

Contact Officer: Nicola Sylvester

KIRKLEES COUNCIL

LICENSING PANEL

Tuesday 30th January 2024

Present: Councillor Amanda Pinnock (Chair)
Councillor Mohan Sokhal
Councillor Donna Bellamy

In attendance: Fiona Goldsmith
Rox Javaid, Licensing Officer
Jordan Barrett, Licensing Officer
Leigh Rushworth, Licensing Officer
David Stickley, Senior Legal Officer

1 Declaration of Interests

No interests were declared.

2 Admission of the Public

All agenda items were considered in public session.

3 Deputations/Petitions

No deputations or petitions were received.

4 Public Question Time

No public questions were asked.

5 Application of the Grant of an Adult Gaming Premises Licence under the Gambling Act 2005 - Royal Amusements, 23 Northgate, Dewsbury, WF13 1DS

The Panel considered a report which outlined the application for the grant of an adult gaming premises licence, Royal Amusements 23 Northgate, Dewsbury, WF13 1DS.

The Licensing Officer informed the Panel that on the 13th December 2023, the Licensing Department received an application for the grant of an adult gaming premises licence, Royal Amusements, 23 Northgate, Dewsbury WF13 1DS.

Attached with the application was:

- A local area risk assessment.
- A local area site profile.
- Details of how the three licensing objectives would be addressed.

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In response to the application, three representations were received from local ward Councillors, however following the submission of additional proposed conditions by the applicant, one of the objections was withdrawn.

In response to the representations received, the applicant's representative advised the Panel that additional information had been submitted which included a witness statement from the applicant, a detailed local area risk assessment, operational policies and extracts from the applicant's compliance manuals, as well as a robust list of proposed conditions in an attempt to deal with the representations.

The applicant's representative also advised the Panel that:

The applicant and his management team had operated Adult Gaming Centres (AGC's) for over 40 years. The applicant had 9 other venues (for which he held AGC licenses) within West Yorkshire and Greater Manchester.

The applicant was a competent operator and had held an operator's licence for 20 years. He had established policies, procedures and systems in place and all venues ran to a standard of excellence, with quality management teams and trained staff in place.

There had been no representations received from responsible authorities and there had been no reviews or licences revoked for any of the gambling establishments within the Dewsbury locality. The AGC's rarely generated crime and disorder, however the applicant would work with the responsible authorities to resolve any issues if required.

The business subjected itself to regular field based audits and compliance officer audits and engaged in independent test purchase / mystery shopper exercises to ensure there were no issues.

RESOLVED:

That the grant of an Adult Gaming Premises Licence in respect of Royal Amusements, 23 Northgate, Dewsbury, WF13 1DS be granted with the following conditions:

- Prominent signage and notices advertising that Under 18's not to be allowed on the premises.
- A "think 25" proof of age scheme to be operated at the premises where any person who appears to be under 25 years of age, and who has not previously provided satisfactory proof to the contrary, is challenged at the point of entry.
- Acceptable forms of identification to be recognised, such as a driving licence, passport or proof of age card with the PASS Hologram.
- Appropriate staffing levels to be assessed by way of risk assessment and cognisance and advice to be taken from the Licensing Department.
- Individuals who are deemed to be under the influence of alcohol not to be allowed to enter the premises.
- The licensee to take reasonable steps to prevent nuisance directly outside the premises.

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- A digital CCTV system to be installed to Home Office Guidance standards and maintained in a good working condition to ensure continuous quality of image capture and retention:
 - (a) Cameras to be sited to observe the entrance doors from the inside.
 - (b) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
 - (c) Cameras must be sited to cover all areas to which the public have access including any outside smoking area.
 - (d) Cameras must record whilst members of the public are frequenting the premises.
 - (e) CCTV system to be able to provide a linked recording of the date and time of any image.
 - (f) CCTV system to have a monitor to review images and recordings.
 - (g) A member of staff trained in operating CCTV to be at the venue during times open to the public.
 - (h) CCTV footage must be kept for 31 days.
 - (i) CCTV equipment must have a suitable export method, e.g. CD/DVD writer / USB.
 - (j) CCTV footage must be available within a reasonable time to Police on request.
- An incident log to be kept at the premises, in a hardback durable format, handwritten at the time of the incident or as near to as is reasonable and made available on request to the Police, which will record the following:
 - (a) all crimes reported to the venue.
 - (b) all ejections of patrons.
 - (c) any complaints received.
 - (d) any incidents of disorder.
 - (e) any faults in the CCTV system.
 - (g) any visit by a relevant authority or emergency service.
- The Licensee to join any local Betwatch or similar scheme.
- The Licensee to work with the Licensing Department and Councillors to resolve any issues.

6 **Licensing Act 2003 - Application for the Grant of a Premises Licence: Ravensthorpe Off Licence, 618 Huddersfield Road, Ravensthorpe, Dewsbury, WF13 3HL**

The Panel considered a report which outlined an application for the grant of a premises licence, Ravensthorpe Off Licence, 618 Huddersfield Road, Ravensthorpe, Dewsbury, WF13 3HL.

The Licensing Officer informed the Panel that on the 13th December 2023, the Licensing Department received an application for the grant of a premises licence for Ravensthorpe Off Licence, 618 Huddersfield Road, Ravensthorpe, Dewsbury, WF13 3HL. The licensable activities applied for were as follows:

Sale of Alcohol (off premises)

Monday - Sunday 08:00 – 23:00

With 1 additional hour at the end of terminal hours on Christmas Eve and New Years eve.

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In response to the application, a total of three representations were received from Ward Councillors relating to public nuisance, and that if the licence was granted, the following licensing objective would not be met:

- Prevention of Public Nuisance.

The licensing officer advised the Panel that the Responsible Authorities had been consulted and that no concerns or objections had been received.

Responding to the concerns raised by the objectors, the applicant's representative explained to the Panel that the proposed conditions for dealing with their concerns were robust, legally enforceable and sufficiently in line with the main principles of the Councils Statement of Licensing Policy (SOLP) and provided clarity on how the premises would support all four of the licensing objectives. The proposed conditions were also tailored to the individual type, location and characteristics of the premises to reduce all risks of crime and disorder and harm to children as reasonably possible.

The applicant had held four temporary licences and there had been no complaints reported in relation to loitering, to the applicant or the police. There had also been no failed test purchases, no selling of alcohol to children or drunken persons and no selling of e-cigarettes to children. A refusal book had been completed and was available for responsible persons to see.

RESOLVED:

That the grant of a premises licence in respect of Ravensthorpe Off Licence, 618 Huddersfield Road, Ravensthorpe, Dewsbury, WF13 3HL be approved with the following conditions:

- That 3 CCTV cameras internally and 3 CCTV cameras externally be operational during licensing hours.
- That training of the applicant and staff in dealing with difficult customers in relation to crime and antisocial behaviour be undertaken.
- That the applicant works with the Licensing Departments and the Police to resolve any issues.