

Contact Officer: Nicola Sylvester

## KIRKLEES COUNCIL

### LICENSING PANEL

**Wednesday 31st March 2021**

Present: Councillor Amanda Pinnock (Chair)  
Councillor Michelle Grainger-Mead  
Councillor David Hall

**1 Minutes of Previous Meeting**

That the minutes of the meeting held on 3<sup>rd</sup> March 2021 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 deputations or petitions were received.

**5 Application for the Grant of a Premises Licence: Blue Convenience Store, 4-6 Crackenedge Lane, Dewsbury, WF13 1PT**

The Panel considered a report which outlined an application for the grant of a premises license for Blue Convenience Store, 4-6 Crackenedge Lane, Dewsbury, WF13 1PT.

The Chair invited the Licensing Officer to outline the application. The Panel was informed that on 21<sup>st</sup> January 2021, the Licensing department received an application for the grant of premises licence for Blue Convenience Store.

The licensable activities applied for were:

- The supply of alcohol for consumption off the premises, 7 days a week from 08:00hrs to 23:00hrs.

In response to the application, one representation was received from West Yorkshire Police who stated that granting the license would seriously impact on the Crime and Disorder and Public Safety licensing objectives. This was on the basis that the applicant had previously been convicted of selling illegal, non-duty paid tobacco products, producing/supplying tobacco products with no health warnings and possession of goods with false trademarks for sale or hire.

West Yorkshire Police advised that they would like to proposed amendments to the premises license.

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A representative acting on behalf of the applicant advised the Panel that the application being presented for consideration is for a premises licence and, under S16 of the Licensing Act there are only two stipulations for applicants applying for a premises licence:

- i) the person is over 18
- ii) they intend to carry out a business involving the sale and supply of alcohol

The applicant fulfils both the requirements of S16 of the Licensing Act.

The Panel was further advised that under the Rehabilitation of Offenders Act the convictions alluded to by West Yorkshire Police are now 'Spent' and therefore, the focus of the Panel should be on whether the operating schedule and the offered conditions promote the licensing objectives.

In response, West Yorkshire Police informed the Panel that the conditions offered were not stringent enough and would want to propose some additional conditions.

A suggestion was made that before the Panel reach a decision on the application, that the hearing be adjourned to allow for West Yorkshire Police and the applicant's representative to discuss further additional conditions that would be agreeable to all parties.

### **RESOLVED**

- a) That the hearing for the Grant of a Premises Licence be adjourned to allow for discussions between West Yorkshire Police and the applicant's representative concerning proposed amendments to the premises licence conditions
- b) That the matter be brought back to a future hearing for determination by the Panel once an agreement had been reached on the amendments to the conditions