

REPORT TITLE: Licensing Act 2003 – Application for the review of a premises licence for Ravensthorpe Off Licence - 618 Huddersfield Road, Ravensthorpe, Dewsbury, WF13 3HL

Meeting:	Licensing Panel
Date:	Monday 7 th July 2025
Cabinet Member (if applicable)	Cllr Amanda Pinnock
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 an application for the review of a premises licence is 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: Dewsbury West

Ward councillors consulted: No

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 review of a premises licence, which has been referred to this panel for determination

2. Information required to take a decision

2.1 Application

2.1.1 On 13th May 2025 West Yorkshire Police submitted an application for the review of the premises licence at Ravensthorpe Off Licence, under Section 51 of the Licensing Act 2003. A copy of this application can be seen at **Appendix A**

The applicant believes that the following Licensing Objectives are not being met.

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

2.1.2 On 4th March 2025 a test purchase operation was conducted by West Yorkshire Police at Ravensthorpe Off Licence - 618 Huddersfield Road, Ravensthorpe, Dewsbury, WF13 3HL. The officer conducting the test purchase was able to buy an illegal packet of 20 Marlborough Gold for £7.50. The Cigarettes were stored under the counter.

2.1.3 On 16th April 2025 a test purchase operation was conducted by Trading Standards at Ravensthorpe Off Licence - 618 Huddersfield Road, Ravensthorpe, Dewsbury, WF13 3HL. The officer conducting the test purchase was able to buy an illegal packet of Richmond cigarettes for £3.50.

2.1.3 On 22nd April 2025 West Yorkshire Police and Trading Standards attended and searched the premises for Illegal tobacco. This search was conducted due to intelligence received and previous findings on test purchases. Hidden in the shop were illegal cigarettes which were situated behind the counter in a blue plastic bag and also a large quantity of illegal disposable vapes where were on display for sale behind the sales counter.

2.1.4 A copy of the Premises Licence can be seen at **Appendix B**.

2.1.5 Statements received from the attending Trading Standards officers who support the review application can be seen at **Appendix C**.

2.1.6 The current licence was issued, with conditions, following a hearing on 30th January 2024, following representations being received from 3 ward councillors.

2.1.7 Prior to the current licence the premises was licensed from 2020. This licence was surrendered on 4th September 2023, this was following the premises failing a test purchase in relation to the sale of alcohol to a person under 18 years of age, which was carried out by the police, as the licence holder / DPS had sold the business and no longer had any involvement with the premises.

2.1.8 This surrender of the licence resulted in an application to transfer the premises licence and vary the Designated Premises Supervisor being submitted

on 8th September 2023 by those persons in charge at the time of the police test purchase operation. West Yorkshire Police submitted an objection to the application to transfer the licence resulting in a hearing being held on 11th October 2023 whereby members refused the transfer application.

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 recognises the importance of its ability to review premises licences. The proceedings set out in the 203 Act for reviewing premises licence represent a key protection concerning problems associated with crime and disorder, public safety, public nuisance, and the protection of children from harm. Partnership working is important to achieve the promotion of the licensing objectives and responsible authorities are encouraged to give licensees early warning of any concerns identified at a premise.

For cases which are being considered as a result of a review or potential enforcement action, the Council will take into account all relevant circumstances, but will view the following matters particularly seriously:

- Failure to promptly respond to a warning properly given by a responsible authority
- Failure to engage with the responsible authorities in an effective manner
- Previous convictions for licensing offences
- Previous failure to comply with licence conditions

In cases where the crime prevention objective is being undermined through the premises being used for criminal activities, such as the supply of drugs and money laundering, it is expected that revocation of the licence, even in the first instance, will be seriously considered.

Licensing Objectives

1. Public Safety
2. Prevention of Crime and Disorder
3. Prevention of Public Nuisance
4. Protection of Children from Harm

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, Trading standards representation in support of the review application can be seen at **Appendix C**.

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 an application for the review of a premises licence is 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 any representations, may take such steps as they consider appropriate for the promotion of the licensing objectives. These steps are:

- a) Modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition);
- b) Exclude a licensable activity from the scope of the licence;
- c) Remove the designated premises supervisor;
- d) Suspend the licence for a period not exceeding three months;
- e) Revoke the licence.

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 provide reasons for their decision.

8. Contact officer

Lee Rushworth – Licensing Officer
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Email Lee.Rushworth@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 – Review Application

Appendix B – Premises Licence PR00412 Ravensthorpe Off Licence

Appendix C – Trading standards representation

Appendix D - Relevant sections of Secretary of State Guidance – Section 182 of the Licensing Act 2003.

11. Service Director responsible

Katherine Armitage

Service Director – Environmental Strategy and Climate Change

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