

REPORT TITLE:

Licensing Act 2003 – Application for the Full Variation of a Premises Licence
 Empire House, Lewisham Road, Slaithwaite, Huddersfield, HD7 5AL

Meeting:	Licensing Panel
Date:	Wednesday 4 th June 2025
Cabinet Member (if applicable)	Cllr Tyler Hawkins
Key Decision Eligible for Call In	No No
Purpose of Report To determine the application	
Recommendations <ul style="list-style-type: none"> Members of the panel are requested to determine the application Reasons for Recommendations <ul style="list-style-type: none"> In accordance with the requirements as set out in the Licensing Act 2003, where relevant representations are received by either a responsible authority or any other person, the matter is referred to the panel for a decision. 	
Resource Implications: There are no resource implications.	
Date signed off by <u>Executive Director</u> & name	Fiona Goldsmith – on behalf of David Shepherd, Strategic Director for Place, Growth and Regeneration
Is it also signed off by the Service Director for Finance?	Not applicable
Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?	Not applicable

Electoral wards affected: Colne Valley

Ward councillors consulted: Cllr Beverley Addy
 Cllr Harry McCarthy
 Cllr Matthew McLoughlin

Public or private: Report to be heard in Public

Has GDPR been considered? GDPR has been considered and appropriate sections of the report and supporting documents have been amended.

1. Executive Summary

1.1 The purpose of the report is to inform members of an application for the Full Variation of a premises licence. One representation has been received and is therefore referred to this panel for determination.

2. Information required to take a decision

2.1 Application

On 9th April 2025 the Licensing department received an application for the full variation of a premises licence for Empire House, Lewisham Road, Slaithwaite, Huddersfield, HD7 5AL. A copy of this application and plan is shown at **Appendix A**.

The licensable activity applied for is as follows:-

Sale of Alcohol (on and off the premises) Monday – Sunday 23:00

The premises currently has a licence in place. The licensable activity for the premises is as follows:-

Sale of Alcohol (on and off the premises) Monday – Sunday 08:00 – 22:00

Sale of Alcohol (on and off the premises) New Years Eve 08:00 – 01:00 (The Following Day)

The current licence was first granted at a hearing on 23rd June 2021, following representations being received relating to public nuisance. The licence was granted with a reduction of the hours applied for to Monday to Sunday 08:00 – 22:00, the hours originally applied for were Monday to Sunday 07:00 – 23:00 and with the addition of a condition which states that the outside area is not to be used after 21:00.

A copy of the licence may be seen at **Appendix B**.

A member of the public has submitted a representation in relation to the full variation application. A copy of the representation may be seen at **Appendix C**.

2.2 Licensing Policy

Members considering the application must take note of the Authority's Statement of Licensing Policy, which provides the following guidance on how members should approach the application and representation(s).

Executive Summary

In exercising its duties and responsibilities under the terms of the Licensing Act 2003, the Council will operate within the statements and procedures mentioned in this policy statement. Notwithstanding this statement, all applications will be treated on their merits and judged accordingly.

The council will have regard to any relevant guidance issued by the Secretary of State in exercising its powers under the Act.

Purpose

The Licensing Authority will carry out its functions under the Licensing Act 2003 with a view to promoting the four licensing objectives contained in the Act and each has equal weight.

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

The Policy has four main purposes:

- To provide the basis for elected Members to make decisions on applications.
- To inform licence applicants of the basis on which decisions will be taken and therefore give some indication of how they will be able to operate.
- To inform the wider community of the basis on which decisions will be taken and therefore how their needs will be addressed.
- To inform the Courts how decisions have been made and to support those decisions.

The Licensing Authority recognises that each licence application must be considered on its own individual merits in the context of the four licensing objectives, and that unless relevant representations are received from responsible authority's or interested parties, there is no provision for a Licensing Authority to impose conditions on a licence other than those proposed within an application. Only conditions which have been volunteered by the applicant or which have been determined at a Licensing Panel hearing can be attached to a licence or certificate. If an application is lawfully made and no relevant representations are made in respect of an application, the Licensing Authority is under a duty to grant the licence on the terms sought. Only if relevant representations are made will the Council's discretion be engaged.

2.3 Secretary of State Guidance

Members also need to consider the statutory guidance issued, by the Secretary of State, under Section 182 of the Licensing Act 2003. As the representations related to 3 of the licensing objectives. Member's attention is drawn to this guidance, the relevant parts may be found at **Appendix D**.

3. Implications for the Council

3.1 Council Plan

The Licensing Service and its Statement of Licensing Policy balance the objective of improving the local economy, improving health and wellbeing and tackling health inequalities and cultural development against noise, nuisance, safeguarding and crime and disorder.

3.2 Financial Implications

There are no financial implications in relation to this report.

3.3 Legal Implications

In determining the application Members should have regard to the Authority's licensing policy statement and the Secretary of State Guidance. The applicant or any other person who made relevant representations in relation to the application have the right of appeal to the Magistrates Court.

3.4 Climate Change and Air Quality

There are no climate change or air quality implications contained in this report.

3.5 Other (eg Risk, Integrated Impact Assessment or Human Resources)

Under the provisions of the Licensing Act 2003 there is no requirement for an Integrated Impact Assessment, while licence conditions should not duplicate other statutory provisions, members should be mindful of requirements and responsibilities placed on them by other legislation, which may include:

- The Gambling Act 2005
- The Environment Protection Act 1990
- The Noise Act 1996
- The Clean Neighbourhoods and Environmental Act 2005
- The Regulatory Reform (Fire Safety) Order 2005
- The Health and Safety at Work etc. Act 1974
- The Equality Act 2010
- The Immigration Act 2016
- Regulators' Code under the Legislative and Regulatory Reform Act 2006

4. Consultation

4.1 Consultation has taken place in accordance with the requirements set out in the Licensing Act 2003, one representation has been received as detailed above.

5. Engagement

5.1 Engagement is not a requirement as set out in the Licensing Act 2003.

6. Options

6.1 Options considered

Members of the Panel are requested to determine the application.

6.2 Reasons for recommended option

In accordance with the requirements as set out in the Licensing Act 2003, where relevant representations are received by either a responsible authority or any other person, the matter is referred to the panel for a decision.

7. Next steps and timelines

7.1 When determining the application Members, having regard to the representation, may take such steps as they consider appropriate for the promotion of the licensing objectives. These steps are:

- Grant the Full Variation application
- Grant the Full Variation application with appropriate conditions
- Exclude from the scope of the licence any of the licensable activities which relate to this application, or
- Reject the Grant of the Full Variation licence application

7.2 Findings on any issues of fact should be on the balance of probability.

7.3 In arriving at a decision Members must have regard to the relevant provisions of the statutory guidance and the licensing policy statement and reasons must be given for any departure.

7.4 The decision should be based on the individual merits of the application.

8. Contact officer

Jordan Barrett – Licensing Officer
01484 221000 extension number 71665
Jordan.barrett@kirklees.gov.uk

9. Background Papers and History of Decisions

Licensing Act 2003 Statement of Licensing Policy - [Licensing Policy](#)

Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK
(www.gov.uk)

Cumulative Impact Assessment 2025 [Cumulative Impact Assessment 2025-2028](#)

10. Appendices

Appendix A – Full Variation Application

Appendix B – Copy of Existing Licence

Appendix C – Representations

Appendix D – Secretary of State Guidance

11. Service Director responsible

Katherine Armitage
Service Director – Environmental Strategy and Climate Change
Tel: 01484 221000
Email: Katherine.armitage@kirklees.gov.uk

Vary a Premises Licence

Review

Please review the details to below to ensure they are correct before proceeding. If the details shown are not correct, click previous to enter the correct licence number.

Current Licence number

LATRAN/22850/24

Current Premises address

Empire House Lewisham Road Slaithwaite Huddersfield HD7 5AL

Premises Details

Premises Licence Number *

LATRAN/22850/24

Premises Address *

Empire House Lewisham Road Slaithwaite Huddersfield HD7 5AL

Telephone Number at Premises (if any)

Non-domestic rateable value of premises. *

Type of Premises Licence Holder

Type of Premises Licence Holder *

Individual(s)

Premises Licence Holder - Individual

I/We being the premises licence holder, apply to vary a premises licence under section 34 of the licensing Act 2003 for the premises described.

Title *

Mrs

First name *

Amy

Premises Licence Holder - Individual

Surname *

Byram

Street address *

Empire House, Lewisham Road

Slaithwaite

Town/City *

Huddersfield

County

Postcode *

HD7 5AL

Daytime Contact Telephone Number

Email *

Variation

Do you want the proposed variation to take effect as soon as possible? *

Yes

Variation

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see Guidance Note 1)*

No

Briefly describe the nature of the proposed variation. (Please see Guidance Note 2) *

Extension of license for alcohol from 10pm to 11pm. The venue is allowed to open until 11pm and we are happy with that, but would like to be able to serve alcohol until 11pm whilst we are open. When the licence was granted, we were given until 10pm and told to apply for an extension later.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number.

Operating Schedule

Operating Schedule

Complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (please read guidance note 3) *

Plays

Films

Indoor Sporting Events

Boxing or Wrestling

Live Music

Recorded Music

Performances of Dance

Anything of a similar description falling under Music or Dance

Provision of late night refreshment

Supply of Alcohol

Type of Variation - Supply of Alcohol

Please select the type of variation that applies to this activity.

*

Change an existing Activity

Supply of Alcohol Standard Times

Standard days and timings, where you intend to use the premises for the supply of alcohol. (please read guidance note 8) *
Please enter times in 24hr format (HH:MM)

Day *

Thursday

Supply of Alcohol Standard Times

Supply of Alcohol Standard Times

Standard days and timings, where you intend to use the premises for the supply of alcohol. (please read guidance note 8) *
Please enter times in 24hr format (HH:MM)

Day *

Supply of Alcohol Standard Times

Standard days and timings, where you intend to use the premises for the supply of alcohol. (please read guidance note 8) *
Please enter times in 24hr format (HH:MM)

Day *

Supply of Alcohol Standard Times

Standard days and timings, where you intend to use the premises for the supply of alcohol. (please read guidance note 8) *
Please enter times in 24hr format (HH:MM)

Day *

Supply of Alcohol Standard Times

Standard days and timings, where you intend to use the premises for the supply of alcohol. (please read guidance note 8) *
Please enter times in 24hr format (HH:MM)

Day *

Wednesday

08:00

23:00

Supply of Alcohol Standard Times

Standard days and timings, where you intend to use the premises for the supply of alcohol. (please read guidance note 8) *
Please enter times in 24hr format (HH:MM)

Day *

Tuesday

08:00

23:00

Supply of Alcohol Standard Times

Standard days and timings, where you intend to use the premises for the supply of alcohol. (please read guidance note 8) *
Please enter times in 24hr format (HH:MM)

Day *

Monday

08:00

23:00

Supply of Alcohol

Will the supply of alcohol be for consumption on premises or off premises or both? (please read guidance note 9) *

Both

State any seasonal variations for the supply of alcohol. (please read guidance note 6)

Please state any non-standard timings, where you intend to use the premises for the supply of alcohol at different

Supply of Alcohol

times from the Standard days and times listed? (please read guidance note 7)

Adult Entertainment

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children. (please read guidance note 10)

Opening Hours Standard Times

Standard days and timings, where the premises are open to the public. (please read guidance note 8) * Please enter times in 24hr format (HH:MM)

Day *

Opening Hours Standard Times

Standard days and timings, where the premises are open to the public. (please read guidance note 8) * Please enter times in 24hr format (HH:MM)

Day *

Opening Hours Standard Times

Standard days and timings, where the premises are open to the public. (please read guidance note 8) * Please enter times in 24hr format (HH:MM)

Day *

Opening Hours Standard Times

Opening Hours Standard Times

Standard days and timings, where the premises are open to the public. (please read guidance note 8) * Please enter times in 24hr format (HH:MM)

Day *

Opening Hours

State any seasonal variations. (please read guidance note 6)

Please state any Non-standard timings, where you intend the premises to be open to the public at different times from the Standard days and times listed? (please read guidance note 7)

Variation

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

I agree to return the original premises licence or the relevant part of the original premises licence: *

Note: This application cannot be processed until the original licence is received or a statement as to why it cannot be returned has been accepted.

Declarations

Declaration Type *

Declarations

I have made or enclosed payment of the fee or. I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. I have sent copies of this application and the plan to responsible authorities and others where applicable. I understand I must now advertise my application. I understand I must now return the original premises licence, or relevant part of it or have provided an explanation why I will not be able to do this. I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT

Signature/Declaration of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (see Guidance Note 13). If signing/applying on behalf of the applicant, please state your name and in what capacity you are authorised to sign/apply. When submitting an on-line application form the 'Declaration made' checkbox must be selected.

Full Name *

Amy Byram

Date *

09/04/2025

Capacity *

Applicant

Declaration made

Do you wish to provide alternative correspondence details? *

No

Email confirmation

On submission an email confirmation will be sent using the details below

Forename

Amy

Surname /Company Name

Byram

Email *

Telephone

**PREMISES
LICENCE**

Licensing Act 2003

Licence number:
PR00235Online Reference number:
LATRAN/24837/25**THIS LICENCE IS ISSUED BY**Kirklees Council
Public Protection Services
Licensing Department
PO Box 1720
Huddersfield
HD1 9ELTel: 01484 456868
Email: licensing@kirklees.gov.uk**POSTAL ADDRESS OF PREMISES****Empire House Group Ltd**
Empire House
Lewisham Road
Slaithwaite
Huddersfield
HD7 5AL**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

Sale of Alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**Sale of Alcohol**

Day(s)	From - To
Monday	08:00 - 22:00
Tuesday	08:00 - 22:00
Wednesday	08:00 - 22:00
Thursday	08:00 - 22:00
Friday	08:00 - 22:00
Saturday	08:00 - 22:00
Sunday	08:00 - 22:00
New Year's Eve	08:00 - 01:00 The Following Day

THE OPENING HOURS OF THE PREMISES

DAY(S)	FROM	TO
Monday	07:00	23:00
Tuesday	07:00	23:00
Wednesday	07:00	23:00
Thursday	07:00	23:00
Friday	07:00	23:00
Saturday	07:00	23:00
Sunday	07:00	23:00
New Years Eve	08:00	01:00

NON STANDARD TIMINGS FOR OPENING HOURS (IF ANY)

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES

Alcohol is supplied for consumption both on and off the Premises

NAME (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF THE PREMISES LICENCE HOLDER

Empire House Group Ltd
Empire House
Lewisham Road
Slaithwaite
Huddersfield
HD7 5AL

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Empire House Group Ltd

NAME, ADDRESS OF THE DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Miss Amy Byram

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OR PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR (WHERE THE PREMISES AUTHORISES THE SUPPLY OF ALCOHOL)

PERSONAL LICENCE NUMBER:
LICENSING AUTHORITY:



ANNEXES**ANNEX 1 – MANDATORY CONDITIONS**

1. No supply of alcohol may be made under the premises licence -
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark, or
- (b) an ultraviolet feature.

6. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

7. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of this condition -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula - $P = D + (D \times V)$

where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8. Where the permitted price would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

9. (1) Sub-paragraph (2) applies where the permitted price on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

If the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring

the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where:

- (a) The film classification body is not specified in the licence, or
- (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section "children" means any person aged under 18; and "film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984 (c39) (authority to determine suitability of video works for classification).

ANNEX 2 – CONDITIONS CONSISTANT WITH THE OPERATING SCHEDULE

1. CCTV installed at the premises both internally and externally which is recoverable for 31 days in arrears.
2. All customers will be requested to leave respectfully of neighbours.
3. A 'Challenge 25' policy will be adopted by all serving staff.
4. All staff involved in the sale of alcohol will be fully trained. This training will be recorded & refreshed 6 monthly.

ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

Conditions decided by panel at licensing hearing on 23rd June 2021

1. Clients/Customers are not permitted to drink in the outdoor areas of Empire House after 21:00 each evening.

ANNEX 4 – PLANS OF PREMISE

As outlined in the operating schedule and attached plan

Date Granted: 24 June 2021

Date Commences/Varied: 15 April 2025



Head of Public Protection Service

PREMISES LICENCE SUMMARY

Licensing Act 2003

PR00235

THIS LICENCE IS ISSUED BY



LICENSING
Flint Street Depot
Flint Street
Fartown
Huddersfield
HD1 6LG

Tel: 01484 456868
Email: licensing@kirklees.gov.uk

POSTAL ADDRESS OF PREMISES

Empire House Group Ltd
Empire House
Lewisham Road
Slaithwaite
Huddersfield
HD7 5AL

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Sale of Alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Sale of Alcohol

Day(s)	From - To
Monday	08:00 - 22:00
Tuesday	08:00 - 22:00
Wednesday	08:00 - 22:00
Thursday	08:00 - 22:00
Friday	08:00 - 22:00
Saturday	08:00 - 22:00
Sunday	08:00 - 22:00
New Year's Eve	08:00 - 01:00 The Following Day

THE OPENING HOURS OF THE PREMISES

DAY(S)	FROM	TO
Monday	07:00	23:00
Tuesday	07:00	23:00
Wednesday	07:00	23:00
Thursday	07:00	23:00
Friday	07:00	23:00
Saturday	07:00	23:00
Sunday	07:00	23:00
New Years Eve	08:00	01:00

NON STANDARD TIMINGS FOR OPENING HOURS (IF ANY)**WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF SUPPLIES**

Alcohol is supplied for consumption both on and off the Premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Empire House Group Ltd
Empire House
Lewisham Road
Slaithwaite
Huddersfield
HD7 5AL

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Empire House Group Ltd

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Miss Amy Byram

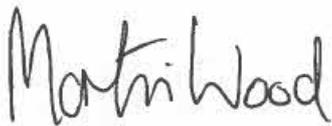
STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

As per Licensing Act 2003

Any conditions applicable to these premises are attached to the licence

Date Granted: 24 June 2021

Date Commences/Varied: 15 April 2025



Head of Public Protection Service

From: [REDACTED]
Sent: 07 May 2025 22:38
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Empire House alcohol license

CAUTION: External email. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We unequivocally oppose the application for a one-hour extension to the existing alcohol license. [REDACTED] our objection is deeply rooted in legitimate anxieties concerning the four fundamental licensing objectives enshrined in applicable law: the prevention of crime and disorder, the assurance of public safety, the prevention of public nuisance. The proposed extension of operating hours, permitting the sale and consumption of alcoholic beverages for an additional hour, carries a significant risk of exacerbating existing issues and creating new challenges in each of these critical areas within our immediate neighbourhood.

Our community already experiences considerable difficulties arising from late-night drinkers associated with the local "ale trail" and large gatherings of boisterous drinkers congregating on Station Road. These pre-existing conditions lead to noise disturbances, anti-social behaviour, and a general sense of unease during the late evening and early morning hours. Extending the period during which alcohol is readily available is likely to amplify these problems. A later closing time for licensed premises has the distinct potential to generate a notable increase in late-night noise emanating from patrons leaving the establishment, engaging in loud conversations (including lots of swearing), and potentially causing disturbances as they disperse through the area. This increase in noise pollution would inevitably disrupt the peace and tranquility that local residents, including ourselves, are entitled to enjoy within their own homes, thereby constituting a clear public nuisance.

Furthermore, we are deeply concerned that extended drinking hours could correlate with a discernible rise in alcohol-related anti-social behaviour such as audible profanities which we have previously experienced. Such a development would directly undermine public safety within our community, creating an environment of increased fear and insecurity for residents. Moreover, a rise in alcohol-related incidents would place an additional and unwelcome burden on our already stretched local law enforcement agencies, diverting their resources from other essential duties.

In addition to the concerns surrounding the general extension of the license, we wish to strongly advocate for the continued ban on external drinking in designated outside areas after 9:00 PM. [REDACTED]

[REDACTED] Prior to any existing restrictions, we were subjected to persistent and disruptive late-night noise stemming from rowdy anti-social behaviour [REDACTED] [REDACTED] On numerous occasions, we were compelled to lodge complaints with the local council in an attempt to address these unacceptable disturbances

that routinely deprived us of sleep and negatively impacted our quality of life. The continuation of external drinking into the late evening hours, particularly in such close proximity to residential properties, remains a significant source of concern and has the potential to reignite the issues we previously experienced.

Considering the substantial potential for negative consequences across all four licensing objectives – the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm as there are children who live on this street – we earnestly implore a thorough reconsideration of this proposed one-hour extension to the alcohol license. We believe that the potential detriments to our community far outweigh any perceived benefits that may be associated with the extended operating hours by an hour. We urge the licensing authority to prioritise the well-being and quality of life of local residents and to reject this application for an extension.



Many thanks

Relevant Sections of Secretary of State Guidance – Under Section 182 of Licensing Act 2003

Crime and disorder

2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority (“SIA”) as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.

2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances

where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check are retained at the licensed premises.

Public safety

2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.8 A number of matters should be considered in relation to public safety. These may include:

- Fire safety;*
- Ensuring appropriate access for emergency services such as ambulances;*
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);*
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;*
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);*
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;*
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and*
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).*

2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

Public nuisance

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the morning.

2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.

2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.