



**REPORT TITLE:** Licensing Act 2003 Section 51 – Application for the review of a Premises Licence, Gomersal Lodge Hotel (Marquee), 189 Spen Lane, Gomersal, Cleckheaton, BD19 4PJ

|   |  |
|---|--|
| <b>Meeting:</b>   | Licensing Panel  |
| <b>Date:</b>  | Monday 12 <sup>th</sup> August 2025  |
| <b>Cabinet Member</b> (if applicable)   | Cllr Amanda Pinnock  |
| <b>Key Decision Eligible for Call In</b>  | No<br>No   |
| <b>Purpose of Report</b> To determine the application   |  |
| <b>Recommendations</b> <ul style="list-style-type: none"> <li>Members of the panel are requested to determine the application.</li> </ul>   |  |
| <b>Reasons for Recommendations</b> <ul style="list-style-type: none"> <li>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.</li> </ul> |  |
| <b>Resource Implications:</b><br>There are no resource implications.  |  |
| <b>Date signed off by <u>Executive Director</u> &amp; name</b>  | <b>Russell Williams – on behalf of David Shepherd, Strategic Director for Place, Growth and Regeneration</b> |
| <b>Is it also signed off by the Service Director for Finance?</b>   | Not applicable   |
| <b>Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?</b>   | Not applicable   |

**Electoral wards affected:** Liversedge & Gomersal

**Ward councillors consulted:** Yes

**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 17<sup>th</sup> June 2025, Environmental Health applied for a review of the premises licence PR(A)1340 for the Wedding Marquee at Gomersal Lodge Hotel, under Section 51 of the Licensing Act 2003.

2.1.2 A copy of the application can be seen at **Appendix A**

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

- Prevention of public nuisance

2.1.3 Gomersal Lodge Hotel have the benefit of two licensed premises set within the grounds of 189 Spen Lane, Gomersal. These comprise Gomersal Lodge Hotel PR(A)0437 Licensed since 05.10.2005 and the Wedding Marquee PR(A)1340.

A copy of the licence for the Wedding Marquee can be seen **Appendix B**

2.1.4 The Review is concerned with the Wedding Marquee, which was first licensed 28.06.2011. At the time of the initial grant application, representations were made by Environmental Health in their capacity as Responsible Authority, these concerns were supported by residents with similar concerns that the prevention of public nuisance licensing objective would not be achieved should the Marquee be granted a licence. The licensing committee resolved to grant the licence for the marquee with appropriate conditions. A copy of the report, representations and decision letter following the hearing can be seen at **Appendix C**

2.1.4 The review application has been advertised and consulted on in accordance with the requirements of the licensing Act 2003 & The Licensing Act 2003 (Hearings) Regulations 2005. During the consultation period there have been 8 additional representations received from residents, these can be seen at **Appendix D**

2.1.5 The review notice seeks revocation of this licence, and states that the following licensing objectives are not being met.

- The prevention of public nuisance

During the consultation period, Environmental Health have also provided additional information to evidence the noise nuisance that is referred to in the review application. This evidence is in the form of officer statements who have witnessed the nuisance during out of hours call out visits. These may be seen at **Appendix E**

## 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 relate to 3 of the licensing objectives. Member's attention is drawn to this guidance, the relevant parts may be found at Appendix E.

## **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. This review has received support from 8 local residents and are included as appendices to this report.

#### **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**

Anwar Butt – Licensing Officer  
Tel: 01484 221000 (ext. 70525)  
Email: [anwar.butt@kirklees.gov.uk](mailto:anwar.butt@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](http://www.gov.uk))

## **10. Appendices**

Appendix A – Review Application

Appendix B – Premises Licence PR(A)1340 GLH Wedding Marquee

Appendix C – Report, Representations and Decision letter 28.062011

Appendix D – Representations, supporting the review application.

Appendix E - Officer Statements.

Appendix F - 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  
Tel: 01484 221000  
Email: [Katherine.armitage@kirklees.gov.uk](mailto:Katherine.armitage@kirklees.gov.uk)

## Appendix A

## Licensing Department

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I, Joanne Cooper

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

|  |                                  |
|--|----------------------------------|
| Postal address of premises or, if none, ordnance survey map reference or description |                                  |
| Gomersal Lodge 189 Spen Lane, Gomersal   |                                  |
| Post town<br>Cleckheaton   | Post code (if known)<br>BD19 4JP |

|  |
|--|
| Name of premises licence holder or club holding club premises certificate (if known) |
| Mr Nazir Hussain   |

|  |
|--|
| Number of premises licence or club premises certificate (if known) |
| Gomersal Lodge Hotel PR(A)1340                                     |

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr  Mrs  Miss  Ms  Other title  
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Current postal  
address if  
different from  
premises  
address

Post town

Post Code

Daytime contact telephone number

E-mail address  
(optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

|   |
|---|
| Name and address<br>Joanne Cooper<br>Kirklees Council<br>Environmental Health<br>PO Box 1720<br>Huddersfield<br>HD1 9EL |
| Telephone number (if any)<br>01424 221000   |
| E-mail address (optional)<br>Joanne.Cooper@kirklees.gov.uk  |

This application to review relates to the following licensing objective(s)

Please tick one or more boxes ✓

- |   |                                     |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input type="checkbox"/>            |
| 2) public safety                        | <input type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/>            |

Please state the ground(s) for review (please read guidance note 2)

On behalf of the Environmental Health Pollution and Noise Control team, I am formally requesting a review of the premises licence for Gomersal Lodge Hotel due to ongoing noise nuisance complaints. As a responsible authority, this request follows extensive joint working between the Environmental Health and Licensing teams to support Gomersal Lodge Hotel in complying with the conditions of their licence, specifically the requirement to prevent public nuisance.

Despite these efforts, it has become evident that the conditions currently attached to the licence are inadequate in controlling the noise levels emanating from the premises. The hotel has persistently failed to meet the licensing objective of preventing public nuisance, and residents continue to be adversely affected.

While the Gomersal Lodge Hotel team have provided reassurances that appropriate steps have been taken to control noise levels, the continuation of complaints — including those substantiated by officer attendance and recordings — indicates that these measures have not been effective. Despite multiple opportunities to rectify the issue, the premises continue to cause public nuisance.

Given the continued non-compliance and the ineffectiveness of the existing measures, we now seek consideration by the Licensing Sub-Committee for revocation of the premises licence.

Please provide as much information as possible to support the application (please read guidance note 3)

We have received repeated complaints of noise from loud amplified sound, amplified speech and drumming from instruments from the venue over the last few years which has affected a number of nearby noise sensitive residential receptors.

The Environmental Health team served an Abatement Notice under Section 80 of the Environmental Protection Act 1990 against Gomersal Lodge Hotel based on noise witnessed from loud music and drumming from the premises. The notice was served on 7<sup>th</sup> September 2023. Serving of the abatement notice made it an offence for noise from loud music and drumming and offence, if deemed by authorised officers as a statutory nuisance.

In the 12 months prior to serving the notice there had been 30 calls to Pollution and Noise Control regarding complaints of noise nuisance from the premises.

Since the notice has been served there have been 17 further complaints of noise nuisance. Five of those complaints involved officers on the immediate callout service visiting a noise sensitive neighbouring property and witnessing a breach of the notice served on 7<sup>th</sup> September 2023.

Breaches of the abatement notice:

- 12<sup>th</sup> July 2024
- 21<sup>st</sup> July 2024
- 9<sup>th</sup> August 2024
- 12<sup>th</sup> October 2024
- 5<sup>th</sup> June 2025

Further to the breaches of the notice there have been further calls to our service to witness noise on the following dates where an officer was unable to witness it:

- 16<sup>th</sup> February 2025
- 17<sup>th</sup> February 2025
- 18<sup>th</sup> April 2025

We have received recordings via the Noise App of loud intrusive noise at nuisance level from the premises on:

- 18<sup>th</sup> April 2025
- 28<sup>th</sup> May 2025

The Pollution and Noise Control team have tried to work with Gomersal Lodge Hotel in order to bring noise levels back into line by setting a noise limiter at the premises. We have had meetings with them at the Council's Licensing office, at their premises and as an interview under the Police and Criminal Evidence Act in order to explain the consequences of continuing to disturb neighbours by way of loud music and drumming.

The last meeting planned to set the noise limiter before the 2025 wedding season was canceled by the Gomersal Lodge Hotel team and not rearranged. We have done our due diligence to support the owners of the business in managing noise levels and it seems as though this is not possible. Therefore, in light of the public nuisance caused by events at Gomersal Lodge Hotel, I am calling for a review of their premises licence.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day    Month    Year

|  |  |  |
|--|--|--|
|  |  |  |
|--|--|--|

If you have made representations before relating to the premises please state what they were and when you made them

N/A

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature  .....

Date 17/06/25 .....

Capacity Environmental Health Officer .....

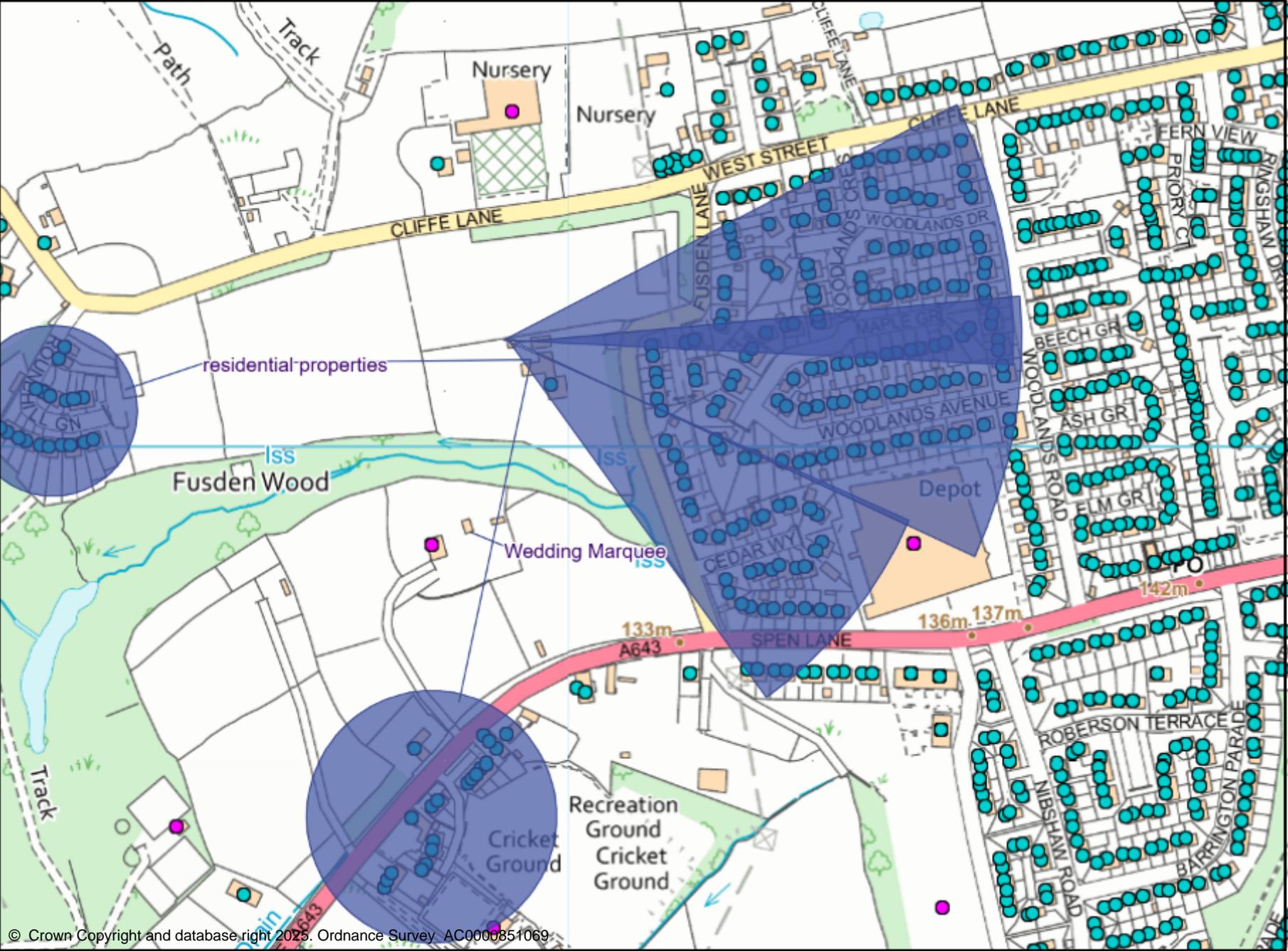
|  |           |
|--|-----------|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) |           |
| Post town  | Post Code |
| Telephone number (if any)  |           |
| If you would prefer us to correspond with you using an e-mail address your e-mail address<br>Joanne.Cooper@kirklees.gov.uk                     |           |

We have recently updated our Privacy Notice about how we use personal data provided to the Council. Further information can be found at:  
<http://www.kirklees.gov.uk/beta/information-and-data/pdf/privacy-notice-licensing-gambling-act.pdf>

#### Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

# Gomersal Lodge Hotel Plan



Scale = 1:3776.220  
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Ordnance Survey  
AC0000851069

maps@kirklees.gov.uk

## Appendix B

**PREMISES LICENCE**

Licensing Act 2003

Licence number:

**PR(A)1340**

Online Reference number:

**PR(A)1340/6****THIS LICENCE IS ISSUED BY**

Kirklees Council  
Public Protection Services  
Licensing Department  
PO Box 1720  
Huddersfield  
HD1 9EL

Tel: 01484 456868  
Email: [licensing@kirklees.gov.uk](mailto:licensing@kirklees.gov.uk)

**POSTAL ADDRESS OF PREMISES****Gomersal Lodge Hotel**

189 Spen Lane  
Gomersal  
Cleckheaton  
BD19 4PJ

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

Sale of Alcohol  
Performances of Dance  
Films  
Indoor Sporting Events  
Live Music  
Late Night Refreshment  
Plays  
Recorded Music

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

| <b>Day(s)</b> | <b>From - To</b>                    |
|---------------|-------------------------------------|
|               | 10:00 - 01:00 The Following Morning |
|               | 10:00 - 23:00                       |

**Seasonal Details**

Christmas Eve: 09.00 - 03.00 - The Following Morning

New Years Eve: 09.00 - 03.00 - The Following Morning

**Performances of Dance (Both)**

| <b>Day(s)</b> | <b>From - To</b>                    |
|---------------|-------------------------------------|
|               | 10:00 - 01:00 The Following Morning |
|               | 10:00 - 23:00                       |

**Films (Both)**

| <b>Day(s)</b> | <b>From - To</b>                    |
|---------------|-------------------------------------|
|               | 10:00 - 01:00 The Following Morning |
|               | 10:00 - 23:00                       |

**Indoor Sporting Events (Indoors)**

| <b>Day(s)</b> | <b>From - To</b>                    |
|---------------|-------------------------------------|
|               | 10:00 - 01:00 The Following Morning |
|               | 10:00 - 23:00                       |

**Live Music (Both)**

| <b>Day(s)</b> | <b>From - To</b>                    |
|---------------|-------------------------------------|
|               | 10:00 - 01:00 The Following Morning |
|               | 10:00 - 23:00                       |

**Late Night Refreshment (Both)**

| <b>Day(s)</b> | <b>From - To</b>                    |
|---------------|-------------------------------------|
|               | 23:00 - 01:00 The Following Morning |

**Plays (Both)**

| <b>Day(s)</b> | <b>From - To</b>                    |
|---------------|-------------------------------------|
|               | 10:00 - 01:00 The Following Morning |
|               | 10:00 - 23:00                       |

**Recorded Music (Both)**

| <b>Day(s)</b> | <b>From - To</b>                    |
|---------------|-------------------------------------|
|               | 10:00 - 01:00 The Following Morning |
|               | 10:00 - 23:00                       |

**THE OPENING HOURS OF THE PREMISES**

| DAY(S)             | FROM  | TO    |
|--------------------|-------|-------|
| Friday to Sunday   | 10:00 | 01:00 |
| Monday to Thursday | 10:00 | 23:00 |

**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**

Mr Nazir Hussain  
 Gomersal Lodge 189 Spen Lane, Gomersal Cleckheaton West Yorkshire BD19 4PJ  
 Email address enquiries@gomersallodge.co.uk

Mobile Number [REDACTED]

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

Mr Nazir Hussain

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

Mr Nazir Hussain  
 189 Spen Lane Gomersal Cleckheaton West Yorkshire BD19 4PJ

**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:

KMCPL0990  
 Kirklees Council

**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**

General:

- 1) CCTV is in operation.
- 2) There is a zero tolerance policy on the use of drugs.
- 3) All children will be accompanied by responsible adults.

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

Hearing date: 28 June 2011

Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment emanating from inside the premises shall be controlled so as to be inaudible inside any noise-sensitive location in the vicinity of the Gomersal Lodge Hotel.

Conspicuous notices shall be displayed at all entrances, exits and in outdoor areas requesting patrons to respect the needs of the local residents and to leave the premises and area quiet. All staff shall be trained in ensuring the quiet dispersal of patrons.

Informative Note

To enable the applicant to check whether this condition is being met, suitable monitoring position(s) may be agreed with the Responsible Authority. To comply with the condition, noise from the premises shall not be audible at this point.

Licensees are advised to carry out a simple "sound check" outside the nearest noise sensitive property by listening to the music etc. coming from regulated entertainment. If the music etc. is clearly audible then it is likely that this condition is being breached. Therefore steps should be taken to reduce the volume of the noise.

In case of dispute, the applicant can verify inaudibility by demonstrating.

Zero increase in the LAeq, 1 min (music Playing) over the Background LA90 (music off) and  
Zero increase in L10, T VS L90, T exceedance in each 1/3 octave band between 40HZ and 160HZ.

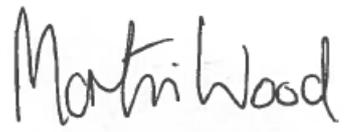
**ANNEX 4 – PLANS OF PREMISE**

As outlined in the operating schedule and attached plan

**Date Granted:**

**28 June 2011**

**Date Commences/Varied: 12 February 2013**

A handwritten signature in black ink that reads "Martin Wood". The signature is written in a cursive style with a large initial 'M'.

Head of Public Protection Service

# PREMISES LICENCE SUMMARY

Licensing Act 2003

# PR(A)1340

## THIS LICENCE IS ISSUED BY



LICENSING  
Flint Street Depot  
Flint Street  
Fartown  
Huddersfield  
HD1 6LG

Tel: 01484 456868  
Email: [licensing@kirklees.gov.uk](mailto:licensing@kirklees.gov.uk)

## POSTAL ADDRESS OF PREMISES

**Gomersal Lodge Hotel**  
189 Spen Lane  
Gomersal  
Cleckheaton  
BD19 4PJ

## LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Sale of Alcohol  
Performances of Dance  
Films  
Indoor Sporting Events  
Live Music  
Late Night Refreshment  
Plays  
Recorded Music

## THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

### Sale of Alcohol

| Day(s) | From - To                           |
|--------|-------------------------------------|
|        | 10:00 - 01:00 The Following Morning |
|        | 10:00 - 23:00                       |

### Seasonal Details

Christmas Eve: 09.00 - 03.00 - The Following Morning

New Years Eve: 09.00 - 03.00 - The Following Morning

### Performances of Dance (Both)

| Day(s) | From - To                           |
|--------|-------------------------------------|
|        | 10:00 - 01:00 The Following Morning |
|        | 10:00 - 23:00                       |

**Films (Both)**

| <b>Day(s)</b> | <b>From - To</b>                    |
|---------------|-------------------------------------|
|               | 10:00 - 01:00 The Following Morning |
|               | 10:00 - 23:00                       |

**Indoor Sporting Events (Indoors)**

| <b>Day(s)</b> | <b>From - To</b>                    |
|---------------|-------------------------------------|
|               | 10:00 - 01:00 The Following Morning |
|               | 10:00 - 23:00                       |

**Live Music (Both)**

| <b>Day(s)</b> | <b>From - To</b>                    |
|---------------|-------------------------------------|
|               | 10:00 - 01:00 The Following Morning |
|               | 10:00 - 23:00                       |

**Late Night Refreshment (Both)**

| <b>Day(s)</b> | <b>From - To</b>                    |
|---------------|-------------------------------------|
|               | 23:00 - 01:00 The Following Morning |

**Plays (Both)**

| <b>Day(s)</b> | <b>From - To</b>                    |
|---------------|-------------------------------------|
|               | 10:00 - 01:00 The Following Morning |
|               | 10:00 - 23:00                       |

**Recorded Music (Both)**

| <b>Day(s)</b> | <b>From - To</b>                    |
|---------------|-------------------------------------|
|               | 10:00 - 01:00 The Following Morning |
|               | 10:00 - 23:00                       |

| THE OPENING HOURS OF THE PREMISES |       |       |
|-----------------------------------|-------|-------|
| DAY(S)                            | FROM  | TO    |
| Friday to Sunday                  | 10:00 | 01:00 |
| Monday to Thursday                | 10:00 | 23:00 |

| 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   |
|--|
| Mr Nazir Hussain<br>Gomersal Lodge 189 Spen Lane, Gomersal Cleckheaton West Yorkshire BD19 4PJ     |
| REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)         |
| Mr Nazir Hussain   |
| NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL |
| Mr Nazir Hussain   |
| 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: 28 June 2011**

**Date Commences/Varied: 12 February 2013**



Head of Public Protection Service

## Appendix C

**Name of meeting and date: Licensing Panel – 28 June 2011**

**Title of report: Application for the Grant of a Premises Licence under the Licensing Act 2003 for Association of Gomersal Lodge Hotel**

|  |                       |
|--|-----------------------|
| <b>Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b> | <b>Not Applicable</b> |
| <b>Is it in the <u>Council's Forward Plan</u>?</b>   | <b>Not Applicable</b> |
| <b>Is it eligible for "call in" by <u>Scrutiny</u>?</b>  | <b>Not Applicable</b> |
| <b>Cabinet member <u>portfolio</u></b>   | <b>Not Applicable</b> |

**Electoral wards affected and ward councillors consulted: Liversedge and Gomersal. Public or private: Public**

---

## **1. Purpose of report**

To determine the application

## **2. Key points**

### **2.1 Background**

Application received for the grant of a Premises licence for the provision of regulated entertainment, late night refreshment, the supply of alcohol on and off the premises and the hours requested for the premises to be open to the public.

Gomersal Lodge Hotel currently has the benefit of a Premises Licence under the Licensing Act 2003 which allows for playing of recorded music and the sale of alcohol. A premises licence will allow the Gomersal Lodge Hotel to make its facilities available in a marquee and the grounds around the Lodge. The current Premises Licence is attached at (Appendix A).

### **2.2 The Application**

The Application is in the name of Gomersal Lodge Hotel

**The applicant originally requests the following hours to be granted under the new Premise licence:**

|           | Plays<br>(indoors and outdoors) |        | Films<br>(indoor and outdoors) |        | Indoor sporting events<br>(indoors) |        |
|-----------|---------------------------------|--------|--------------------------------|--------|-------------------------------------|--------|
|           | Start                           | Finish | Start                          | Finish | Start                               | Finish |
| Monday    | 09.00                           | 01.00  | 09.00                          | 01.00  | 09.00                               | 01.00  |
|           |                                 |        |                                |        |                                     |        |
| Tuesday   | 09.00                           | 01.00  | 09.00                          | 01.00  | 09.00                               | 01.00  |
|           |                                 |        |                                |        |                                     |        |
| Wednesday | 09.00                           | 01.00  | 09.00                          | 01.00  | 09.00                               | 01.00  |
|           |                                 |        |                                |        |                                     |        |
| Thursday  | 09.00                           | 01.00  | 09.00                          | 01.00  | 09.00                               | 01.00  |
|           |                                 |        |                                |        |                                     |        |
| Friday    | 09.00                           | 01.00  | 09.00                          | 01.00  | 09.00                               | 01.00  |
|           |                                 |        |                                |        |                                     |        |
| Saturday  | 09.00                           | 01.00  | 09.00                          | 01.00  | 09.00                               | 01.00  |
|           |                                 |        |                                |        |                                     |        |
| Sunday    | 09.00                           | 01.00  | 09.00                          | 01.00  | 09.00                               | 01.00  |
|           |                                 |        |                                |        |                                     |        |

|           | Live Music<br>(indoors and outdoors) |        | Recorded Music<br>(indoor and outdoors) |        | Provision of dance<br>(indoors and outdoors) |        |
|-----------|--------------------------------------|--------|---|--------|--|--------|
|           | Start                                | Finish | Start                                   | Finish | Start  | Finish |
| Monday    | 09.00                                | 01.00  | 09.00                                   | 01.00  | 09.00  | 01.00  |
|           |                                      |        |   |        |  |        |
| Tuesday   | 09.00                                | 01.00  | 09.00                                   | 01.00  | 09.00  | 01.00  |
|           |                                      |        |   |        |  |        |
| Wednesday | 09.00                                | 01.00  | 09.00                                   | 01.00  | 09.00  | 01.00  |
|           |                                      |        |   |        |  |        |
| Thursday  | 09.00                                | 01.00  | 09.00                                   | 01.00  | 09.00  | 01.00  |
|           |                                      |        |   |        |  |        |
| Friday    | 09.00                                | 01.00  | 09.00                                   | 01.00  | 09.00  | 01.00  |
|           |                                      |        |   |        |  |        |
| Saturday  | 09.00                                | 01.00  | 09.00                                   | 01.00  | 09.00  | 01.00  |
|           |                                      |        |   |        |  |        |
| Sunday    | 09.00                                | 01.00  | 09.00                                   | 01.00  | 09.00  | 01.00  |
|           |                                      |        |   |        |  |        |

|         | Provision of facilities for making music<br>(indoors) |        | Provision of facilities for dancing<br>(indoor) |        | Provision of late night refreshment<br>(indoors/ outdoors) |        |
|---------|---|--------|---|--------|--|--------|
|         | Start   | Finish | Start   | Finish | Start  | Finish |
| Monday  | 09.00   | 01.00  | 09.00   | 01.00  | 23.00  | 01.00  |
|         |   |        |   |        |  |        |
| Tuesday | 09.00   | 01.00  | 09.00   | 01.00  | 23.00  | 01.00  |

|           |       |       |       |       |       |       |
|-----------|-------|-------|-------|-------|-------|-------|
|           |       |       |       |       |       |       |
| Wednesday | 09.00 | 01.00 | 09.00 | 01.00 | 23.00 | 01.00 |
| Thursday  | 09.00 | 01.00 | 09.00 | 01.00 | 23.00 | 01.00 |
| Friday    | 09.00 | 01.00 | 09.00 | 01.00 | 23.00 | 01.00 |
| Saturday  | 09.00 | 01.00 | 09.00 | 01.00 | 23.00 | 01.00 |
| Sunday    | 09.00 | 01.00 | 09.00 | 01.00 | 23.00 | 11.00 |

|           | Supply of alcohol<br>(indoors/outdoors) |        | Hours premises<br>are open to the<br>public |        |
|-----------|---|--------|---|--------|
|           | Start                                   | Finish | Start                                       | Finish |
| Monday    | 09.00                                   | 01.00  | 09.00                                       | 01.00  |
| Tuesday   | 09.00                                   | 01.00  | 09.00                                       | 01.00  |
| Wednesday | 09.00                                   | 01.00  | 09.00                                       | 01.00  |
| Thursday  | 09.00                                   | 01.00  | 09.00                                       | 01.00  |
| Friday    | 09.00                                   | 01.00  | 09.00                                       | 01.00  |
| Saturday  | 09.00                                   | 01.00  | 09.00                                       | 01.00  |
| Sunday    | 09.00                                   | 01.00  | 09.00                                       | 01.00  |

**Non standard timings where the premises intend to be open to the public at different times from those listed in the columns above.**

None

### **2.3 Representations**

Objections have been received from two local residents copies attached at (Appendix B)

### **3. Implications for the Council**

3.1 Policy considerations (extracts from Kirklees Licensing Policy 2011-2014).

#### Para 2.3 Licensing Objectives

The Policy promotes 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.

Para 6.9 The Licensing Authority will determine any application by considering the Act, the statutory guidance, this Policy and the four licensing objectives including how it may support other key aims, strategies and objectives.

Para 6.10 The following factors would normally be considered (although other relevant matters may be considered as the individual case dictates):

- The type of use, the numbers and type of customers likely to attend the premises;
- The proposed hours of operation;
- The level of public transport accessibility for customers either arriving or leaving the premises and the likely means of public or private transport that would be used by the customers;
- The impact of car parking on local residents or businesses;
- The scope for mitigating any impact;
- How often the activity occurs.

and, in considering any application for a variation the Licensing Authority may also take into account

- historical evidence, whether favourable or adverse, relating to activities carried out at the premises, especially on local residents or businesses;
- and where adverse impact has been caused, appropriate measures have been agreed and put into effect by the applicant to mitigate that adverse impact.

3.2 The following provisions of the Secretary of State's guidance apply to this application:

Paras 2.1 - 2.18 Crime and disorder

Paras 2.19 – 2.31 Public safety

Paras 2.32 – 2.40 Public nuisance

Paras 2.41 – 2.51 Protection of children from harm

#### **4. Consultees and their opinions**

West Yorkshire Police – No observations

West Yorkshire Fire Service – No observations  
Kirklees Environmental Health: Observations  
Pollution & Noise Control – No response  
Kirklees Planning Services – No objections  
West Yorkshire Trading Standards Service – No response  
Kirklees Social Service – No response

Gomersal Lodge Hotel has already agreed to accept the proposed Environmental Health conditions.

**5. Officer recommendations and reasons**

Members of the Committee are requested to determine the application

**6. Cabinet portfolio holder recommendation**

Not applicable

**7. Next steps**

Not applicable

**8. Contact officer and relevant papers**

Catherine Walter, Licensing Manager, 01484 456860  
Premises licence (Appendix A)  
Environmental Health Observations(Appendix B)  
Objection letters from local residents ((Appendix C)  
Operational Plan (Appendix D)  
Map of Location (Appendix E)

Licensing Act 2003

# Premises Licence

**PR(A)0437**

## Part 1 - Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Gomersal Lodge Hotel

189 Spen Lane, Gomersal, Cleckheaton, West Yorkshire, BD19 4AB.

Telephone 01274 861111

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- the sale by retail of alcohol

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

| Activity (and Area if applicable)                                     | Description   | Time From | Time To                   |
|---|---|-----------|---------------------------|
| F. Playing of recorded music (Indoors)                                | Monday to Sunday<br>Playing of recorded music is permitted during opening hours |           |                           |
| M. The sale by retail of alcohol for consumption ON the premises only | Monday to Saturday  | 10:00am   | 11:00pm                   |
|   | Sunday  | Noon      | 10:30pm                   |
|   | Good Friday   | Noon      | 10:30pm                   |
|   | Christmas Day   | Noon      | 3:00pm                    |
|   | Christmas Day   | 7:00pm    | 10:30pm                   |
|   | New Year's Eve  | 10:00am   | 10:00am The following day |

### THE OPENING HOURS OF THE PREMISES

| Description      | Time From | Time To     |
|------------------|-----------|-------------|
| Monday to Sunday |           | None stated |

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

- M. The sale by retail of alcohol for consumption ON the premises only



Licensing Act 2003

**PR(A)0437**

# Premises Licence

## Part 2

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

Nazir Hussain

Gomersal Lodge, 189 Spen Lane, Gomersal, Cleckheaton, West Yorkshire, BD19 4PJ.

info@alderhousehotel.co.uk

Telephone 01274 861111 or 01924 444777

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

**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Nazir HUSSAIN

Gomersal Lodge, 189 Spen Lane, Gomersal, Cleckheaton, West Yorkshire, BD19 4PJ.  
Telephone 01274 861111 or 01924 444777

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL**

Licence No. KMCPL0990

Issued by Kirklees



Licensing Act 2003

# Premises Licence

**PR(A)0437**

## ANNEXES

### ANNEX 1 - MANDATORY CONDITIONS

No supply of alcohol may be made under the premises licence:

- (a) at a time when there is no Designated Premises Supervisor (DPS) in respect of the premises, or
- (b) at a time when the DPS does not hold a personal licence or his/her personal licence is suspended

Every sale/supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

### ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Alcohol shall not be sold or supplied except during permitted hours.  
In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.
- f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.
- g. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31<sup>st</sup> December).

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the taking of alcohol from the premises by a person residing there; or
- (f) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (g) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

### Additional condition

The licence is subject to the condition that intoxicating liquor shall not be sold or supplied on the premises otherwise than to a person taking table meals there and for consumption by such a person as ancillary to his meal.

### ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None



Licensing Act 2003

**PR(A)0437**

# Premises Licence

ANNEXES continued ...

## ANNEX 4 - PLANS OF PREMISE

As outlined in the Operating Schedule and attached plan

Date granted: 05/10/2005

Date commences/varied: 24/11/2005



Head of Planning and Building Control Services



Licensing Act 2003

**PR(A)0437**

# Premises Licence Summary

## Premises Details

### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Gomersal Lodge Hotel

189 Spen Lane, Gomersal, Cleckheaton, West Yorkshire, BD19 4AB.

Telephone 01274 861111

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- any playing of recorded music
- the sale by retail of alcohol

### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

| Activity (and Area if applicable)                                     | Description   | Time From | Time To                   |
|---|---|-----------|---------------------------|
| F. Playing of recorded music (Indoors)                                | Monday to Sunday<br>Playing of recorded music is permitted during opening hours |           |                           |
| M. The sale by retail of alcohol for consumption ON the premises only | Monday to Saturday  | 10:00am   | 11:00pm                   |
|   | Sunday  | Noon      | 10:30pm                   |
|   | Good Friday   | Noon      | 10:30pm                   |
|   | Christmas Day   | Noon      | 3:00pm                    |
|   | Christmas Day   | 7:00pm    | 10:30pm                   |
|   | New Year's Eve  | 10:00am   | 10:00am The following day |

### THE OPENING HOURS OF THE PREMISES

| Description      | Time From | Time To     |
|------------------|-----------|-------------|
| Monday to Sunday |           | None stated |

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

- M. The sale by retail of alcohol for consumption ON the premises only

### NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Nazir Hussain

Gomersal Lodge, 189 Spen Lane, Gomersal, Cleckheaton, West Yorkshire, BD19 4PJ.



Licensing Act 2003

**PR(A)0437**

## Premises Licence Summary

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

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

Nazir HUSSAIN

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

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (1) He is the child of the holder of the premises licence.
- (2) He resides in the premises, but is not employed there.
- (3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (4) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

Any conditions applicable to these premises are attached to the Licence

Date granted: 05/10/2005

Date commences/varied: 24/11/2005



Head of Planning and Building Control Services



**Licensing Act 2003  
Response to Building Control & Licensing Service  
From Environmental Health**

|                   |  |
|-------------------|--|
| <b>Reference:</b> | WK/201111717   |
| <b>Premises:</b>  | Gomersal Lodge Hotel, 189 Spen Lane, Gomersal, Cleckheaton, BD19 4PJ |

| Licensable Activity (place X in relevant box)               |          |                                      |          |
|---|----------|--------------------------------------|----------|
| Sale by retail of Alcohol                                   | <b>X</b> | Provision of regulated entertainment | <b>X</b> |
| Provision of entertainment facilities (music, dancing, etc) | <b>X</b> | Provision of late night refreshment  |          |

| OBSERVATIONS                         |             |  |              |
|--------------------------------------|-------------|--|--------------|
| <b>Public Safety</b>                 |             | No observations  |              |
| <b>Date:</b>                         | 26 May 2011 | <b>Officer/Ext:</b>  | Jenny Dineen |
| <b>Prevention of Public Nuisance</b> |             | <p>1. Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment emanating from inside the premises shall be controlled so as to be inaudible inside any noise-sensitive location in the vicinity of the Gomersal Lodge Hotel.</p> <p>To enable the applicant to check whether this condition is being met, suitable monitoring position(s) may be agreed with the Responsible Authority. To comply with the condition, noise from the premises shall not be audible at this point.</p> <p><b>Informative Note:</b><br/>Licensees are advised to carry out a simple "sound check" outside the nearest noise sensitive property by listening to the music etc. coming from regulated entertainment. If the music etc. is clearly audible then it is likely that this condition is being breached. Therefore steps should be taken to reduce the volume of the noise.</p> <p>In case of dispute, the applicant can verify inaudibility by demonstrating</p> |              |

- zero increase in the  $L_{Aeq, 1 \text{ min}}$  (music playing) over the background  $L_{A90}$  (music off) and
- zero increase in the  $L_{10, T}$  VS  $L_{90, T}$  exceedence in each 1/3 octave band between 40Hz and 160Hz.

2. Conspicuous notices shall be displayed at all entrances, exits and in outdoor areas requesting patrons to respect the needs of the local residents and to leave the premises and area quietly. All staff shall be trained in ensuring the quiet dispersal of patrons.

**These conditions are proportionate and reasonable and are requested to prevent public nuisance being caused at noise sensitive properties nearby.**

|              |             |                     |                              |
|--------------|-------------|---------------------|------------------------------|
| <b>Date:</b> | 26 May 2011 | <b>Officer/Ext:</b> | Angela Smith<br>01484 226434 |
|--------------|-------------|---------------------|------------------------------|



I am 92 in July and live [REDACTED] at the above mentioned address. I am an extremely light sleeper and likely to be affected by the noise coming from the hotel which could be, if allowed, going on until 1.00a.m. I think that this is unacceptable in what is a relatively quiet area at the moment and in my opinion could lead to rather unruly behaviour.

Thank you  
[REDACTED]

---

This message has been sent through the [REDACTED] email Server, and is intended for the addressee(s) only. If you have received this message in error, please contact the sender, or [REDACTED] and delete the email. The views expressed are the views of the sender, and not necessarily the views of the School. The information in this message may be confidential and should not be read, copied, or otherwise distributed unless permission is given.  
[REDACTED]

**Mick Egan**

---

**From:** Licensing  
**Sent:** 26 May 2011 14:21  
**To:** Mick Egan  
**Subject:** FW: Gomersal Lodge Hotel

---

**From:** [REDACTED]  
**Sent:** 25 May 2011 19:43  
**To:** Licensing  
**Subject:** Fw: Gomersal Lodge Hotel

----- Forwarded Message -----

**From:** [REDACTED]  
**To:** "licencing@kirklees.gov.uk" <licencing@kirklees.gov.uk>  
**Sent:** Wednesday, 25 May 2011, 18:35  
**Subject:** Gomersal Lodge Hotel

[REDACTED]

Spenn Lane,  
Gomersal,  
Yorkshire,  
BD19 4PJ

238,

W

[REDACTED]

fao Mick Egan

I am writing with regards to the planning permission for Gomersal Lodge Hotel to have their opening hours extended to 9am till 1am the following day 7 days a week.

We live [REDACTED] Hotel and have 2 Son's aged 9 and 12. We have put up with the disruption of the Hotel being open late on a weekend when there have been functions on but to think that we would have all the noise on a week/school night is another matter. We can here the noise even with our windows shut, so now the warm summer months (I am hoping for!) when we would want to leave the windows open is a worry.

It is not only the noise which causes us a problem we saw a number of fights break out on the grounds of the Hotel last year when there were functions on and that in itself is not a nice thing to see on your doorstep.

We came to live at this property 8 years ago and chose to live here as it was quiet and peaceful, if we had wanted to listen to thumping music till the early hours we would have chose to live in a City!

I hope you will see it from our point of view when you make your decision.

[REDACTED]

**Mick Egan**

---

**From:** Licensing  
**Sent:** 26 May 2011 14:20  
**To:** Mick Egan  
**Subject:** FW: Gomersal Lodge

-----Original Message-----

**From:** [REDACTED]  
**Sent:** 25 May 2011 20:12  
**To:** Licensing  
**Subject:** Gomersal Lodge

For the attention of Mick Egan

I would like to object to the extended licensing hours proposed to the property known as Gomersal Lodge, Gomersal, BD19 4PJ. We live at [REDACTED]  
[REDACTED]. Last year the noise from the disco could be heard in our house when we had our windows open. I have no objection to the late opening, 1am, on friday and saturdays but object strongly to a late week day.

e-mail

[REDACTED] Yours Sincerely [REDACTED]

**Mick Egan**

---

**From:** [REDACTED]  
**Sent:** 02 June 2011 09:20  
**To:** Mick Egan  
**Subject:** Fw: Marquee - gomersal Lodge Hotel, Spen Lane Gomersal, Cleckheaton

**From:** [REDACTED]  
**Sent:** Tuesday, May 31, 2011 7:26 PM  
**To:** [publicnuisancenightlicensing@kirklees.gov.uk](mailto:publicnuisancenightlicensing@kirklees.gov.uk)  
**Subject:** Marquee - gomersal Lodge Hotel, Spen Lane Gomersal, Cleckheaton

FOR THE ATTENTION OF MICK EGAN

Dear Mr Egan,

With reference to the above mentioned subject, as a resident living in [REDACTED] Gomersal, just above the marquee, I am against the license application going ahead. On numerous occasions we have been subject to loud music, unruly crowds, and a selection of beer bottles at the bottom of the cul de sac after celebrations have taken place in the marquee. I could have held a party in my own back garden and used there music and still could not have been able to hear ourselves. I am certain that if this same noise was been made by a house resident there would be numerous complaints.

The marquee is an eyesore, we have a lovely field at the bottom of the cul de sac, in which a horse is kept there, this poor animal has seen to have been terrified with all the noise and commotion this marquee brings. We have a local public house the same distance from our house as the Marquee, and we never hear a thing from there even when there are special occasions and celebrations being held.

This is a sought after residential area in which I have resided here for 20 years without disturbance. The thought of a marquee every saturday night or any night makes us consider moving from the area, but then we would have problems selling the house due to the latter. We have elderly residents living in Cedar way also, some have been here 50 years, they really do not like this disturbance, but do not have the fight in them to complain, this being another reason for not wanting the Marquee.

I would be obliged if you would seriously re-consider this application.

Regards

[REDACTED]  
[REDACTED]  
Gomersal  
Cleckheaton  
[REDACTED]  
[REDACTED]

# Appendix D

P

Describe the steps you intend to take to promote the four licensing objectives

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

THE PREMISES SUPERVISOR IS A PERSONAL LICENCE HOLDER AND HAS COMPLETED THE NATIONAL CERTIFICATE FOR LICENSEES AND THE DRUG AWARENESS TRAINING PROGRAMME. ALL STAFF WILL BE FULLY TRAINED & SUPERVISED. ANY PERSON APPEARING TO BE UNDER 25 WILL BE I.D. CHECKED. CHILDREN WILL BE ALLOWED IF ACCOMPANIED BY A RESPONSIBLE ADULT BUT NOT ALLOWED AT EITHER BAR.

b) The prevention of crime and disorder

CLOSED CIRCUIT TV IS IN OPERATION. THERE IS A ZERO TOLERANCE POLICY ON THE USE OF DRUGS. THERE IS ZERO TOLERANCE OF DRUNKENNESS, DISRUPTIVE & VIOLENT BEHAVIOUR. ALL OFFENDERS WILL BE REQUESTED TO LEAVE THE PREMISES AND THE POLICE CALLED IF NECESSARY. THE ONLY PEOPLE USING THE PREMISES / MARQUEE WILL BE RESIDENTS, INVITED GUESTS OR DINERS IN THE RESTAURANT.

c) Public safety

ALL SAFETY CERTIFICATES ARE CURRENT, A HEALTH & SAFETY POLICY IS IN PLACE AND RISK ASSESSMENTS ARE CARRIED OUT AS NECESSARY. NUMBERS OF GUESTS ARE LIMITED ACCORDING TO THE CAPACITY OF THE HOTEL OR MARQUEE.

d) The prevention of public nuisance

• WE HAVE ENGAGED THE SERVICES OF ACOUSTIC CONSULTANTS TO ADVISE ON EFFECTIVE SOUND PROOFING.  
• THE BOUNDARY WALL TO THE REAR OF THE MARQUEE HAS BEEN HIRED AND STRAW BAILS ADDED AROUND THE MARQUEE.  
• SPEAKERS WILL FACE DOWNWARDS, OUTPUT LEVELS PRE-SET AND MONITORED THROUGHOUT. (SEE SEPARATE SHEET)

e) The protection of children from harm

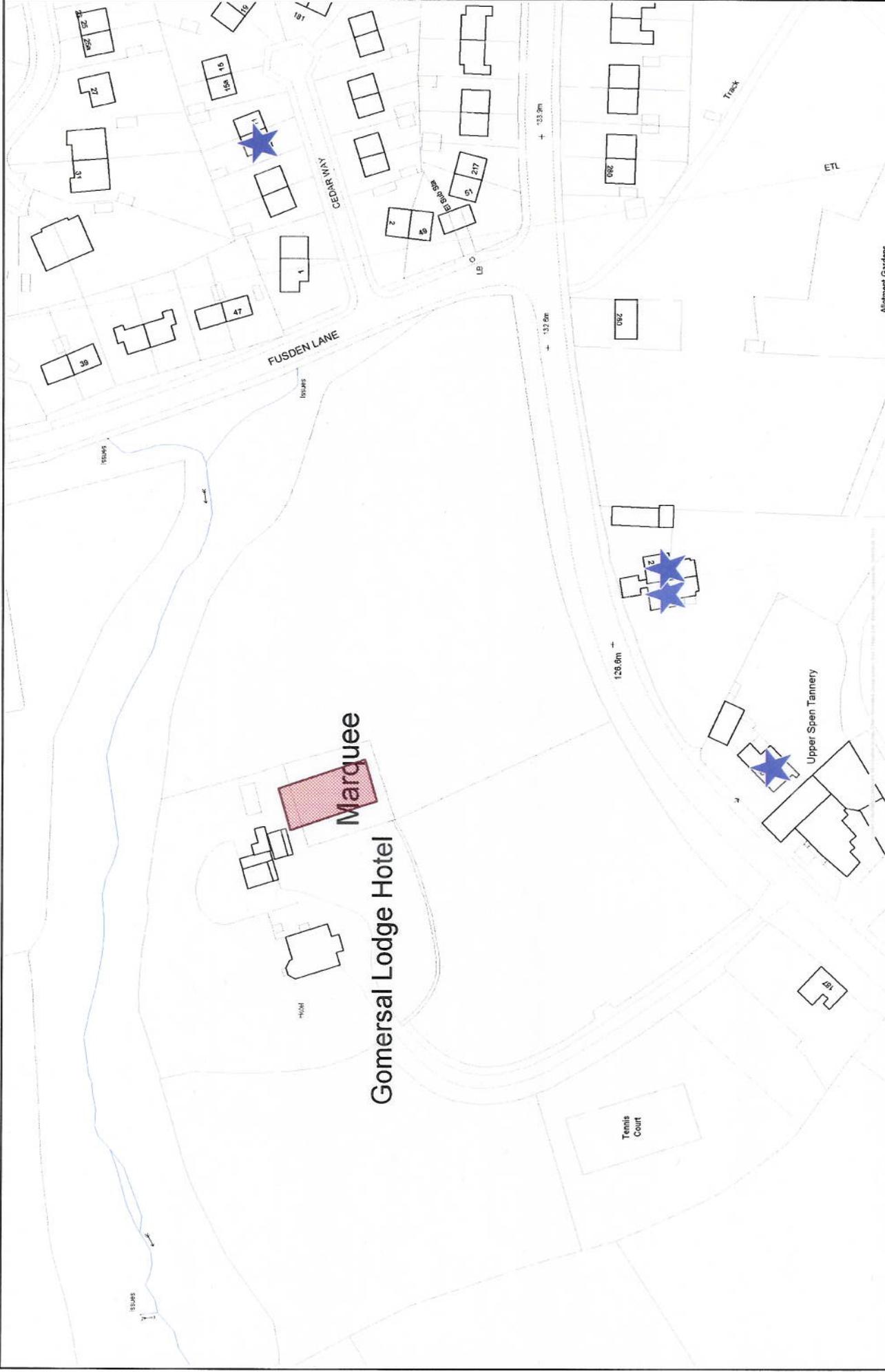
ALL CHILDREN WILL BE ACCOMPANIED BY RESPONSIBLE ADULTS. NO CHILDREN WILL BE SERVED AT OR BE ALLOWED IN CLOSE PROXIMITY OF EITHER BAR. ZERO TOLERANCE OF UNQUALIFIED CHILDREN OR ADULTS. ALL THE ACTIONS IN a) TO d) WILL MITIGATE AGAINST POTENTIAL RISKS.

## **Appendix to support the prevention of Public Nuisance – Section P d)**

We are investigating and working closely with Acoustic Consultants to produce the most appropriate solution so as to avoid any disturbance to local residents. In the meantime the following measures are being adopted as good practice:-

- We will have pre-set output levels and the control box will be operated by our own staff.
- Speakers will be downward facing.
- Our acoustic consultant will carry out independent checks around the grounds.
- Our own management will undertake regular checks around the grounds on function days.
- The wall to the rear of the marquee has been hired and conifers are being planted as well.
- Routinely we will use our own resident DJ but if an external DJ is used a contract will be executed stipulating our terms and conditions especially about noise.

# Appendix E



|                                       |               |  |  |  |
|---------------------------------------|---------------|--|--|--|
| <b>Kirklees MC - Planning Service</b> |               |  | OS Grid Ref of<br>Centre = 419983 E 425892 N   |  |
|                                       |               |  | This copy has been produced for Planning and Building Control purposes only.<br><b>NO FURTHER COPIES MAY BE MADE</b> |  |
| Scale 1/1000                          | Date 6/6/2011 | © Crown Copyright and database right 2011. Ordnance Survey 100019241 |  |  |

**Licensing Panel  
28 June 2011  
Decision Summary**

**Item 7 - Application for the Grant of a premises licence under the Licensing Act 2003 - Gomersal Lodge Hotel, 189 Spen Lane, Gomersal, Cleckheaton**

(1) That the Premises Licence be granted for:

(a) the following activities between the hours of 10:00 to 23:00 Monday to Thursday, and 10:00 to 01:00 Friday to Sunday:

- Plays (indoor and outdoors)
- Films (indoor and outdoors)
- Indoor sporting events
- Live music
- Recorded music (indoor and outdoors)
- Provision of dance (indoor and outdoors)
- Provision of facilities for making music (indoors)
- Provision of facilities for dancing (indoor)
- Supply of alcohol (indoor and outdoors)
- Hours premises open to public

(b) the following activities between the hours of 23:00 and 01:00, Friday to Sunday:

- Provision of late night refreshment (indoor and outdoors)

(2) That the Premises Licence also be subject to the imposition of the following conditions:

Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment emanating from inside the premises shall be controlled so as to be inaudible inside any noise-sensitive location in the vicinity of the Gomersal Lodge Hotel.

Conspicuous notices shall be displayed at all entrances, exits and in outdoor areas requesting patrons to respect the needs of the local residents and to leave the premises and area quietly. All staff shall be trained in ensuring the quiet dispersal of patrons.

## Appendix D

### Representation 1

5th July 2025

To: Kirklees Licensing Authority

Subject: Representation Regarding Public Nuisance and Licensing

Concerns Dear Licensing Team,

Re: Licensing Review Representation – Public Nuisance and Community Impact

Ever since the first marque was erected we have had to put up with constant disturbance which has got worse since the new larger one was built and now advertises it can have up to 500 guests.

At first we kept ringing kirklees noise control who only started at 9pm so could not witness the drumming or revving of cars, or disruptive behavior at the start of the evening but did confirm that the music was too loud as it could be easily heard over the TV in the house, we were told that if we could hear it in the garden it was above the acceptable level. They said that they had also been called out by other residents. They did go up to the marque to get them to turn it down but by then it was nearly finished anyway and was as loud on the next occasion so we stopped calling them out. We were not aware of the online complaints form so the disturbance will be higher than the number of formal complaints.

These events occur regularly on both weekdays and weekends

#### **Summary of Nuisance**

- **Amplified music played at high volumes**, often continuing late into the evening, on occasions we have had to wait until after 1am before being able to sleep due to the noise
- **Loud drumming**, sometimes outdoors or amplified - have enclosed a very short video of a recent event - this went on for 45 minutes
- **Public Address systems** projecting voices across long distances - it is so loud we can make out what is being said
- **Shouting, cheering, and other disruptive behaviour** from guests, they have also come out of the event to smoke on my drive which is intimidating.

Car parking

Last year they pulled down mature trees and built a carpark right next to our fence so we

now get all the noise of slamming doors as well as the shouting even louder. Kirklees planning enforcement have issued them with a notice as there is no planning permission for a carpark but they are ignoring the enforcement notice - it was still being used yesterday which does not surprise me, i was told by planning that the large signs they had erected on the grass verge did not have planning permission either.

• **Revving and/or racing of high-performance vehicles**, - For some reason the guests park up in lines on Spen lane at both sides of the entrance and get out of their cars before eventually going in as a procession - I have attached below a statement from the government website showing **this is illegal** as the road has double lines in the middle. It causes other road users to either wait or risk an accident going past them especially coming downhill as it is on a bend. I have attached a photo of one occasion but this is a regular event.

Some come in sports cars and rev the engines both while waiting to go in and once into the venue, as well as when they leave.

Some set off flares from their cars before they go in - **this is also illegal**

#### **Double white lines**

*These are used to prevent overtaking where visibility is restricted, and to separate opposing traffic flows on steep hills with climbing lanes. Double continuous lines are also sometimes used on other single carriageway roads that have 2 lanes in at least one direction. Viewed in the direction of travel, if the line closest to you is continuous, you must not cross or straddle it (except to turn into or out of a side road or property, avoid a stationary vehicle blocking the lane, or overtake a pedalcycle, horse or roadworks vehicle moving at not more than 10 mph). Where the line closest to you is broken, you may cross the lines to overtake if it is safe to do so. **Stopping is prohibited on any length of road that has double white lines, even if the line on that side of the road is broken.** The exceptions are stopping to pick up or set down passengers, or to load or unload. In these circumstances, you should park off the main carriageway wherever possible.*

**Use of fireworks and pyrotechnics**, with debris landing on homes and cars • They normally set them off on the grass verge in front of my property before going in. On one occasion it was set off close to our hedge and as it was a very dry spell we were concerned it would ignite the hedge, debris came over the hedge and one burnt my wife. We rang 999 but the only comment we got was to ask our daughter to stop screaming and was it an asian wedding.

I have attached a video of one occasion when it was set off on the pavement opposite as

they were leaving where the police saw it and stopped.

I have attached below a statement from the government website showing this is illegal as well as dangerous.

### **Fireworks: the law**

The law says you must not set off or throw fireworks (including sparklers) in the street or other public places.

• **Environmental impact on ancient woodland and wildlife**, including bats, badgers, owls, roe deer and songbirds

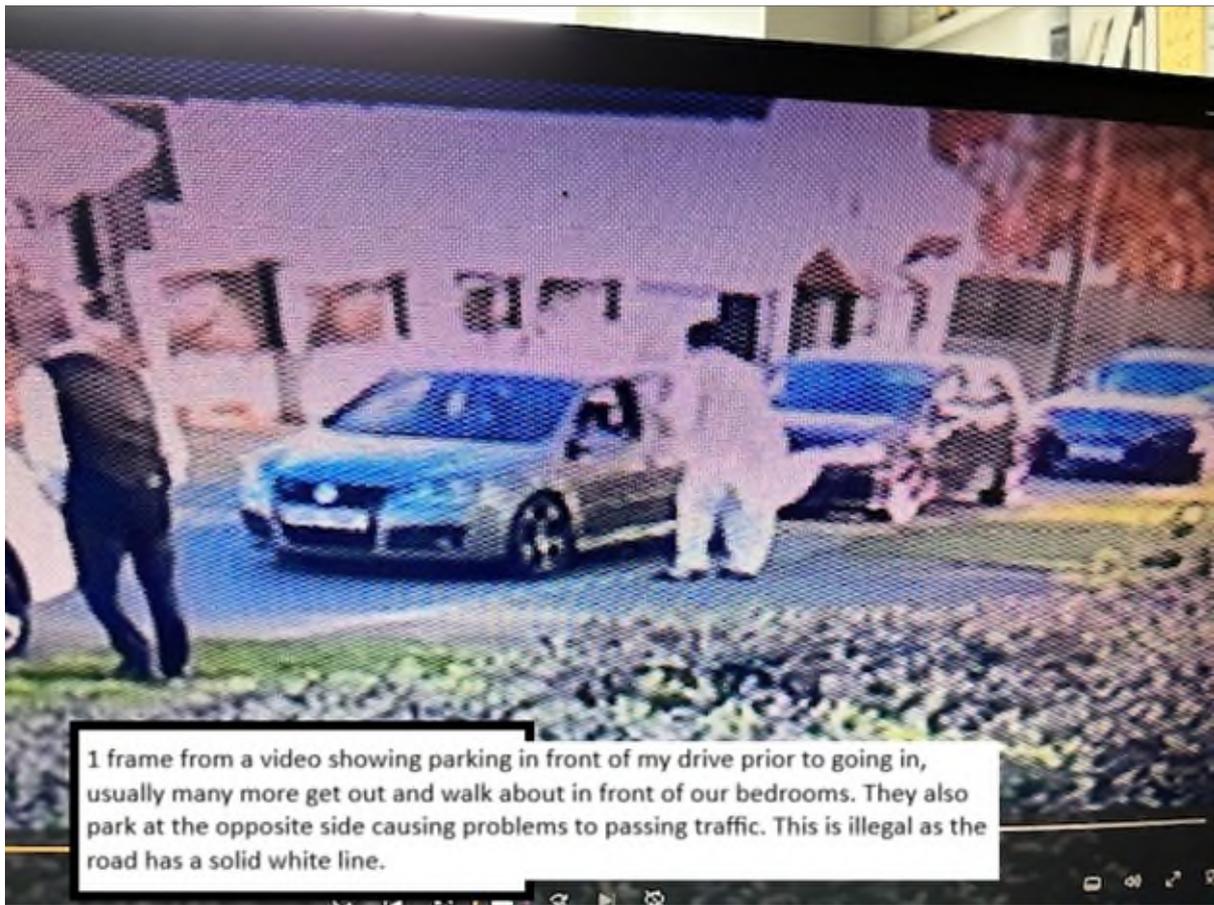
This has gone on far too long, personally causing me and my family unnecessary stress **and I would urge you to revoke the premises licence and give us all some peace.**

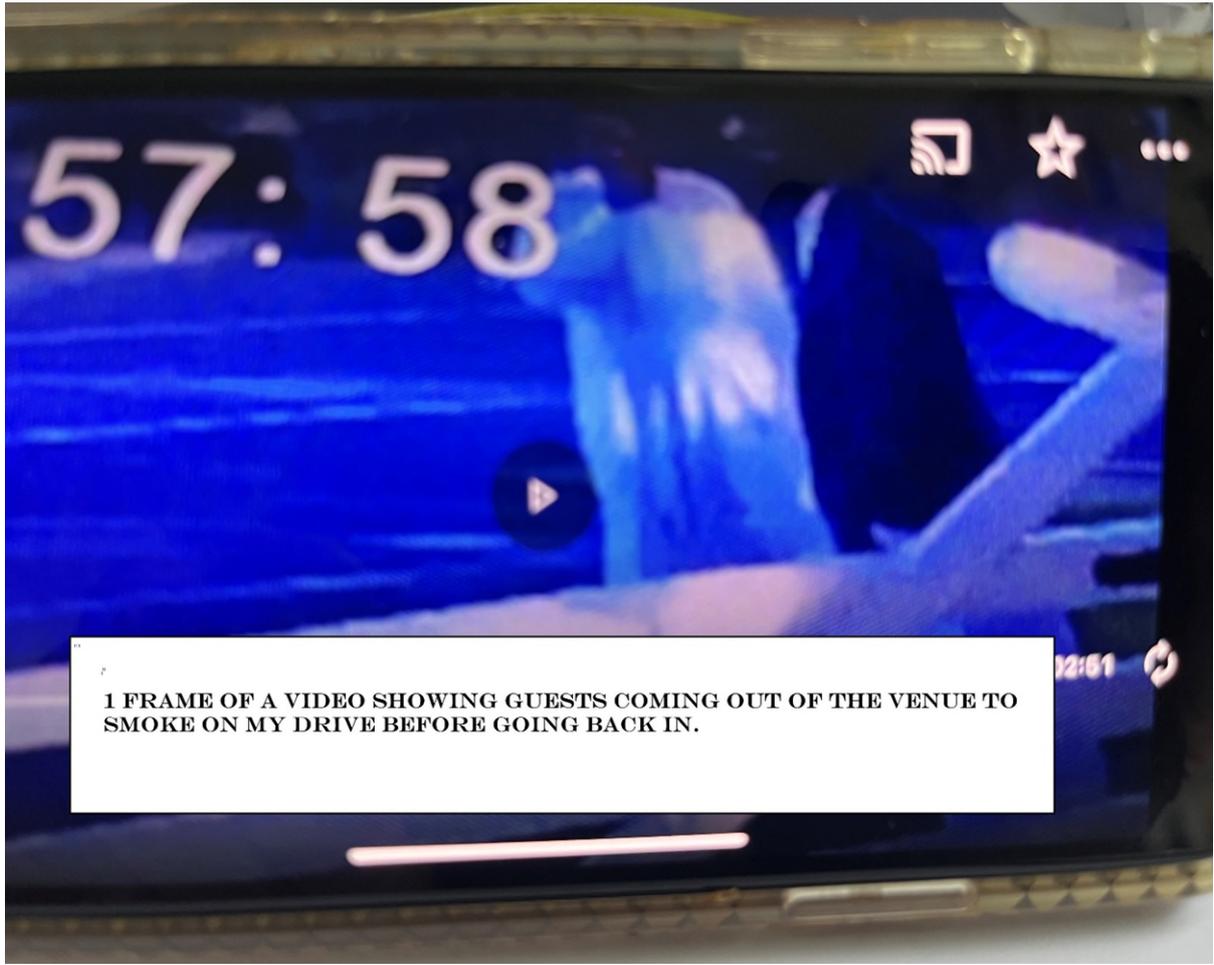
Thank you for considering this representation. I am willing to provide further evidence and attend any hearing as required.

Yours sincerely,



### Images – with annotation





1 FRAME OF A VIDEO SHOWING GUESTS COMING OUT OF THE VENUE TO SMOKE ON MY DRIVE BEFORE GOING BACK IN.



**Guests leaning over my gate**



1 frame of a video showing guests setting off fireworks. This shows a police van arriving and a guest's car parked outside my house.



**FLARES ON HIGHWAY**

## Representation 2

**From:** [REDACTED]  
**Sent:** 09 July 2025 16:10  
**To:** Licensing <[Licensing@kirklees.gov.uk](mailto:Licensing@kirklees.gov.uk)>  
**Subject:** Gomersal Lodge Hotel Wedding Marquee Licence Review

Dear Council

We are writing to voice our views at the upcoming Licensing Review of Gomersal Lodge Hotel.

We have had to put up with noise issues over a number of years after moving to this area in 2015, day and night.

The noise is from music, including drumming and someone speaking into a microphone causing sleepless nights and inability to enjoy our garden, fireworks being let off day and night throughout the year upsetting our dogs, sports cars revving causing a safety concern for our ourselves and our children on walks and noise from a generator used by people being allowed to “camp?” on their property causing us not only a noise issue but also a security concern.

Please take our views and the views of our neighbours seriously. This has to stop.

I have reviewed the submission made by [REDACTED] and agree in its entirety with all of the contents, and hope, finally, this can be resolved.

Thank you.

[REDACTED]

## Representation 3

**From:** [REDACTED]  
**Sent:** 20 June 2025 11:29  
**To:** Licensing <[Licensing@kirklees.gov.uk](mailto:Licensing@kirklees.gov.uk)>  
**Subject:** Gomersal Lodge Hotel Wedding Marquee Licence Review

**Friday, 20 June 2025**

**To: Kirklees Licensing Authority**

**Subject: Representation Regarding Public Nuisance and Licensing Concerns**

Dear Licensing Team,

**Re: Licensing Review Representation – Public Nuisance and Community Impact**

)

I am submitting this representation as a local resident of [REDACTED] in relation to serious and sustained disturbances caused by events held at Gomersal Lodge Hotel (wedding venue). I am making this submission **in my own right**, but I also confirm that **other residents share these**

**concerns and may submit their own representations and use this letter to indicate their**

**agreement** with the issues raised therein.

### **Right to Submit Under the Licensing Act 2003**

Under the Licensing Act 2003, and as outlined in the Section 182 guidance and Kirklees Council's

licensing process, individuals and groups of residents who are likely to be affected by the operation

of licensed premises **are entitled to make representations**. Furthermore, a resident may speak

on behalf of others, provided this is clearly stated.

In this instance, while I submit this as an **individual representation**, it reflects the views of a **wider**

**group of concerned residents**. Other residents will be submitting their own comments or letters in

support of this statement, and I request that the Licensing Authority consider the

**collective weight**

**of these shared concerns**.

### **Summary of Nuisance and Community Impact**

Over a prolonged period, residents in [REDACTED] and surrounding developments have been

subjected to persistent and severe disturbance from activities associated with this venue. These

include:

- **Amplified music played at high volumes**, often continuing late into the evening
- **Loud drumming**, sometimes outdoors or amplified
- **Noise extending beyond the licensed curfew**, causing loss of sleep and stress
- **Public Address systems** projecting voices across long distances
- **Shouting, cheering, and other disruptive behaviour** from guests
- **Reving and/or racing of high-performance vehicles**, especially along Fusden Lane
- **Use of fireworks and pyrotechnics**, with debris landing on homes and cars
- **Helicopter landings**, causing major noise and disruption
- **Environmental impact on ancient woodland and wildlife**, including bats, badgers, owls,

roe deer and songbirds

These events occur on both weekdays and weekends and often into late evening hours.

The noise

frequently penetrates indoor spaces even with windows closed, preventing residents from enjoying

their homes and gardens, or from obtaining adequate rest.

This level of disruption is particularly unacceptable in a **semi-rural green belt setting**, where

residents have a legitimate expectation of tranquillity. It is also worth noting the contrast with other

local venues such as the nearby cricket club, which causes **no such issues**,

highlighting the

unique nature of the problems arising from this specific premises.

## **Community Frustration and Reporting History**

Residents have made numerous complaints over the years. A recent Freedom of Information request revealed **over 75 complaints**, although based on discussions with local people, the real figure is likely to be significantly higher. Unfortunately, many residents report that when they contact the venue directly to raise concerns, they are met with **obfuscation, denial, or outright dismissal**. The unwillingness of the operators to engage constructively reflects a lack of commitment to the wellbeing of the surrounding community. How a company behaves whilst not being watched is indicative of their moral compass.

## **Impact on the Licensing Objectives**

The issues described undermine key licensing objectives:

### **1. Prevention of Public Nuisance**

This is a textbook example of ongoing public nuisance. The disturbances are not isolated but represent a **systemic failure** in the management of licensable activities. They are predictable, repeated, and directly connected to the way the venue operates.

### **2. Public Safety**

The racing and revving of high-performance vehicles and the falling debris from fireworks and helicopter activity present **real and foreseeable risks** to pedestrians, children, pets, wildlife, and motorists.

### **3. Protection of Children from Harm**

Families have reported that children's sleep and wellbeing are routinely disrupted. This has implications for both physical and emotional health, particularly during key developmental stages.

While the Licensing Authority acknowledges that some nuisance behaviour may occur beyond the premises itself, many of the problems reported — including noise levels, drumming, use of fireworks, and poor control of traffic — are **well within the venue's control** and its immediate vicinity.

## **Conflict with Kirklees Council's Corporate Plan Outcomes**

The nature and frequency of these events stand in direct conflict with several of the Council's nine

Corporate Plan outcomes, notably:

- **Well** – noise and stress are undermining residents' health

- **Safe and Cohesive** – the activity at this venue contributes to a sense of community disorder
- **Clean and Green** – noise pollution, fireworks and helicopter use harm the local environment
- **Best Start** – children are being prevented from sleeping and thriving
- **Independent** – older or vulnerable people feel powerless in their own homes

### **Request for Licensing Action**

Given the scale and persistence of these problems, I respectfully request that the Licensing

Authority take the following steps:

**Undertake a full review of the premises licence**, particularly in relation to whether existing

conditions are adequate

**Impose tighter licence conditions**, including **but not limited to**:

- Reduced hours of operation
- Specific volume limits and control of amplified music and outdoor drumming
- A ban or strict regulation on fireworks and helicopter activity
- Management of vehicle access and driving behaviour, particularly on Fusden Lane and nearby Spen and Cliffe Lane
- A clear protocol for noise complaints and community engagement.

If it is found that the licensing objectives **cannot be met even with stricter conditions**, especially

when looking at the track record of this business, then I would urge the Authority to **consider**

**revocation of the premises licence.**

### **Closing**

The Licensing Act seeks to balance the rights of businesses with the needs of residents and the

public interest. In this case, the balance has tipped dramatically in favour of a business that

appears unwilling to take responsibility for the impact it is having on its neighbours. We urge

Kirklees Council to act to restore that balance.

Thank you for considering this representation. I am willing to provide further evidence and attend

any hearing as required.

Yours sincerely

[Redacted signature]

[Redacted address]

Representation 4

15<sup>th</sup> July 2025

To - Kirklees Council Licensing Authority

Re - Gomersal Lodge Hotel and Grand Marquee, License Review

I would like to express my concerns of the aforesaid premises, and potential breach of licensing, in relation to the below.

- Excessive volume from the sound system
- Loud Drumming
- Loud screams and cheers from the attendees
- Late night Fireworks
- High performance cars revving engines, using horns, and driving erratically around the local area

Having lived at my property since 2015, over recent years the disturbance and noise pollution has become worse, to the point that i now leave the house when there is an event on. The noise can be heard through closed windows, and should you be in the garden, it's extremely loud and disturbing. Sleep can also be disrupted on occasion. Overall, this is having a detrimental effect on my quality of life at home and on my mental health. I do feel that I should be able to relax at my home without having this disturbance from a business that isn't situated that close. Long term I envisage that I will move away from the area due to this. Also showing any potential buyers around my property at the time of an event would result in a lost sale.

I would also like to point out that the License Application states a semi- permanent structure erected for a number of months at any one time. The marquee is left erected permanently, which differs from the application, and potentially requires planning permission, if this could also be investigated and considered.

As a resident of Kirklees for 54 years, I hope that the contents of this letter, and the subject in question are taken seriously. I am aware of the submission made by

[REDACTED]

I am in absolute agreement of this.

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

#### Representation 5

-----Original Message-----

From: [REDACTED]

Sent: 14 July 2025 16:28

To: Licensing <[Licensing@kirklees.gov.uk](mailto:Licensing@kirklees.gov.uk)>

Subject: Representation re Nuisance from events held at The Grand Marquee, Gomersal Lodge Hotel

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

I submit this representation as a householder living on [REDACTED] whose property adjoins the Gomersal Lodge Hotel.

We have resided at our current address since 2018 and since then I would estimate we have submitted several hundred individual complaints regarding excessive noise coming from functions held at The Grand Marquee, Gomersal Lodge Hotel.

I have also called at the hotel on several occasions to politely make suggestions on how to reduce the noise (eg close marquee doors & windows, use noise limiters, request guests to leave quietly etc) but I have now stopped doing this as on my last visit I was politely but firmly requested to leave the premises and escorted off the site.

Functions are mainly but not exclusively during the Summer months and take place mainly at weekends but also regularly immediately prior to the weekend.

The excessive noise can be caused by many factors including:

- high volume amplified live music or recordings of music
- high volume live drumming
- PA systems (including the DJ encouraging the guests to shout as loudly as possible even after midnight.
- Fireworks
- Excessive revving of vehicles in the carpark on arrival and shortly before departure
- using Fusden Lane, Cliffe Lane & Spen Lane as a race track for high performance vehicles

Although we have had many visits from Kirklees employees we do not feel that our complaints have been taken seriously, particularly considering that we have 2 young children (currently aged 8 & 3) whose sleep is regularly interrupted by the excessive noise.

We do expect to have this formal representation taken seriously.

We have also seen the representation raised by [REDACTED] and fully agree with her statement.

[REDACTED]  
[REDACTED] Sent from my iPhone

Representation 6

Good morning,

I am writing my submission about the Gomersal Lodge Hotel Wedding Marquee Licence Review.

I have lived within the vicinity for 8 years and I have been subjected to excessive disruption by the venue including, but not limited to;

**Excessive Noise** - there have been many occasions this has exceeded acceptable times prompting me to make contact with the local MP (Lisa Holmes) I have 5 children, 3 of which are very young and kept awake by this noise.

**Loud Bangs** - either instrumental or fireworks, this is extremely disturbing to my children again when they are trying to sleep.

**Performance Cars Anti Social Behaviour** - cars are being raced on both Fusden Lane and Spen Lane which poses a high risk to the public and my children. There are many of times where I have to keep my children indoors and unable to play in the front garden as I am worried that a driver would lose control and crash into my garden and harm my children, this is unacceptable as they should be able to enjoy their property without a risk of harm.

I am aware that this is effecting a number of residents, **I have seen and fully agree with** [REDACTED] **submission regarding the venue**, and her summary below is also in addition to mine;

### **Summary of Nuisance and Community Impact**

Over a prolonged period, residents in [REDACTED] and surrounding developments have been subjected to persistent and severe disturbance from activities associated with this venue. These include:

- Amplified music played at high volumes, often continuing late into the evening
- Loud drumming, sometimes outdoors or amplified
- Noise extending beyond the licensed curfew, causing loss of sleep and stress
- Public Address systems projecting voices across long distances
- Shouting, cheering, and other disruptive behaviour from guests
- Revving and/or racing of high-performance vehicles, especially along Fusden Lane
- Use of fireworks and pyrotechnics, with debris landing on homes and cars
- Helicopter landings, causing major noise and disruption
- Environmental impact on ancient woodland and wildlife, including bats, badgers, owls, roe deer and songbirds

These events occur on both weekdays and weekends and often into late evening hours. The noise frequently penetrates indoor spaces even with windows closed, preventing residents from enjoying their homes and gardens, or from obtaining adequate rest.

I would like my submission to be taken into account to express how this venue is breaching it's current license and a review is required. The license holder is not mindful of the neighbouring properties safety and wellbeing, and this is having a negative impact on a young family and putting childrens safety at risk and you have a duty of care to minimise such risks posed.

Kind regards

[REDACTED]

Representation 7

**From:** [REDACTED]  
**Sent:** 30 June 2025 10:31  
**To:** Licensing <[Licensing@kirklees.gov.uk](mailto:Licensing@kirklees.gov.uk)>  
**Subject:** Gomersal Lodge Hotel

Dear Kirklees Licensing Team

Re: Licensing Review Representation Gomersal Lodge Hotel

Please find below my representation/objection to the above hotel under S182 of the Licensing Act 2003.

I have been disturbed by noise from the hotel on evenings when they have functions. This disturbance is caused by:

Loud music being played.

Drumming.

The use of a microphone/amplifier which carries the noise around the area.

Noise, music, fireworks past 11pm.

Rewing of vehicles.

Fireworks being set off.

This noise pollution can be heard inside my house even when my windows and doors are closed. It causes me stress and as it goes on into the evening, prevents me from going to sleep.

I know there is a lot of wildlife in the area. My dog is petrified of fireworks and loud engines, so imagine the distress this noise has on a wild animal.

Under the Fireworks Regulation 2004 it is illegal to throw or set off fireworks in the Street and fireworks shouldn't be set off after 11pm and before 7am.

Fireworks are being set off in the Street, on Spen Lane, and after 11pm. I did ring the hotel at one point during a firework 'display', to be told the customers were setting them off on the road.

This must also be in contravention of the hotels licensing conditions.

Please review this hotels license and either tighten up their conditions so their functions don't have this disturbing impact on their surrounding neighbours or revoke the licence.

Yours sincerely

[REDACTED]

Representation 8

**From:** [REDACTED]  
**Sent:** 16 July 2025 10:04  
**To:** Licensing <[Licensing@kirklees.gov.uk](mailto:Licensing@kirklees.gov.uk)>  
**Subject:** Gomersal Lodge Hotel Wedding Marquee Licence Review

Dear licensing review,

## I am writing my submission about the Gomersal Lodge Hotel Wedding Marquee Licence Review.

I live at [REDACTED] and have tired of the extremely disturbing noise and music coming from the weddings held in the marquee. I have lived here since September 2016, and experience noise problems even in those early days which make sleeping difficult and preventing opening windows. Recent years the weddings became much more regular and spoiled any peaceful enjoyment of my home. The sounds of drumming and multiple cars sounding their horns like an orchestra lets us know the wedding is underway and the noise begins. There is seemingly no respect for the local neighbours and no attempt to reduce noise. I am weary now of it, and my heart sinks every time I hear the start as I know it's another day spoiled by the noise. I am finding living here increasing stressful and am amazed any venue would be allowing such disruption.

My name is [REDACTED] phone no [REDACTED]  
[REDACTED] I expect the licensing review to take my submission seriously. I have read [REDACTED] submission and I totally agree with her.

Yours sincerely

[REDACTED]

## Appendix E

**Gomersal Lodge Hotel and Grande Marquee Licensing Review 12 August 2025**  
**Environmental Health Statements**

Please see below the witness statements from officers on the Immediate Callout/Standby service who attended a neighbouring property to Gomersal Lodge Hotel and witnessed noise levels which breached the Abatement Notice for Noise from Loud Music and Drumming served under Section 80 of the Environmental Protection Act 1990 on 7<sup>th</sup> September 2023.

**Statement of Craig Heywood (Licensing Officer):**

Date: 21<sup>st</sup> July 2024

Time: 22:25

Arriving at the start of Fusden Lane, I witnessed very loud Bangra Style music from the Gomersal Lodge Marquee. This was next to a residential area and could be clearly heard before approaching complainant's home 200 yards away.

Entering complainant's home I was led into the front bedroom only and witnessed the ongoing noise from the marquee continue till 22:50pm then stopped. I would class the noise from the marquee a nuisance if trying to sleep for both nearby residents and the complainant themselves if trying to sleep.

Contemporaneous notes taken in my pace book 2325 pages 90,91,92.

**Statement of James Kaye (Public Protection Group Leader):**

Date: 9<sup>th</sup> August 2024

Time: 22:01

Arrived at 10.01pm and witnessed noise from living room area but this was low level, no TV on and no other background noise. We then went up to complaints bedroom and noise more intrusive in that room and would definitely affect sleep. It was live music with drums and base that could be heard with windows opened and closed. Definitely would affect sleep. Left property at 22.33 and ongoing all time they were there and can still hear it.

**Statement of Craig Heywood (Licensing Officer):**

Date: 12<sup>th</sup> October 2024

Time: 23:00

Arrived at the start of Fusden Lane and took a video recording of how loud the music from the Marquee was playing.

This continued until I entered the complainant's bedroom and then I witnessed with the windows fully closed that's also double glazed clear audible music.

Lyrics from Artist such as PAPA MOBIMBA (LIVE) Koffi Olomide. Then another artist was played by YO PE (Featuring Diamond Platnumz) Remix by INNOSS B.

This continued throughout the visit. Leaving the property I investigated Gomersal Lodge Marquee and noticed that all staff were indoors in the back room towards complainant's home, and the Marquees doors were fully closed. I would consider the audible music and DJ announcements heard a nuisance if trying to sleep by nearby residents. Contemporaneous notes taken in my pace book 2325 pages 112, 113, 114.

**Statement of Thomas Coleman (Senior Environmental Health Officer):**

Date: 5<sup>th</sup> June 2025

Time: 21:30

Complainant called saying loud music and PA System could be heard from an event at Gomersal Lodge. I headed out and was on site by 21:30. On arrival I walked round the front of the property where I could hear an event going on with music and a PA system playing loudly. The first words I could discern from the PA was the phrase "Let's make some noise" which was followed by Asian music and drumming. We went inside to experience the noise as it would be affecting them. Went into child's bedroom where the windows were open about 3". Here the music and drumming were sufficient to seriously disturb/prevent sleep. With windows closed it was surprisingly strangely similar in terms of the volume of the noise. It was a warm night so windows open would make sense. Moved to master bedroom where music and drumming was equally audible with windows open about 3". Went downstairs to the lounge as this where they would normally be at this time of evening at 21:40. The music came to an end and we didn't hear anything after that, I stayed until 22:00 and didn't witness anything further.

## Appendix F

## **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.

2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

2.11 Where there is a requirement in other legislation for premises open to the public or for employers to possess certificates attesting to the safety or satisfactory nature of certain equipment or fixtures on the premises, it would be inappropriate for a licensing condition to require possession of such a certificate. However, it would be permissible to require as a condition of a licence or certificate, if appropriate, checks on this equipment to be conducted at specified intervals and for evidence of these checks to be retained by the premises licence holder or club provided this does not duplicate or gold-plate a requirement in other legislation. Similarly, it would be permissible for licensing authorities, if they receive relevant representations from responsible authorities or any other persons, to attach conditions which require equipment of particular standards to be maintained on the premises. Responsible authorities – such as health and safety authorities – should therefore make their expectations clear in this respect to enable prospective licence holders or clubs to prepare effective operating schedules and club operating schedules.

2.12 “Safe capacities” should only be imposed where appropriate for the promotion of public safety or the prevention of disorder on the relevant premises. For example, if a capacity has been imposed through other legislation, it would be inappropriate to reproduce it in a premises licence. Indeed, it would also be wrong to lay down conditions which conflict with other legal requirements. However, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect. For example, in certain circumstances, capacity limits may be appropriate in preventing disorder, as overcrowded venues can increase the risks of crowds becoming frustrated and hostile.

2.13 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act<sup>1</sup>, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of those premises should be.

2.14 Public safety may include the safety of performers appearing at any premises, but does not extend to the prevention of injury from participation in a boxing or wrestling entertainment.

## **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.*

### **Protection of children from harm**

*2.22 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.*

*2.23 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:*

- adult entertainment is provided;*
- a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);*
- it is known that unaccompanied children have been allowed access;*
- there is a known association with drug taking or dealing; or*
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.*

*2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to*

*consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.*

*2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.*

*2.26 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.*

*2.27 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:*

- restrictions on the hours when children may be present;*
- restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;*
- restrictions on the parts of the premises to which children may have access;*
- age restrictions (below 18);*
- restrictions or exclusions when certain activities are taking place;*
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult);*
- full exclusion of people under 18 from the premises when any licensable activities are taking place.*

*2.28 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.*

*2.29 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons*

*under 18 years old with alcohol- related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.*

*2.30 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.*

*2.31 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.*

*2.32 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.*