

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

LICENSING PANEL

Wednesday 18th May 2022

Present: Councillor Amanda Pinnock (Chair)
Councillor James Homewood
Councillor Adam Gregg

In attendance: David Stickley, Legal Advisor to the Panel Anwar Butt,
Licensing Officer Jordan Barrett, Licensing Officer

Observers: Mike Skelton, Senior Licensing Officer
Steve Mycroft, Licensing Officer

1 Minutes of Previous Meeting

That the minutes of the meeting held on the 9th March 2022, be approved as a correct record.

2 Interests

No interests were declared.

3 Admission of the Public

That agenda items 1 – 6 be considered in public session.

That the public be excluded from the hearing in accordance with Regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations 2005 and Section 100 (A)(4) of the Local Government Act 1972 during consideration of agenda item 8.

4 Deputations/Petitions

No deputations or petitions were received.

5 Public Question Time

No public questions were asked.

6 Application for the Grant of a Premises Licence: European Mini Market 59 Blacker Road, Birkby, Huddersfield, HD1 5HU

The Panel considered a report which outlined an application under section S51 of the Licensing Act 2003, for the grant of a premises licence for the grant of a premises licence, European Mini Market, 59 Blacker Road, Birkby, Huddersfield.

The Panel was advised that on the 24th March 2022, the Licensing Department received an application for the new grant of a premises licence for European Mini Market, 59 Blacker Road, Birkby, Huddersfield, HD1 5HU.

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The licensable activities applied for were as follows:

Sale of alcohol (off the premises) Monday – Sunday – 6:00 – 22:00

In response to the application, one of the ward councillors for the area expressed concern regarding the potential for crime and disorder and public nuisance. Further to this, the other two ward members agreed with these concerns stating that there are existing problems in the area and should the licence be granted the licensing objectives in respect of the prevention of crime and disorder and the prevention of public nuisance would not be achieved.

The Panel was advised that West Yorkshire Police were consulted and had no concerns regarding alcohol issues and anti-social behaviour in the area. No representations were made by any of the other Responsible Authorities regarding the application. Following receipt of the ward member objections, West Yorkshire Police were again contacted, but reiterated that they had no concerns.

The applicant's representative explained that one of the main principles of the application is to ensure that the application fully supports the licensing objectives and is confident that the operating schedule put forward satisfies those criteria. In preparation of the application, guidance was sought by consulting several policies including Kirklees Council's Statement of Licensing Policy and the latest Secretary of State's revised guidance under section 182 of the Licensing Act. This was to ensure that full consideration was given to the four-licensing objectives and that all the proposed conditions were robust, legally enforceable, and sufficiently in line with the main principles of the statement of licensing policy. The proposed conditions were tailored to the characteristics of the premises to reduce as much as possible all risk of crime and harm to children and prevention of public nuisance.

RESOLVED

That:

- a) the application for the grant of a premises licence: European Mini Market, 59 Blacker Road, Birkby, Huddersfield, HD1 5UH be granted as applied for
- b) the premises install and maintain a digital CCTV system that also covers the front approach of the premises

7 Exclusion of the Public Determined.

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8 **Review of Personal Licence**

The Panel considered a report, which outlined an application made by West Yorkshire Police for the review of a personal licence.

RESOLVED

That the personal licence be revoked.