to this application.
5. There is a very popular pub close by on the same side of the road, which closes at 11pm. There is also a pub on the opposite side of the road, closing at the same time. Having a shop in close proximity that sells alcohol after these pubs have closed could result in people hanging around longer, potentially buying alcohol, meaning additional noise outside the terrace houses and noise that will be heard by residents living up Mount Pleasant too which could disturb them. In the interests of public nuisance I therefore object to this application.

I therefore object to this application. Please refuse it.

Thank you,
Alison

Alison L Munro

Representation 2

Lee,

I object to the plan of increasing the licence of Fenay Bridge Store on the grounds of a possible increase of ASB and public nuisance. People live either side of the store so you can image the effect of an increase in times of the licence.

Thanks David

Representation 3

KIRKLEES COUNCIL
INVESTMENT & REGENERATION

LICmem

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

Reference:	WK202514243
Premises:	Fenay Bridge Stores, 17 Penistone Road, Fenay Bridge, Huddersfield, HD8 0AS

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

OBSERVATIONS			
Public Safety		No observations	
Date:	18 June 2025	Officer/Ext:	Rob Sykes ext 75905
Prevention of Public Nuisance		<p>I do not support and object to the proposed hours for the sale of alcohol in the application:</p> <p>The applicant is applying for the following licensable activities:</p> <ul style="list-style-type: none">• Sale of Alcohol – Everyday 00:00 – 23:59 (for consumption off the premises)• Provision of late night refreshment – Everyday 00:00 – 23:59 <p>The reason for my objection is as follows:</p>	

	<p>Residents in the vicinity of the proposal on Penistone Road Road are likely to have their sleep disturbed after 2300 hours and before 0800 hours by:</p> <ul style="list-style-type: none"> • noise from customers arriving in cars, revving engines, customers sat on their phone in their cars, the car acts an amplifier and makes the phone call audible meters away from the car, including indoors, and • noise from customers on their phones outside the shop, congregating on the street in the vicinity of the shop, talking (shouting) on their phones, and to the people that they are visiting the shop with. <p>Disrupted sleep is a pervasive problem, with numerous contributing factors from lifestyle and environmental factors to psychosocial issues. Sleep is vital to most major physiological processes and as such sleep disruption has vast potential for adverse short- and long-term health consequences in otherwise healthy individuals as well as those with underlying medical conditions. In healthy individuals, short-term consequences include a heightened stress response; pain; depression; anxiety; and cognition, memory, and performance deficits. In adolescents and children, disrupted sleep can lead to poor school performance and behaviour problems. https://pmc.ncbi.nlm.nih.gov/articles/PMC5449130).</p> <p>I propose that the following hours are conditioned: 0730 hours to 0030 hours Sunday to Saturday, 7 days per week.</p>		
Date:	18 June 2025	Officer/Ext:	Alexandra Garry 01484 221000 x70832

Representation 4

Good afternoon,

I am writing as a concerned resident of [REDACTED] which runs [REDACTED] Fenay Bridge Stores. Firstly, it is my understanding that any application for a variation in license should be displayed in the premises – I have visited the shop twice recently and there is no evidence of the blue notice being displayed. Is this a requirement of any license variation?

The primary purpose of my correspondence is to object to the variation license application for an extension of opening hours as I understand it, to serve alcohol 24 hours a day.

[REDACTED] Fenay Bridge Stores.

We currently suffer from anti-social behaviour from local youths and customers of both Harvey's Bar and Kitchen and Fenay Bridge Stores. This includes, excessive issues with drug dealing, drug taking, drinking alcohol and noise pollution.

Fenay Bridge already has a number of licensed premises which do cause noise and disturbances. As a resident in [REDACTED] to Fenay Bridge Stores, I do not wish to see any premises selling alcohol during the early hours. I feel that the current hours are already sufficient. Currently many people enjoy the local licensed premises that are open and during the early hours act any extension of the current permitted hours this will act as a magnet for groups.

The granting the provision of a late-night alcohol licence will only add to this sort of nuisance and further, will be a source of extra 'refuelling when Harvey's' and The Fenay Bridge Pub close and will encourage people returning from nights out to purchase alcohol to drink on [REDACTED]. Something that we currently have to endure.

Transient noise from on street drinking is a significant problem which disturbs me and all the residents during the nighttime and early hours. There is currently evidence of public nuisance, and we feel this would increase with a variation to the current hours. I strongly believe that later opening hours for alcohol off sales will undermine the licensing objectives for public safety, public nuisance and will potentially lead to an increase crime and disorder. Littering and anti-social behaviour is also likely to increase, and this is currently an ongoing and significant concern to the residents of [REDACTED] who routinely have to remove cans, bottles, and drug paraphernalia from behind the shop and up onto the Lane. Additional hours of alcohol sales would be very likely to increase the cumulative stress and excessive noise. Also, given the shop would be the only local shop for miles to sell alcohol during these proposed extended hours, this will see an increase in noise from cars and delivery lorries in the middle of the night/early hours, smells (urinating on the Lane and people smoking weed), criminal damage and general nuisance in area.

Kirklees Licensing Policy 2.1: *The licensing process can only seek to control those measures within the control of the licensee, and in the 'vicinity' of the premises.* Given the extremely close proximity of the shop to [REDACTED] and its residents, we ask that this is given due consideration in making the decision on the application.

It is worth noting that the shop proprietor has had to put up CCTV at the rear of his shop on [REDACTED] in an effort to attempt deter the types of anti-social behaviour, criminal damage, under-age drinking, littering and drug dealing. However, this hasn't worked as these problems continue to persist with unerring regularity.

I note in Kirklees Licensing Policy 2025-30 5.4 - *The Council recommends that applicants risk assess their operation against the four licensing objectives to identify potential areas of*

concern. I would be keen to understand what risk assessment the applicant has undertaken and the outcome of that risk assessment. In particular, given the issues described above. *Crime and Disorder: 5.7 5.8 5.9 Under the Crime and Disorder Act 1998, the Council must exercise its functions, having regard to the likely effect on crime and disorder in its area, and must do all it reasonably can to prevent crime and disorder, including anti-social and other behaviour adversely affecting the local environment, the misuse of drugs, alcohol and other substances, re offending and serious violence. Where its discretion is engaged, the Council will seek to promote the licensing objective of preventing crime and disorder in a manner which supports local crime reduction strategies. There are many steps an applicant may take to prevent crime and disorder. Again, I'd be interested to understand what steps the applicant proposes to prevent crime and disorder particularly given it was the residents of [REDACTED] that asked he install CCTV at the back of the shop (on [REDACTED]).*

Public Nuisance 5.22: In considering the promotion of this licensing objective, applicants need to focus on the effect of licensable activities on people living and working in the area around the premises which may be disproportionate and unreasonable.

15 5.23 The Council is aware that the prevention of public nuisance is not narrowly defined in the Act and can include low-level nuisance, affecting only a few local residents, as well as major disturbance affecting the whole community. We are fortunate that a fellow resident became aware of the application to vary the current licence and shared this with us.

However, I suspect we are in a minority given there is no visible notice of the application visible either inside or outside the premises. It seems unfair and less than transparent that other residents next to and near to the premises will not be aware of the application.

We feel that the Kirklees licensing objectives would be compromised if this store were granted additional hours for alcohol off sales. The application is unnecessary and completely unfair on the residents of [REDACTED].

In summary, I am objecting very strongly to any application to vary the current hours given the issues we routinely face. This objection is based on the following licensing objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

Finally, in light of the proprietor of the shop failing to advertise the variation to hours I ask that you contact me in the event that any future applications are received (in the event this one is refused).

Can you confirm safe receipt of this email?

Regards

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

Representation 5

Licensing Dept.

As I understand it Fenay Bridge Stores, 17 Penistone Rd, Fenay Bridge, Huddersfield HD8 0AS have applied for a 24 hour, 7 days a week licence to sell alcohol.

I cannot check the application number or do anything online as your website does not work “**Error. Unable to perform this task. A remote exception occurred.**” <https://licensing.kirklees.gov.uk/online-applications/>

Therefore, I am having to email you to submit my very strong objections to this application.

I live on [REDACTED], [REDACTED] and behind Fenay Bridge Stores and, have very recently had to contact the Police on numerous occasions due to unsociable behaviour on the lane and around our houses - pretty much as a direct result of individuals and groups visiting the shop and then coming from the shop up our lane and congregating, acting as if drunk or on drugs and depositing litter and using the lane as a toilet. This behaviour can continue deep into the early hours sometimes and allowing them access to a 24 hr supply of alcohol would potentially make our lives a living hell.

The Fenay Bridge Stores shopkeeper, who I only know as [REDACTED], has even had to install CCTV because of this behaviour and yet still appears to want to put profits above the trouble his sales would cause all residents if all day, every day and all through the night!

I'm all for local shops and encouraging village trade, but this licence would greatly increase the crime and disorder we currently have, encourage the risk of public nuisance and put all residents and locals at risk of their safety.

regards

[REDACTED]

Tel: [REDACTED]

Mob: [REDACTED]

Email: [REDACTED]

Representation 6

Dear Lee,

I am writing as a concerned resident of [REDACTED] Fenay Bridge Stores - to submit my objection again.

Firstly, it is my understanding that any application for a variation in license should be displayed in the premises – I visited again on many occasions. There is no evidence of the blue notice being displayed again.

The primary purpose of my correspondence is to object to the variation license application for an extension of alcohol licencing hours.

[REDACTED] Fenay Bridge Stores.

We currently suffer from anti-social behaviour from local youths and customers of both Harvey's Bar and Kitchen and Fenay Bridge Stores. This includes, excessive issues with drug dealing, drug taking, drinking alcohol and noise pollution.

Fenay Bridge already has a number of licensed premises which do cause noise and disturbances. [REDACTED] Fenay Bridge Stores, I do not wish to see any premises selling alcohol during unsociable hours. I feel that the current hours are already sufficient.

Currently many people enjoy the local licensed premises that are open - any extension of the current permitted hours will act as a magnet for groups, not least those already struggling with alcohol addiction. The granting of any extension alcohol licence will only add to the sort of nuisance we already put up with.

Transient noise from on street drinking is a significant problem which disturbs myself and all the residents during the nighttime and early hours. There is currently evidence of public nuisance and I feel this would increase with a variation to the current hours.

I strongly believe that any extension hours for alcohol off sales will undermine the licensing objectives for public safety, public nuisance and will potentially lead to an increase crime and disorder. Littering and anti-social behaviour is also likely to increase, and this is currently an ongoing and significant concern to the residents of [REDACTED], who routinely have to remove cans, bottles, and drug paraphernalia from behind the shop and [REDACTED]

Additional hours of alcohol sales would be very likely to increase the cumulative stress of excessive noise. Also, given the shop would be the only local shop for miles to sell alcohol during these proposed extended hours, this will see an increase in noise from cars and potentially criminal damage and general nuisance in area.

Kirklees Licensing Policy 2.1: *The licensing process can only seek to control those measures within the control of the licensee, and in the 'vicinity' of the premises.* Given the extremely close proximity of the shop to [REDACTED] and its residents, we ask that this is given due consideration in making the decision on the application.

It is worth noting that the shop proprietor has had to put up CCTV [REDACTED] in an effort to attempt deter the types of anti-social behaviour, criminal damage, under-age drinking, littering and drug dealing. However, this hasn't worked as these problems continue to persist with unerring regularity.

I note in Kirklees Licensing Policy 2025-30 5.4 - *The Council recommends that applicants risk assess their operation against the four licensing objectives to identify potential areas of concern.* I would be keen to understand what risk assessment the applicant has undertaken and the outcome of that risk assessment. In particular, given the issues described above.

Crime and Disorder: 5.7 5.8 5.9 Under the Crime and Disorder Act 1998, the Council must exercise its functions, having regard to the likely effect on crime and disorder in its area, and

must do all it reasonably can to prevent crime and disorder, including anti-social and other behaviour adversely affecting the local environment, the misuse of drugs, alcohol and other substances, re offending and serious violence. Where its discretion is engaged, the Council will seek to promote the licensing objective of preventing crime and disorder in a manner which supports local crime reduction strategies. There are many steps an applicant may take to prevent crime and disorder. Again, I'd be interested to understand what steps the applicant proposes to prevent crime and disorder particularly given it was the residents of [REDACTED] that asked he install CCTV at the back of the shop (on [REDACTED]).

Public Nuisance 5.22: In considering the promotion of this licensing objective, applicants need to focus on the effect of licensable activities on people living and working in the area around the premises which may be disproportionate and unreasonable.

15 5.23 The Council is aware that the prevention of public nuisance is not narrowly defined in the Act and can include low-level nuisance, affecting only a few local residents, as well as major disturbance affecting the whole community. We are fortunate that a fellow resident became aware of the application to vary the current licence and shared this with us.

However, I suspect we are in a minority given there is no visible notice of the application visible either inside or outside the premises. It seems unfair and less than transparent that other residents next to and near to the premises will not be aware of the application.

I feel that the Kirklees licensing objectives would be compromised if this store were granted additional hours for alcohol off sales. The application is unnecessary and completely unfair on the residents of [REDACTED].

In summary, I am objecting very strongly to any application to vary the current hours given the issues we routinely face. This objection is based on the following licensing objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

Finally, in light of the proprietor of the shop failing to advertise the variation to hours I ask that you contact me via email in the event that any future applications are received (in the event this one is refused).

Yours Sincerely

[REDACTED]

Representation 7

In respect of the above matter I would ask you to note my objection to the application by Fenay Bridge Stores to open and be licensed to sell alcohol 24 hours per day 7 days a week.

The reasons for my objection are as follows.

As the crow flies my home on [REDACTED] [REDACTED]
[REDACTED]

The shop is currently open from 6am to 11pm.

The opening hours have been extended to these times since the new owners took over. As a result we have to deal with the comings and goings at the shop during its opening hours. This consists of high volumes of traffic, bad parking, heavy goods vehicle engines ticking over, the sound of air brakes and very often shouting and loud conversations.

We have already experienced anti social behaviour to the rear of the shop in [REDACTED] [REDACTED] which is private and unlit. This has consisted of youths congregating to drink, take drugs and generally make a nuisance of themselves, evidence of which is usually left behind. The lane is also regularly used as a place to urinate, dispose of litter and cause damage. (The shop electricity meter having been smashed off the wall). This has resulted in the shop owner having to fit cctv.

The hours between 11pm and 6am are the only times we have any respite from the shop activity.

However, when the general traffic dies down and the road goes quiet, especially in the Summer months we can clearly hear every sound coming up from the road.

I am very concerned that the shop being allowed to operate 24 hours a day will seriously impact the quality of life for the people living close by. I believe this application to be unnecessary and grossly unfair on the residents who will have to put up the night time comings and goings.

In recent years we have also had to contend with the noise which has been inflicted upon us by Harvey's wine bar until the early hours of the morning.

Approval of this application would in my opinion constitute a public nuisance and given the type of late night visitors likely to be looking to purchase more alcohol there is also every likelihood of crime and disorder taking place.

This is the basis for my objection and I would ask you to confirm receipt of it.

Thank you
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

Crime and disorder

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

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

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

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

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

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

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

Public safety

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

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

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

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

Public nuisance

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

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

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

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

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

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

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

Protection of children from harm

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

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

- adult entertainment is provided;
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible Revised Guidance issued under section 182 of the Licensing Act 2003 I 11 authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not

appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

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

2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include: • restrictions on the hours when children may be present; • restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place; • restrictions on the parts of the premises to which children may have access; • age restrictions (below 18); • restrictions or exclusions when certain activities are taking place; • requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and • full exclusion of people under 18 from the premises when any licensable activities are taking place.

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

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

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

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