

LICENSING PANEL

Agenda

Date Tuesday 16th April 2024

Time 9.30am

Venue Council Chamber, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

Notes 1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Constitutional Services in advance of the meeting.

2. CONTACT details for this meeting are available from Constitutional Services: telephone - 0161 770 5151, or email – constitutional.services@oldham.gov.uk

3. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the Contact officer by 12 Noon on Thursday, 11th April 2024.

4. FILMING - The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Constitutional Services Officer who will instruct that they are not included in the filming.

Please note that anyone using recording equipment both audio and visual will not be permitted to leave the equipment in the room where a private meeting is held.

Recording and reporting the Council's meetings is subject to the law including the law of defamation, the Human Rights Act, the Data Protection Act and the law on public order offences.

MEMBERSHIP OF THE LICENSING PANEL IS AS FOLLOWS:
Councillors Cosgrove, Hamblett and J. Hussain

Item No

1 Election of Chair

The Panel is asked to elect a Chair for the duration of the meeting.

2 Apologies For Absence

3 Urgent Business

Urgent business, if any, introduced by the Chair

4 Declarations of Interest

To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.

5 Public Question Time

To receive Questions from the Public, in accordance with the Council's Constitution.

6 Order of Proceedings (Pages 1 - 4)

To outline the procedures to be followed at the meeting.

7 New Premises Failsworth Service Station (Pages 5 - 40)

The purpose of this report is to inform members of an application for the grant of a premises licence in respect of Failsworth Service Station, 337 Oldham Road, Failsworth M35 0AN which, due to representations being received, has been referred to this Panel for determination.

OLDHAM BOROUGH COUNCIL

LICENSING PANEL - ORDER OF PROCEEDINGS

The procedure outlined below, which was enclosed with the notice of hearing sent to each party, and a copy of which is before you today, will be followed.

Documentary evidence may be relied upon and considered by the Panel if it has been served on the Licensing Authority prior to the hearing, or if all parties consent it can be produced on the day of the hearing.

Any person wishing to call a witness to speak at the hearing must have applied in writing for permission from the Licensing Authority at least 2 working days before the hearing and must also have provided the name of the witness and a brief description of the points on which that person may be able to assist the authority in relation to their application, representations or notice. Any application to call a witness where the party has not given 2 working days' notice will be considered by the Panel at the beginning of the hearing and permission will not be unreasonably withheld.

Each party will have the same amount of time in which to address the Panel, each party will have up to 60 minutes to address the authority and give any further information (which must be relevant to that party's or another party's application or representation). Where any party considers this time to be insufficient then, a request in writing may be made to the Constitutional Services Officer for an extension of time at least two working days before the hearing; however this will not automatically be granted, and will be at the discretion of the Panel.

Any person behaving in a disruptive manner will be asked to leave the hearing, however, if this occurs that person will be entitled to submit in writing any information they would have been entitled to give orally.

The Authority will provide a record of the hearing in a permanent and intelligible form and keep it for 6 years from the date of determination or disposal of any Appeal.

Members are advised that they are making decisions in a quasi-judicial manner. As such, they have a duty to view all evidence presented before them impartially. Members must disregard any information given by a party which is not relevant to the promotion of the licensing objectives. The Panel is not bound by the formal rules of evidence. Nevertheless, Members must carry out their duty placing what weight they feel is appropriate given the nature of the evidence and the manner in which it was obtained, and communicated.

ORDER OF PROCEEDINGS

INTRODUCTION

The Chair will welcome those present and outline the procedure to be followed (as set out below) and the Clerk will record those present. The Clerk will remind everyone that each party will have up to 60 minutes to address the Panel and give any further information.

APPLICATION

The Licensing Officer will outline the nature of the application.

The applicant and/or their representative to address the Panel, present additional information in support of the application (where consent to do so has been granted) and call any witnesses (subject to having given the required prior notice or having received permission at the beginning of the hearing). The Applicant and any witnesses may be questioned by Members of the Panel.

Any party, if given permission by the panel, may question the applicant and his witnesses, but this shall not take the form of cross examination.

REPRESENTATIONS

The Party making the representation and/or their representative to address the members of the Panel, providing any additional information in support of their representation (where consent to do so has been granted) and call any witnesses (subject to having given the required prior notice or having received permission at the beginning of the hearing). The party and any witnesses may be questioned by Members of the Panel.

In the event that a number of members of the public are present at the meeting who intend to make a representation in relation to the application as interested parties then the Chair has discretion to ask that they appoint a nominated spokesperson to present their representations.

Any party, if given permission by the panel, may question the party making representations and his witnesses, but this shall not take the form of cross examination.

These representations will be taken in the following order: -

- Police Representation (unless they are the applicant)
- Licensing Authority
- Environmental Health Representation
- Other Responsible Authorities Representation
- Public Representation (Interested Parties)

CLOSING STATEMENTS

The party making the representation may summarise their representation and make a closing statement.

The holder of the premises licence may summarise their representation and make a closing statement.

The Applicant may summarise the application and make a closing statement.

SUMMARY The Chair to summarise who has made representations.

DETERMINATION

The Panel Members will leave the hearing to consider their decision in private. The panels may request the services of a legal representative and Constitutional Services Officer.

The Chair of the Panel will announce the determination of the application and the reasons for that determination, and it will then be confirmed in writing within 5 working days of the hearing.

This page is intentionally left blank

Licensing Panel

Licensing Act 2003 – Application for New Premises Licence

Failsworth Service Station

Report of: Executive Member – Housing & Licensing

Officer Contact: Nicola Lord

Date of Hearing: 16th April 2024

Reason for Hearing:

The purpose of this report is to inform members of an application for the grant of a premises licence in respect of Failsworth Service Station, 337 Oldham Road, Failsworth M35 0AN which, due to representations being received, has been referred to this Panel for determination.

Recommendations:

Members are recommended to consider the application taking into account the representations received.

Licensing Panel – 16th April 2024

Application for a New Premises Licence

Failsworth Service Station, 337 Oldham Road, Failsworth M35 0AN

1. Purpose of Report

1.1 The purpose of this report is to inform members of an application for the grant of a premises licence in respect of Failsworth Service Station, 337 Oldham Road, Failsworth M35 0AN which, due to representations being received, has been referred to this Panel for determination.

2. Recommendations

2.1 Members are recommended to consider the application taking into account the representations received.

3. The Application

3.1 On 22nd February 2024 the applicant, Motor Fuel Ltd., applied for the grant of a premises licence for Failsworth Service Station. The last date for representations in relation to this application was the 21st March 2024.

3.2 Details of the licensable activities and the times applied for are as follows:

Activity	Indoors / Outdoors	Hours
Supply of Alcohol	For consumption OFF the premises	Monday to Sunday 06:00 to 23:00
Late night refreshment	On and OFF the premises	Monday to Sunday 23:00 to 05:00

3.5 A copy of the application is attached at **Appendix 14.1**.

3.6 Proposed plan **Appendix 14.2**.

3.7 A location map is attached at **Appendix 14.3**.

4. Representations

4.1 Following submission and advertisement of the application representations were received. These can be found at **Appendix 14.4** to the report.



5. Licensing Policy

5.1 Members considering this application should take note of the Authority's Licensing Policy Statement. Attention should be drawn to Section 6 – Crime & Disorder and also Section 7 – Public Safety.

5.2 A full copy of the Council's Licensing Policy Statement will be available at the hearing.

6. Secretary of State's Guidance

6.1 Members also need to consider statutory guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.

6.2 Chapter 2 of the Guidelines deals with the Licensing Objectives and potential measures licence holders and the licensing authority should consider so they are not being undermined.

In relation to 'Crime & Disorder' the following paragraph(s) provide:

- 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).
- 2.3 Conditions should be targeted on deterrence and preventing crime & disorder...for example, where there is good reason to suppose disorder may take place, the presence of 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.

In relation to 'Public Safety, the following paragraphs provide:-

- 7.2 When addressing public safety, the applicant should initially identify any particular issues (having regard to their particular type of premises and/or activities), which are likely to adversely affect the promotion of the public safety objective. Such steps as are required to deal with these identified issues should be included within the applicant's Operating Schedule.

6.3 A full copy of the guidelines will be available at the hearing.

7. Options

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

- a. Grant the application as applied for
- b. Grant the application with the amendments agreed with Public Health
- c. Grant the application but modify the operating schedule in relation to hours, days, conditions, or activities
- d. Reject the application

7.2 Any steps appropriate to promote the licensing objectives should be specified. If none of the steps are appropriate and proportionate, no action should be taken.

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

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

8. Consultation

8.1 Consultation in accordance with the Act has taken place with all responsible bodies and notice has been given to allow for any representations from interested parties.

9. Legal Services Comments

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

10. Environmental and Health & Safety Implications

10.1 Contained within the body of the report.

11. Equality, Community Cohesion & Crime Implications

11.1 The Councils Statement of Licensing Policy considers these matters. All decisions made by the Licensing Panel must have regard to this policy and national guidance.

12. Equality Impact Assessment Completed?

12.1 No

13. Background Papers

13.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

File Ref: Records held in Directorate
Officer Name: Nicola Lord
Contact No: 0161 770 3472

14. Appendices

Appendix 14.1 – Application
Appendix 14.2 – Plan
Appendix 14.3 – Location plan
Appendix 14.4 – Representation Public Health

Application for a premises licence to be granted 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/We Motor Fuel Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Failsworth Service Station, 337 Oldham Road, Failsworth			
Post town	Manchester	Postcode	M35 0AN

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£42,000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as**

a)	an individual or individuals *			please complete section (A)
b)	a person other than an individual *			
	i	as a limited company/limited liability partnership	✓	please complete section (B)
	ii	as a partnership (other than limited liability)		please complete section (B)
	iii	as an unincorporated association or		please complete section (B)
	iv	other (for example a statutory corporation)		please complete section (B)

c)	a recognised club		please complete section (B)
d)	a charity		please complete section (B)
e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ✓
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) individual applicants (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

--

Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

(B) Other applicants

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Motor Fuel Limited
Address 10 Bricket Road, St Albans, Hertfordshire, AL1 3JX

Registered number (where applicable) 05206547
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	2	0 2 2 4

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

<p>Please give a general description of the premises (please read guidance note 1) A petrol forecourt store located on Oldham Road, Failsworth, Manchester, M35 0AN, currently branded as Morrison's.</p>

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

--

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)		Please tick all that apply
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	

e)	live music (if ticking yes, fill in box E)	
f)	recorded music (if ticking yes, fill in box F)	
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	✓
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	✓

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				<u>Please give further details here</u> (please read guidance note 4)	
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	
			Indoors	
Day	Start	Finish	Outdoors	
Mon			Both	
Tue				
Wed			<u>Please give further details here</u> (please read guidance note 4)	
Thur				
Fri			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)	
Sat				
Sun				
			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	
Day	Start	Finish	Indoors	
			Outdoors	
			Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)	
Tue				
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sat				
Sun				

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				<u>Please give further details here</u> (please read guidance note 4)	
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
					Both
Mon	23:00	05:00	<u>Please give further details here</u> (please read guidance note 4) The provision will take place inside the premises but customers may leave the premises with items purchased.		
Tue	23:00	05:00			
Wed	23:00	05:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	05:00			
Fri	23:00	05:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	23:00	05:00			
Sun	23:00	05:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
				Off the premises	✓
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	06:00	23:00			
Tue	06:00	23:00			
Wed	06:00	23:00			
Thur	06:00	23:00			
Fri	06:00	23:00			
Sat	06:00	23:00			
Sun	06:00	23:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Paul Jones	
Date of birth	
Address	
Postcode	
Personal licence number (if known) PA0300	
Issuing licensing authority (if known) Merthyr Tydfil County Borough Council	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

N/A

L

Hours premises are open to the public
Standard days and timings (please read guidance note 7)

Day	Start	Finish
Mon	00:00	24:00
Tue	00:00	24:00
Wed	00:00	24:00
Thur	00:00	24:00
Fri	00:00	24:00
Sat	00:00	24:00
Sun	00:00	24:00

State any seasonal variations (please read guidance note 5)
The opening hours of the store are not a licensable activity and the applicant asks that the hours not be restricted by the premises licence.

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

b) The prevention of crime and disorder

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team.
 2. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 3. All recordings shall be stored for a minimum period of 28 days with date and time stamping.
 4. Viewing of recordings shall be made available subject to data protection legislation and as soon as is reasonably practicable upon the request of Police or authorised officer throughout the entire 28-day period.
 5. A staff member from the premises who is conversant with the operation of the CCTV system shall be contactable at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
 6. An incident log shall be kept at the premises and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - a) all incidents of crime and disorder occurring at the premises all crimes reported to the premises
 - b) any incidents of disorder
 - c) any visit by a relevant authority or emergency service.
- The log shall be retained at the premises or at the offices of the licence holder for a minimum period of 12 months.
7. There shall be no self-service of spirits except for spirit mixtures.

c) Public safety

There will at all times be adequate levels of staff maintained at the premises. Such staff levels will be disclosed, on request, to the licensing authority and police.

d) The prevention of public nuisance

Adequate waste receptacles for use by customers shall be provided in and immediately outside the premises.

e) The protection of children from harm

1. The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form or method of identification that complies with any mandatory condition that may apply to this licence.
2. All staff concerned in the sale or supply of alcohol shall undergo a recognised training scheme for such duties prior to the sale of alcohol by the staff member.
3. Refresher training must be completed and documented at intervals of no more than 6 months.
4. Training records will be retained at the premises or at the offices of the licence holder for a minimum period of 12 months from the date of training.
5. Signage informing customers of the age verification policy adopted at the premises will be prominently displayed at the point of sale and at any night pay window.
6. A written delegation of authority record will be kept at the premises whereby non personal licence holders are authorised to make sales on behalf of a personal licence holder.
7. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises is open. The record shall be retained at the premises or at the offices of the licence holder for a minimum period of 12 months.
8. All sales tills shall prompt the cashier making a sale of alcohol to verify that the customer is aged 18 or over.

Checklist:

Please tick to indicate agreement

•	I have made or enclosed payment of the fee.	✓
•	I have enclosed the plan of the premises.	✓
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	✓
•	I understand that I must now advertise my application.	✓
•	I understand that if I do not comply with the above requirements my application will be rejected.	
•	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
--------------------	---

Signature	<i>Winckworth Sherwood LLP</i>
Date	22/02/2024
Capacity	Agent

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) TLV/39096/1012 Winckworth Sherwood LLP Arbor, 255 Blackfriars Road			
Post town	London	Postcode	SE1 9AX
Telephone number (if any)	0207 593 5104		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) tvlahovic@wslaw.co.uk			

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.

- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Home Office online right to work checking service.

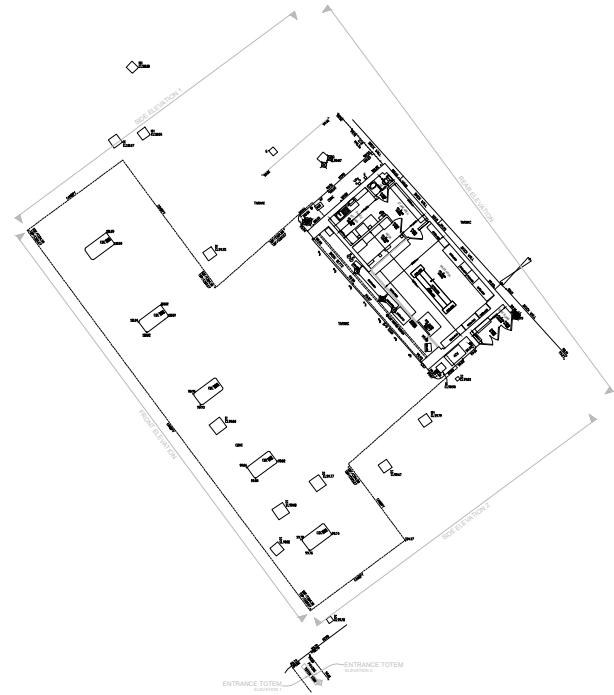
As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

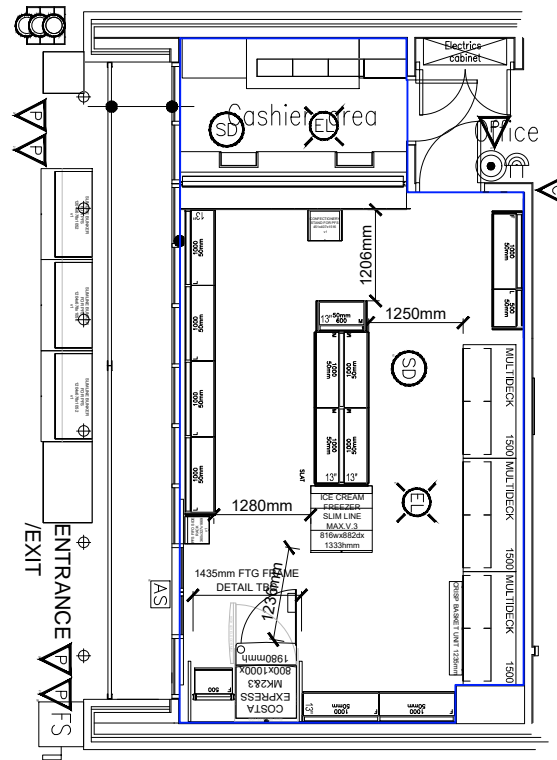
In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.



Site Plan Scale 1:500



THE ENTIRE PREMISES MAY BE USED FOR THE SALE OF ALCOHOL AND THE PROVISION OF LATE NIGHT REFRESHMENT

Key - Drawing Information

	BOUNDARY OF PREMISES SALES FLOOR
--	----------------------------------

Key - Fire Symbols

	NOTICE - 'FIRE DOOR-KEEP CLOSED'
	NOTICE - 'KEEP LOCKED'
	ILLUMINATED EXIT DIRECTION
	EXIT SIGN
	EMERGENCY LIGHTING
	FIRE ALARM CALL POINT
	AUDIBLE WARNING
	SMOKE DETECTOR
	ALARM INDICATOR PANEL
	DOORS FITTED WITH PUSH BARS
	DOORS FITTED WITH PRESSURE RELEASE
	ROLLER SHUTTER DOOR
	FIRE EXTINGUISHER - WATER TYPE
	FIRE EXTINGUISHER - FOAM TYPE
	FIRE EXTINGUISHER - CARBON DIOXIDE
	FIRE EXTINGUISHER - DRY POWDER TYPE
	FIRE EXTINGUISHER - AQUEOUS SOLUTION
	FIRE EXTINGUISHER - VAPORISING LIQUID
	FIRE BLANKET
	FIRE HOSE REEL
	FIRE RESISTANT WALLS
	FIRE RESISTANT DOORS

ALL REQUIRED AREAS OF THE STORE ARE COVERED BY THE SPINKLER SYSTEM

NOTES:

1. FIRE FIGHTING EQUIPMENT & ALL OF THE REQUIREMENTS OF THE FIRE SERVICE WILL BE INCORPORATED & WILL BE PROVIDED TO COMPLY WITH THE EUROPEAN STANDARDS

No. BSEN3 & BS7863.

FIRE STANDARDS:

1. FIRE SAFETY RELATED SIGNS AND NOTICES ARE TO THE HEALTH AND SAFETY (SAFETY SIGNS & SIGNALS) REGULATIONS ACT 1996. THOSE THAT COMPLY TO BS 5499, PART 1, 1990 ALSO COMPLY
2. ILLUMINATED 'EXIT' SIGNS ARE TO CONFORM TO BS2560
3. FIRE FIGHTING EQUIPMENT IS TO COMPLY WITH EUROPEAN STANDARDS BS EN3 AND BS 7863

Issue Number 001

1022 Failsworth

POPLAR STREET FAILSWORTH M35 0HY

SALES FLOOR

RETAIL SALES AREA 404 Sq. Ft.

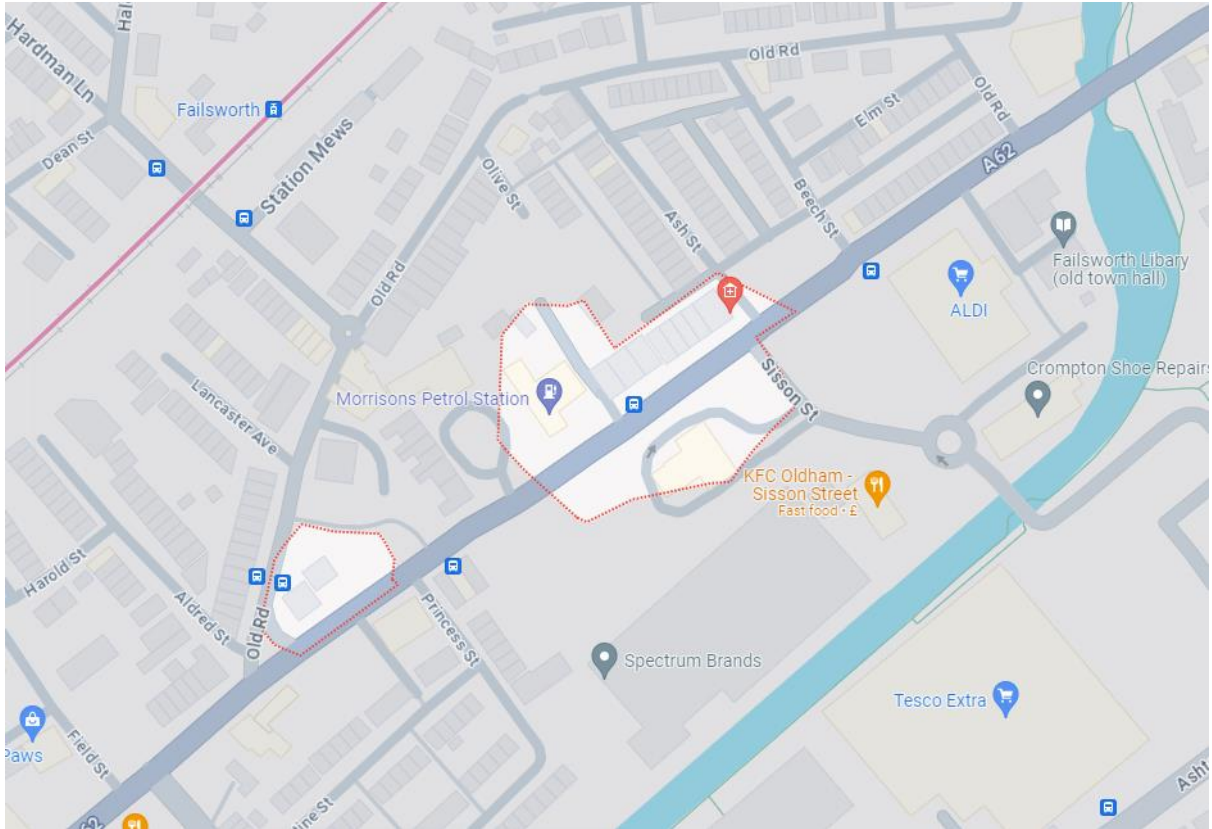
Scale: 1:100

only scaled on **A3**



This page is intentionally left blank





The Licensing Act 2003

Responsible Authority Representation Form



The Section 182 Guidance is a valuable source of information that responsible authorities may wish to consult when considering making a representation and can be found online on this link: <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

Section 1 - Application Details	
Applicants Name	Winckworth Sherwood
Premises Name	Motor Fuel Ltd
Premises Address	Failsworth Service Station, 337 Oldham Road, Failsworth
Type of Application	Off premise

Section 2 – Responsible Authority Details																			
Please tick the appropriate box	<table border="1"> <tr><td><input type="checkbox"/></td><td>Greater Manchester Police</td></tr> <tr><td><input type="checkbox"/></td><td>Greater Manchester Fire & Rescue</td></tr> <tr><td><input type="checkbox"/></td><td>Environmental Health</td></tr> <tr><td><input type="checkbox"/></td><td>Trading Standards</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Public Health</td></tr> <tr><td><input type="checkbox"/></td><td>Safeguarding</td></tr> <tr><td><input type="checkbox"/></td><td>Planning Service</td></tr> <tr><td><input type="checkbox"/></td><td>Home Office Immigration</td></tr> <tr><td><input type="checkbox"/></td><td>Licensing Service</td></tr> </table>	<input type="checkbox"/>	Greater Manchester Police	<input type="checkbox"/>	Greater Manchester Fire & Rescue	<input type="checkbox"/>	Environmental Health	<input type="checkbox"/>	Trading Standards	<input checked="" type="checkbox"/>	Public Health	<input type="checkbox"/>	Safeguarding	<input type="checkbox"/>	Planning Service	<input type="checkbox"/>	Home Office Immigration	<input type="checkbox"/>	Licensing Service
<input type="checkbox"/>	Greater Manchester Police																		
<input type="checkbox"/>	Greater Manchester Fire & Rescue																		
<input type="checkbox"/>	Environmental Health																		
<input type="checkbox"/>	Trading Standards																		
<input checked="" type="checkbox"/>	Public Health																		
<input type="checkbox"/>	Safeguarding																		
<input type="checkbox"/>	Planning Service																		
<input type="checkbox"/>	Home Office Immigration																		
<input type="checkbox"/>	Licensing Service																		
Full Name	Neha Lamech																		
Telephone																			
Email Address <i>(we will use this to correspond with you unless you notify us otherwise)</i>	Neha.lamech@oldham.gov.uk																		
Full Address <i>(Including postcode)</i>	Public health team Upper floor of the Spindles Town Square Shopping Centre OL1 1JA																		

Section 3 – Representation Details

I object to the application being granted at all
 I object to the application being granted in its current form*

*if you choose this option remember to tell us in Section 4 what changes you would like to see

Licensing Objectives

The Prevention of Crime & Disorder

Please state the reasons you believe granting the application will undermine this objective

The proposed premise is in an area that faces high harms in the community due to alcohol use. It has an existing high density of alcohol licensed premises in the area. The application to have a store which will give the local community access to purchase alcohol from 6am is seen as problematic. This area ranks highly in Oldham for high rates of anti-social behaviour incidents and ranks 5th highest for alcohol related crimes.

Public Safety

Please state the reasons you believe granting the application will undermine this objective

This area also ranks highly for domestic violence related incidents due to alcohol and is the 3rd highest for alcohol related A&E admissions.

The Prevention of Public Nuisance

Please state the reasons you believe granting the application will undermine this objective

Protection of Children from Harm

Please state the reasons you believe granting the application will undermine this objective

Section 4 – Suggestions

(please provide any suggested conditions that could be added to the licence if granted which would remedy the cause of your representation, or other suggestions you would like the licensing panel to consider)

- 1. Due to the disproportionate harms faced by the local community due to alcohol, the responsible authority would recommend changing the hours of which alcohol sales were permitted from 9am -23.00pm**

Section 6 – Signature

Sign:
Neha Lamech

Date:8/3/24

Please return the completed representation form, and any additional evidence, to the Licensing Service, Sir Robert Peacock House, Vulcan Street, Oldham, OL1 4LA or email to representations@oldham.gov.uk

TIME LIMITS

All representations must be returned within the statutory period, generally 28 days from the date the notice was displayed on the premises or the date specified in the public notice in the newspaper.

If you are unsure of the time limit to lodge a representation for a particular application, please check with the Licensing Service by emailing representations@oldham.gov.uk

This page is intentionally left blank