

Contact Officer: Nicola Sylvester

KIRKLEES COUNCIL

LICENSING PANEL

Thursday 22nd August 2024

Present: Councillor Zarina Amin
Councillor Donna Bellamy
Councillor Alex Vickers

In attendance: Anwar Butt, Licensing Officer
Fiona Goldsmith, Public Protection Group Leader
Tahir Hanif, Legal Advisor to the Panel

1 Appointment of Chair

RESOLVED:

That Councillor Zarina Amin be appointed Chair for the meeting.

2 Site Visit

Site visit undertaken.

3 Membership of the Panel

No apologies were received.

4 Minutes of Previous Meeting

That the minutes of the meeting held on 30th January 2024, 3rd July 2024 and 15th July 2024 be approved as a correct record.

5 Declaration of Interests

No interests were declared.

6 Admission of the Public

All agenda items were considered in public.

7 Deputations/Petitions

No deputations or petitions were received.

8 Public Question Time

No public questions were asked.

**9 Licensing Act 2003 - Application for the Grant of a New Premises Licence:
Silent Woman, Nabbs Lane, Slaithwaite, Huddersfield HD7 5AU**

The Panel considered a report which outlined an application for the grant of a premises licence, Silent Woman, Nabbs Lane, Slaithwaite, Huddersfield, HD7 5AU. The Licensing Officer advised the Panel that on 27th June 2024, the Licensing Department received an application for the grant of a new premises licence for the

Licensing Panel - 22 August 2024

Silent Woman. In response to the application, 14 representations were received, one from the local Ward Councillors and the remaining from local residents.

The submitted representations indicated that the licensing objectives in respect of the prevention of crime and disorder, public safety, protection of children from harm and the prevention of public nuisance would not be achieved if the licence was granted.

The licensable activities applied for were as follows:

Retail Sale of Alcohol (on/off premises – not stated)

Sunday – Thursday: 11:00 – 23:00

Friday – Saturday: 11:00 – 00:00

Live Music (Indoors)

Every day: 12:00 - 23:00

Recorded Music (Indoors)

Every day: 09:00 - 00:00

Late Night Refreshments (Indoors)

Every day: 09:00 – 23:00

The Licensing Officer advised the Panel that prior to this application, the Silent Woman had previously been licenced. Following a history of noise complaint and management issues, on 11th October 2023, West Yorkshire Police applied under Sec 51 of the licensing Act for a Review of the premises license PR(A) 1062.

Since the review papers were served, the premises licence had been surrendered by the previous licence holder.

The Panel invited the applicant to outline the application. The Panel was informed that the applicant currently managed a bar in York which had previously been very problematic. The applicant worked on a zero-drug tolerance, had installed CCTV, adopted a challenge 25 policy, and implemented a rogue's gallery.

The Panel was advised that the applicant was originally from Slaithwaite and understood the previous issues with the premises. In agreeing that the premises could not open as it had done previously, the applicant advised the panel that she would be happy to put in place CCTV, training for staff relating to challenge 25, no alcohol to be taken offsite and the beer garden to be closed. The applicant proposed for a singular bench to be at the front of the premises with a smoking bin, contained to a certain area with minors to leave the premises at an agreed time prior to 21:00. The applicant had also accepted Environmental Health's conditions proposed. The Panel noted that future plans for the premises were to have a food offering to attract walkers and local people, with music being restricted to duos or single artists on a Friday and Saturday evening, along with background music for events.

The Panel invited representations from those who had objected to the application. A video was played which showed a disturbance and abusive language when the

Licensing Panel - 22 August 2024

premises was previously licensed. Local residents stated that they felt the hardened drinkers would return once the premises reopened, with one couple being forced out of their home due to homophobic abuse. Concerns were raised regarding the potential noise nuisance that would emanate from the premises particularly from the rear outdoor space, which backs on to some of the neighbour's private gardens. Concerns were also raised with regard to alcohol related crime and disorder and abusive language.

The Panel were advised that the applicant had demonstrated a professional approach to undertaking due diligence in understanding previous issues prior to submitting the application and had engaged well with responsible authorities.

RESOLVED:

That the application for the Grant of a new premises licence: Silent Woman, Nabbs Lane, Slaithwaite, Huddersfield, HD7 5AU be granted with conditions as follows:

- No alcohol to be consumed outside of the premises
- The beer garden not to be opened
- A clearly marked smoking area to be at the front of the building
- CCTV to be in place internally and externally
- No minors to be on the premises after 20:00hrs daily.

The reasons for the Panel's decision are that granting the licence with conditions would not be inconsistent with the following Licensing Objectives:

- The Prevention of Public Nuisance
- Public Safety
- The Prevention of Crime and Disorder
- The protection of children from harm

The panel have taken into consideration the representations and how the applicant seeks to address them with regards to:

- The quality and location of the CCTV, immediate access to the police will address the concerns regarding the hardened drinkers,
- Challenge 25 Policy,
- Previous experience of running a licensing premises, confirmation from York Licensing manager,
- Observations received from Kirklees Licensing Officer in terms of engagement and queries regarding the history of the pub and issues/concerns, with a willingness to address them,
- A willingness to work with the police, neighbours and local authority,
- No alcohol outside the premises will seek to address previous issues in the beer garden,
- Acceptance of the Environmental Health conditions.