

LICENSING PANEL
17/09/2021 at 9.30 am



Present: Councillor C. Gloster (Chair)
Councillors Shuttleworth and Wilkinson

Also in Attendance:

Elise Brophy	Licensing Projects and Hearings Officer
Alan Evans	Group Solicitor
Nicola Lord	Principal Licensing Officer
Kaidy McCann	Constitutional Services
Jean Stretton	Ward Councillor
Rob Fuller	Avros JFC
Cecilia Glennon	Objector

1 **ELECTION OF CHAIR**

RESOLVED that Councillor C Gloster be elected Chair for the duration of the meeting.

2 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

3 **URGENT BUSINESS**

There were no items of urgent business received.

4 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

5 **PUBLIC QUESTION TIME**

There were no public questions received.

6 **ORDER OF PROCEEDINGS**

RESOLVED that the order of proceedings be noted.

7 **APPLICATION FOR VARIATION OF A PREMISES
LICENCE- AVRO JFC(VESTACARE STADIUM),
WHITEBANK ROAD, OLDHAM, OL8 3JH**

Consideration was given to a report of the Principal Licensing Officer which informed the Panel of an application for the variation of a premises licence in respect of Avros JFC (Vestacare Stadium), Whitebank Road, Oldham, OL8 3JH, that had been referred to the Panel for determination due to representations being received.

The Panel was informed that on the 7th July 2021, the applicant, David Warren Moxon, applied for the grant of a premises licence in respect of the premises at Avros JFC. Following submission and advertisement of the application, representations had been

received from a Ward Councillor and residents, opposing the grant of the application on the grounds of public nuisance.



The Panel also be noted that, following consultation with the Licensing Service and Environmental Health, the applicant agreed to the conditions being placed on their licence as set out in section 4.2 of the report.

The Applicant attended the meeting and addressed the Panel. Members, the Ward Councillor and the representatives of the objectors asked for and received clarification on details of the application and of the business.

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Members asked for and received clarification on the use of the clubhouse bar already on the site. It was explained that a fire had occurred in the clubhouse causing it to be inoperable, however the building should be able to reopen the following year. The clubhouse bar was also not included with the application as the aim was to use the pitch side bar for match days.

The Principal Licensing Officer, the Applicant, the Ward Councillor and the Objector summarised the evidence and submissions.

At this point in the proceedings the Panel, in accordance with Regulation 14 (2) of the Licensing Act 2003 (Hearings) Regulation 2005, moved into private session. In reaching a decision the Panel took into account the relevant provisions of National Guidance and the Council's Licensing Policy Statement with reference to the prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.

RESOLVED that, having considered the representations from the Licensing Authority and having considered the Licensing Objectives with particular reference to public nuisance the application for the variation of the premises licence be **REFUSED**.

The Panel gave their reasons that refusal of the variation application was appropriate, as allowing the licensing of the VIP Bar area and the provision of late-night refreshments would increase the problems of noise nuisance and anti-social behaviour for local residents and was therefore contrary to the licensing objective relating to the prevention of public nuisance.

The meeting started at 9.30 am and ended at 11.19 am



Oldham
Council