

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

LICENSING PANEL

Wednesday 21st September 2022

Present: Councillor Amanda Pinnock (Chair)
Councillor Jo Lawson
Councillor Paola Antonia Davies

In attendance: David Stickley – Legal Officer
Steve Mycroft – Licensing Officer
Anwar Butt – Licensing Officer
PC 4346, Katie Jagger – West Yorkshire Police
David Mullins – West Yorkshire Trading Standards

1 Membership of the Committee
All Panel Members were present.

2 Minutes of Previous Meeting
That the minutes of the meetings held on 3rd August 2022 and 5th September 2022 be noted.

3 Interests
No interests were declared.

4 Admission of the Public
All agenda items were considered in public session.

5 Deputations/Petitions
No deputations or petitions were received.

6 Public Question Time
No public questions were asked.

7 Application for a Review Hearing: Rio Foods, 229A Bradford Road, Fartown, HD1 6EW
The Panel considered a report, which outlined an application for a review of a premises licence for Rio Foods, 229A Bradford Road, Fartown, Huddersfield, HD1 6EW.

The Licensing Officer outlined the application, and advised the panel that on 4th August 2022, the Licensing Department received an application from West Yorkshire Police for the review in respect of a premises licence under section 51 of the Licensing Act 2003, for the premises known as Rio Foods, 229A Bradford Road, Fartown, Huddersfield, HD1 6EW.

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The applicant believed that the following licensing objectives were not being met:

- Prevention of Crime and Disorder
- Public Safety

The applicant advised the Panel that on the 18th July 2022, the premises, at Rio Foods, 229A Bradford Road, Huddersfield was inspected by West Yorkshire Police and Trading Standards. During the inspection, 2,357 packets of illegal cigarettes were found concealed in the rear of the pick and mix cabinet and in a storeroom located in the backyard of the premises, which totalled a value of £24,748 if sold at the price of UK duty paid cigarettes.

The applicant also found the CCTV was not operational in the areas where licensable activities were taking place which contravened the licence conditions.

The Trading Standards representative in attendance, advised the panel of the seriousness of the offence in respect of public health, loss of government revenue, and the impact the sale of illegal cigarettes had on young people.

RESOLVED:

The Panel determined that the premises licence in respect of Rio Foods 229A Bradford Road, Huddersfield, HD1 6EW be revoked.

In reaching its decision, the Panel determined that there had been a serious breach of the licensing objectives, namely the Prevention of Crime and Disorder and Public Safety. The Panel considered the breaches to be extremely serious and that the licence holder had disregarded the licensing objectives and knowingly engaged in criminal activity. The Panel, therefore, determined that revocation of the licence was a necessary and proportionate step.