

Contact Officer: Jenny Bryce-Chan

## KIRKLEES COUNCIL

### LICENSING PANEL

**Monday 7th December 2020**

Present: Councillor Amanda Pinnock (Chair)  
Councillor Paola Antonia Davies  
Councillor Terry Lyons

**1 Minutes of Previous Meeting**

That the minutes of the meeting held on the 19<sup>th</sup> November 2020 be approved as a correct record.

**2 Interests**

No interests were declared.

**3 Admission of the Public**

All agenda items were considered in public session.

**4 Deputations/Petitions**

No deputatons or petitions were received.

**5 Questions by members of the Public (Written Questions)**

No written questions were received.

**6 Application for the Grant of a Premises Licence: Northern Sole, 39 Bridge Street, Slaithwaite, Huddersfield, HD7 5JN.**

The Panel considered a report which outlined an application for the grant of a premises licence for Northern Sole Café, 39 Bridge Street, Slaithwaite, Huddersfield, HD7 5JN.

The Chair invited the Licensing Officer to outline the application. The Panel was informed that on 25th September 2020, the Licensing department received an application for the grant of a premises licence for Northern Sole Café Limited.

The licensable activities applied for were:

- the supply of alcohol for consumption on and off the premises, 7 days a week from 08:00hrs to 23:00hrs.
- Films
- Live Music
- Recorded Music

In response to the application, eight representations were received from local residents who stated that should the licence be granted, the licensing objectives in

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respect of Public Nuisance and Prevention of Crime and Disorder would not be achieved.

The Licensing Officer further advised that on the 19 November 2020, the Panel had convened to consider the application, however, a decision was made to adjourn the hearing in order for a site visit to be undertaken. The Panel felt that in order to do justice to all parties and make an informed decision on the application, a site visit would be beneficial. The hearing was adjourned until the 7 December 2020.

A site visit was undertaken by the Panel on the 30 November 2020.

A representative acting on behalf of the applicant, informed the Panel that as no representations had been received from the Police or any of the other Responsible Authorities it was safe to assume that they had no concerns with the license being granted with the conditions outlined in the application.

The Panel was informed that there had been a previous planning application to change the use of the premises to bar however, this application was discontinued following significant representations from the public. The applicant emphasised that Northern Sole Café limited was in no way connected to the previous planning application and would not be operating as a bar. It would be run as a small family orientated café bistro where food is the main offer and alcohol is ancillary.

A local resident who had initially made representations against the application, informed the Panel that having heard the information presented at the hearing was confident that there would be dialogue between the applicant and the local residents and a positive relationship could develop and therefore no longer wanted to object to the application.

Following careful consideration of all the representations received both verbally and in writing, the Panel decided that:

### **RESOLVED**

The application for the grant of a premises license under the Licensing Act 2003 be granted as set out in the application save for the supply of alcohol which would be amended as follows:

#### Supply of Alcohol

Sunday – Thursday 1100 - 2130

Friday – Saturday 11:00 – 2200

The licensable activities in respect of film (indoors) live music (indoors) and recorded music (indoor/outdoors) are deregulated by virtue of the premises licence now granted as set out in the Deregulation Act 2015.

The Panel considered that the issues raised by those making representations would be dealt with by the conditions as set out in the application and felt that the

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conditions offered together with the amended hours for the supply of alcohol would not be inconsistent with the licensing objectives.

### 7 **Application for the Grant of a Premises Licence: Unit 1C The Galleries, Bradford Road, Dewsbury, WF13 1HD.**

The Panel considered a report which outlined an application for the grant of a premises licence for Unit 1C, The Galleries, Bradford Road, Dewsbury, WF13 1HD.

The Chair invited the Licensing Officer to outline the application. The Panel was informed that on 21st October 2020, the Licensing department received an application for the grant of a premises licence for Unit 1C The Galleries.

The licensable activities applied for by the applicant was as follows; the supply of alcohol for consumption off the premises, 7 days a week from 08:00hrs to 23:00hrs.

In response to the application, the Licensing Department received representations from two ward Councillors and the Manager of Safer Kirklees.

The representations suggested that should the license be granted the licensing objectives in respect of Prevention of Public Nuisance, Prevention of Crime and Disorder and Protection of Children from Harm would not be met.

A representative acting on behalf of the applicant, raised a legal matter for consideration by the Panel. The matter related to an unauthorised representation which was subsequently withdrawn. Ensuing actions, showed that additional information was provided by one of the objectors outside the statutory framework and therefore was deemed to be unlawful.

On behalf of the applicant, the representative advised that prior to the application being submitted, liaison with West Yorkshire Police had taken place and their advice and guidance had informed the licence application. Therefore, they had no reason to object to the application and had not objected. Likewise, no other Responsible Authority had objected to the application. The Panel was further advised that West Yorkshire Police were satisfied with the raft of conditions associated with this premises licence which will ensure that the licensing objectives are promoted.

Concerns were raised by the objectors that the premises is next to newly constructed colleges and there could potentially be issues in relation to safeguarding. There are already issues with street drinkers and anti-social behaviour which could be further exacerbated by another licenced premises.

Following careful consideration of all the representations received both verbally and in writing, the Panel decided that:

### **RESOLVED**

The application for a grant of a premises licences be granted as set out in your application with an addendum to the condition in respect of public nuisance, found at paragraph D7 of the application as follows: staff shall monitor the exterior of the

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premises using CCTV and personal observations, and use their best endeavours to deter/disperse people congregating outside **and where necessary report to the appropriate authorities.**

The Panel also determined that the additional information submitted outside of the objection period would be disregarded.

The Panel considered the application contained stringent conditions put forward by the applicant and determined that to grant the licence with the conditions applied as amended by the Panel would not be inconsistent with promoting the licensing objectives.