

LICENSING PANEL Regulatory Committee Agenda

Date Friday 17 September 2021

Time 9.30 am

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 OFFICER for this Agenda is Constitutional Services 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 Tuesday, 14 September 2021.
 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 C. Gloster, Shuttleworth and Wilkinson

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)

7 Application for Variation of a Premises Licence- Avro JFC(Vestacare Stadium), Whitebank Road, Oldham, OL8 3JH (Pages 5 - 52)

The purpose of this report is to inform Members of an application for variation of a premises licence in respect of Avros JFC (Vestacare Stadium), Whitebank Road, Oldham, OL8 3JH 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 Constitutional Services Officer (“the Clerk”) will welcome those present and outline the procedure to be followed (as set out below) and 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.

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Licensing Panel

Licensing Act 2003

Application for Variation of a Premises Licence

Avro JFC (Vestacare Stadium), Whitebank Road, Oldham, OL8 3JH

Report of Executive Member for: Neighbourhoods

Officer contact: Nicola Lord
Ext. 3472

17th September 2021

Reason for Decision

The purpose of this report is to inform Members of an application for variation of a premises licence in respect of Avros JFC (Vestacare Stadium), Whitebank Road, Oldham, OL8 3JH 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 Act 2003 – Application to vary a Premises Licence
Avro JFC, Whitebank Road, Oldham, OL8 3JH**

1 Background

- 1.1 The purpose of this report is to inform Members of an application for variation of a premises licence in respect of Avro JFC, Whitebank Road, Oldham, 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 the 7th July 2021 David Warren Moxon applied for the variation of a premises licence in respect of the premises named above. The last day for representations in respect of the application was the 9th August 2021.

- 3.2 Details of the proposed variation are as follows:-

Amend the licensing plan in accordance with the drawing accompanying the application. The revised plan seeks to reduce the overall permitted area where licensable activities can take place, and to denote specific areas it will, which includes an area not previously covered under the existing licence, this area is referred to as the VIP Bar.

Add the provision of late night refreshment to the licence.

- 3.3 A copy of the application & proposed plan is attached at **Appendix 1**.

- 3.4 A location map is attached at **Appendix 2**.

4 Representations

- 4.1 Following submission and advertisement of the application representations have been received. These can be found at **Appendix 3** to this report. It should be noted that not all of the information contained within the attached representations is relevant to the application being considered. Any information which appears highlighted within the representations is **not** deemed relevant.

- 4.2 It should also be noted that following consultation with the Licensing Service and Environmental Health, the applicant has agreed for the following conditions to be placed on their premises licence should the application be granted:

Environmental Health:

Where entertainment takes place on a daily/weekly basis, music and associated sources (including DJs and amplified voices) should not be audible inside the nearest noise sensitive property.

Where entertainment takes place every few months, such noise should not be audible inside the nearest noise sensitive property between 23:00 and 08:00.

Volume of music must be lowered to background level 20 minutes prior to closing time.

All external doors and windows must be kept closed when entertainment is being provided, other than for access & egress and in the event of an emergency. If additional ventilation is subsequently necessary, then it shall be attenuated in accordance with a scheme submitted to the Licensing Authority.

No drinking is permitted in any outdoor area following 22:00.

Notices requesting customers leave quietly and to respect neighbours must be displayed in a prominent place at each entry/exit point.

The DPS or a representative must ensure that customers are encouraged to keep noise to a minimum when leaving the premises. They must ensure customers are dispersed in an appropriate manner after closing time and discourage them from remaining in the vicinity of the premises.

The DPS or a representative will undertake regular checks of the grounds to ensure no noisy disturbances take place outside, and if any do occur they will resolve them as quickly as possible either by:

- Encouraging customers to continue on their home/onward journey quickly
- Asking customers to return inside whilst waiting for transport
- Order taxis for customers to reduce delay

No disposal of bottles will take place between 23:00 and 07:00 on any day.

Licensing (to remove/replace existing outdated conditions)

Existing condition – Alcohol served within the area outlined red on the attached site plan will be in plastic containers

Replace with – All alcohol sold for consumption in outdoor areas shall only be served in polycarbonate, plastic or shatterproof glasses.

Existing condition – At a time when alcohol is served within the area outlined in red, the area will be fully stewarded by staff holding the relevant stewarding qualifications and under the ultimate control of the clubs ground safety officer.

Replace with – The premises licence holder shall ensure that any patrons consuming alcohol in outdoor areas do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance.

Existing condition(s) – CCTV is installed covering the entrance to, the side and rear of and the car park fronting the club house. Tapes will be kept for a period of one month. CCTV will be upgraded to a digital system in the near future and all CCTV recordings will be made available to the police on request

Replace with – A tamper-proof digital colour CCTV system shall be installed and maintained. The system must have a constant and accurate time and date generation. The system must run and record continuously for 24 hours a day, 7 days per week and recorded footage must be stored for a minimum of 30 days. Cameras must be positioned to capture the entrance to the site, the entrance and exit of all areas used for licensable activities, and any areas used for the purposes of car parking. A member of staff capable of operating the system and providing footage must be present at all times licensable activities are taking place. CCTV footage must be made available upon request of an authorised officer.

Replace all conditions under the heading “The Protection of Children from Harm” with the following:

Challenge 25 scheme in operation. All persons who appear to be under the age of 25 must provide a valid form of photo identification.

Forms of identification acceptable are photo driving licence, passport or PASS approved identity card.

Challenge 25 posters clearly and prominently displayed in all areas where alcohol is sold at the premises.

Proxy sale posters clearly and prominently displayed in all areas where alcohol is sold at the premises.

Refusals log in operation at all locations alcohol is sold. These logs must detail any refusal to sell alcohol for any reason and each entry must include the following details:

- Date & time of refusal
- Reason for refusal
- Description of customer
- Name and signature of member of staff refusing the sale

Training in relation to the Challenge 25 scheme, ID accepted, and the use of the refusals book must be provided to staff upon induction and before they are permitted to serve alcohol from any bar on the premises. A record of this training must be kept on the premises. Staff to sign and date to say training has been received and understood.

No children permitted within the areas covered for the purposes of licensable activities, unless accompanied by a responsible adult, after 22:00 Monday to Friday and after 20:00 Saturday and Sunday.

No persons under the age of 18 shall be permitted on the premises at any time that adult entertainment is provided at the premises.

REMOVE THE FOLLOWING CONDITIONS:

Removable bar areas situated within the area outlined red on the attached site plan will not have direct access to alcohol for members of the public and all alcohol will be served by club staff only.

CCTV will be upgraded to a digital system in the near future and all CCTV recording will be made available to the police on request.

Club house edged green on attached plan – all relevant assessments to be undertaken in relation to health & safety and fire risk. Fire extinguishers to be installed and service history to be maintained. CCTV tapes to be retained for a period of one month.

Ground area edged red on attached plan – see attached copy of “Ground Regulations & Conditions of Use” for information purposes only. Area will be fully stewarded and under the control of the clubs ground safety officer at times when alcohol on sale in this area. See attached report from the clubs ground safety officer with sections relevant to public safety for information purposes only.

ADDITIONAL CONDITIONS:

The Designated Premises Supervisor shall ensure that a written notice of authority is kept at the premises for all staff who sell alcohol. The notice shall be made available for inspection upon request of the police or an authorised officer of the licensing authority and all staff selling alcohol must be in possession of formal identification to verify their identification against the notice.

A risk assessment will be undertaken prior to any function or event and a determination of whether SIA registered door supervisors are required will be made. A written record of this risk assessment, the decision made and the reasons why, will be kept on the premises for a minimum of 6 months.

Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.

A suitable member of staff or door supervisor shall monitor the dispersal of customers to ensure that patrons do not contribute to anti-social behaviour in the vicinity. They will also ensure that no glassware leaves the premises from either bar area.

5 Licensing Policy

5.1 Members considering the application should take note of the Authority's Licensing Policy Statement when determining an application. Attention should be drawn to Section 8 of the Council's Statement of Licensing Policy relating to Public Nuisance.

5.2 In relation to Public Nuisance paragraph 8.2 provides:-

When addressing public nuisance 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 nuisance objective. Such steps as are required to deal with these identified issues should be included within the applicants operating schedule.

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

6 Secretary of State Guidance

6.1 Members also need to consider statutory guidance issued, by the Secretary of State, under Section 182 of the Licensing Act 2003 (April 2018).

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

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 early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11pm and 8am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

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 and to respect the rights of people living nearby to a peaceful night.

A full copy of the guidance will be available at the hearing.

7 Options/Alternatives

- 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 are -
- a) Grant the application as applied for with or without the amendments agreed with the Licensing Service & Environmental Health;
 - b) Grant the application but modify the operating schedule in relation to hours, days, conditions or activities;
 - c) To reject the application;
- 7.2 Any steps appropriate to promote the licensing objectives should be specified. If no steps are appropriate the application should be granted.
- 7.3 Findings on any issues of fact should be on the balance of probability.
- 7.4 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.
- 7.5 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 other persons.

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. (S Rawat)

10 Environmental and Health & Safety Implications

- 10.1 Contained within the body of the report.

11 Equality, community cohesion and crime implications

- 11.1 The Council's 'Statement of Licensing Policy' takes into account these matters. All decision 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 1 – Premises Licence Application & Proposed Site Plan

Appendix 2 – Location Map

Appendix 3 – Representations against the application

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Application to vary a premises licence 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 Mr David Warren Moxon

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

PL0439

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Avro JFC
Whitebank Road
Oldham
OL8 3JH

Post town

Oldham

Postcode

OL8 3JH

Telephone number at premises (if any)

Non-domestic rateable value of premises

£

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if
different from premises
address

Post town

Postcode

Part 3 - Variation

Please tick as appropriate

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

☒ Yes

☐
No

If not, from what date do you want the variation to take effect?

| DD | | MM | | YYYY | | | |
|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☐ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Premises variation to license to include the outside trailer and VIP bar.

Please remove all reference to old site plan referring to detailed areas marked and outlined in red. New plans have been done and are attached to our application.

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

Part 4 Operating Schedule

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

| Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-----------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I) ☒

Supply of alcohol (if ticking yes, fill in box J) ☐

In all cases complete boxes K, L and M

A

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|--|-------|--------|--|----------|--------------------------|
| Plays Standard days and timings (please read guidance note 8) | | | Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | |
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| Tue | | | | | |
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| Wed | | | <u>State any seasonal variations for performing plays</u> (please read guidance note 6) | | |
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| Thur | | | | | |
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| 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 7) | | |
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| Films Standard days and timings (please read guidance note 8) | | | Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | |
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| Wed | | | <u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6) | | |
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| Fri | | | <u>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</u> (please read guidance note 7) | | |
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| Indoor sporting events Standard days and timings (please read guidance note 8) | | | Please <u>give further details</u> (please read guidance note 5) |
| Day | Start | Finish | |
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| Tue | | | State any seasonal variations for indoor sporting events (please read guidance note 6) |
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| Fri | | | 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 (please read guidance note 7) |
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| Boxing or wrestling entertainments Standard days and timings (please read guidance note 8) | | | Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
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| Wed | | | <u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6) | | |
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| Fri | | | <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 7) | | |
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| Live music Standard days and timings (please read guidance note 8) | | | Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
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| | | | | Both | <input type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | |
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| Wed | | | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) | | |
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| 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 7) | | |
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| Recorded music Standard days and timings (please read guidance note 8) | | | Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
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| | | | | Both | <input type="checkbox"/> |
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| Tue | | | | | |
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| Wed | | | <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6) | | |
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| 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 7) | | |
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| Performances of dance Standard days and timings (please read guidance note 8) | | | <u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| Day | Start | Finish | | Both | <input type="checkbox"/> |
| Mon | | | <u>Please give further details here</u> (please read guidance note 5) | | |
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| Wed | | | <u>State any seasonal variations for the performance of dance</u> (please read guidance note 6) | | |
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| 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 7) | | |
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| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8) | | | 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 4) | Indoors | <input type="checkbox"/> |
| Mon | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input type="checkbox"/> |
| Tue | | | <u>Please give further details here</u> (please read guidance note 5) | | |
| | | | | | |
| Wed | | | | | |
| | | | <u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6) | | |
| Thur | | | | | |
| | | | | | |
| Fri | | | <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 7) | | |
| | | | | | |
| Sat | | | | | |
| Sun | | | | | |
| | | | | | |

| | | | | | |
|--|-------|--------|---|----------|-------------------------------------|
| Late night refreshment Standard days and timings (please read guidance note 8) | | | <u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4) | Indoors | <input type="checkbox"/> |
| | | | | Outdoors | <input type="checkbox"/> |
| | | | | Both | <input checked="" type="checkbox"/> |
| Day | Start | Finish | | | |
| Mon | 11:00 | 23:00 | <u>Please give further details here</u> (please read guidance note 5) | | |
| | | | | | |
| Tue | 11:00 | 23:00 | | | |
| | | | | | |
| Wed | 11:00 | 23:00 | <u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6) | | |
| | | | | | |
| Thur | 11:00 | 23:00 | | | |
| | | | | | |
| Fri | 11:00 | 24:00 | <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 7) | | |
| | | | | | |
| Sat | 11:00 | 24:00 | New Years Eve 11:00am until 1:00am | | |
| | | | | | |
| Sun | 11:00 | 22:30 | | | |
| | | | | | |

J

| | | | | | | |
|---|-------|--------|---|------------------|--------------------------|--|
| Supply of alcohol Standard days and timings (please read guidance note 8) | | | Will the supply of alcohol be for consumption – please tick (please read guidance note 9) (as per current premises license) | On the premises | <input type="checkbox"/> | |
| | | | | Off the premises | <input type="checkbox"/> | |
| | | | | Both | <input type="checkbox"/> | |
| Day | Start | Finish | <u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6) | | | |
| Mon | | | | | | |
| | | | | | | |
| Tue | | | | | | |
| | | | | | | |
| Wed | | | | | | |
| | | | | | | |
| Thur | | | | | | <u>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</u> (please read guidance note 7) |
| | | | | | | |
| Fri | | | | | | |
| | | | | | | |
| Sat | | | | | | |
| | | | | | | |
| Sun | | | | | | |
| | | | | | | |

K

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

L

| | | | |
|---|-------|--------|--|
| Hours premises are open to the public Standard days and timings (please read guidance note 8) | | | <u>State any seasonal variations</u> (please read guidance note 6) |
| Day | Start | Finish | |
| Mon | | | |
| | | | |
| Tue | | | <u>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</u> (please read guidance note 7) |
| | | | |
| Wed | | | |
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| Fri | | | |
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Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence ☐
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

Attached to e-mail can post original if required.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

CCTV – Covering all areas.
CIA registered Door Supervisors.
Risks assessments regularly undertaken.
Trained First Aiders.
Designated Premises Supervisors – 4 people on site at various time who have registered licensing qualification.
Enough staff on the premises to cover longer hours & busy times when entertainment is provided.
Regular training of staff.

b) The prevention of crime and disorder

CCTV has been installed with 24hr recording – CCTV footage will be made available to officers of council and GMP upon request and will be stored for 30 days on our system.
Any major event/function we will employ door CIA registered supervisors (a minimum of 2).
We will monitor and evaluate on a regular basis if necessary additional supervisors will be employed.
Plastic cups and bottles used externally.
Regular collection of pots.

c) Public safety

Trained first aiders will be on site during times when the premises is open to the public.
Annual gas safety check for food area.
Ring main electrical check (once every 5 years).
PAT testing (portable electrical appliance testing).
Sufficient lighting internally & externally.
Regular fire checks & servicing of fire detection & extinguishing equipment.
Emergency procedures in place.
Designated smoking/non-smoking areas.

Good housekeeping procedures in place.

d) The prevention of public nuisance

No amplified music will be played in outside areas after 10am.
Indoor bar will close doors and windows from 10.30pm to restrict noise.
Signage in place asking people to leave quietly.
Make regular sound checks inside & outside of the premises.
Ensure the entertainers are aware of any noise restrictions placed on them prior to commencement.

e) The protection of children from harm

A refusal record book to be kept behind bar areas.
A 21 policy – staff trained to ask for photographic ID to query underage drinking. If under age alcohol will not be served.
Zero drugs policy
In bar areas under 18s to be supervised by adult.

Checklist:

Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

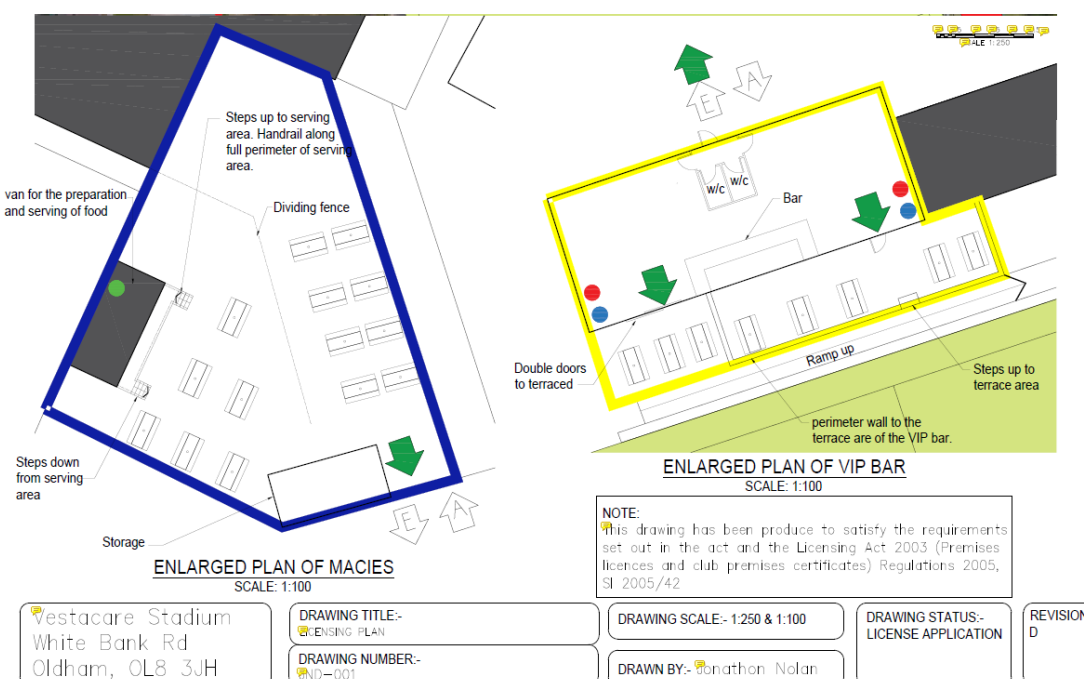
| | |
|-----------|---------------------------------|
| Signature | David Warren Moxon |
| Date | 18/06/21 |
| Capacity | Current premises license holder |

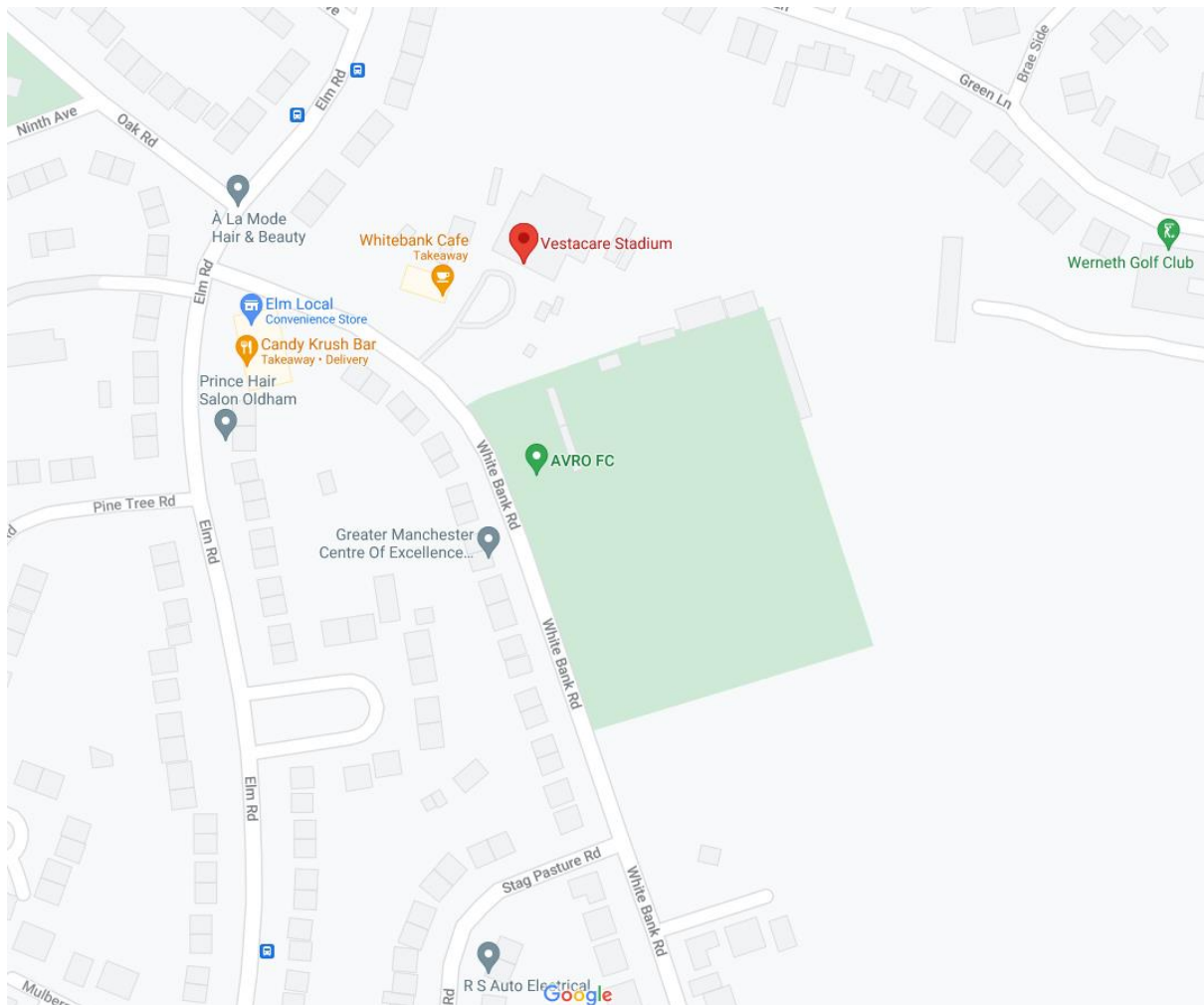
Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

| | | | |
|--|--|------------------|--|
| | | | |
| Post town | | Post code | |
| Telephone number (if any) | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | |





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**Objection to Licensing Application
AVRO Stadium Whitebank Road**

Name: Councillor Jean Stretton

Address: c/o Oldham Metropolitan Borough Council
West Street
Oldham
OL1 1UT

Mobile: [REDACTED]

Objection:

I am objecting on behalf of a number of residents of the section of Whitebank Road that directly faces the AVRO stadium site. Representatives of the club have previously advised me that there were just three households on this stretch of road that had issues with the club. I have had complaints about a wide range of issues from residents but not all of these issues are relevant to the current Licensing application.

In order to establish for myself the true number of residents who have concerns about the club that are relevant to the Licensing application, myself and my fellow ward colleagues attended Whitebank Road and knocked on every door in the stretch opposite the stadium from 4pm onwards on Tuesday 3 August 2021.

Result:

- 3 Have no issues with the club
- 7 Out
- 8 Significant concerns about the club that include but are not restricted to those that are relevant to a licensing application. Three of these said that they had already put in an objection to the license application. All of them were against the granting of a full license for the use of the pitchside bar and Macie's.

One of the households that were out have been in frequent contact with me previously with concerns about the club. They have already told me that they have put in an objection to the current license application.

As a result of this engagement activity and previous complaints made to me by phone and email I will predominantly be objecting to this license application on the basis of the Licensing Act (2003) objective – the prevention of public nuisance.

It is important to note that the concerns are not just speculative. They are based on residents' experiences of the club operating Macie's and the Pitchside bar, which I believe AVRO refer to as the VIP Bar, under a series of Temporary Event Notices. Many of these have been at weekends, which has allowed residents to experience what life would be like for them if a full license is granted that allowed the use of Macie's and the pitchside bar.

In terms of public nuisance, residents complain of:

- Men coming over the concrete fence and urinating in full view of the road, pavements and front windows of the properties across the road. I have had a separate complaint about this issue from a resident of Elm Road.
- Man seen "mooning" at occupants of cars who are leaving the vicinity after using the premises.

- Noise and music from the public address system. Tannoy being used as early as 9am on a Sunday. Music playing until late at night. Music playing when residents are trying to get their children down to sleep.
- Noise at closing time including taxis coming and going and car doors slamming.
- Shouting and foul language – this at all times, not just associated with the bars, but residents fear that it will get worse and carry on for longer, especially at weekend if the license is granted.
- Discarded plastic glasses around the stadium.
- The facility is being run and managed by volunteers. Concerns that they do not have the capacity to manage the site well enough to discourage anti-social behaviour.
- Club management “has no consideration for the community”.

Most residents accept that the club house has had a license for several decades and can accept that this should continue. Unfortunately, there has been a recent fire at the clubhouse which means it cannot be used until it is either repaired or rebuilt depending on the outcome of an insurance claim. However, if a license is granted to Macie’s and/or the pitchside bar it will be in place indefinitely. I would argue that the current closure of the clubhouse is not a relevant factor in considering the application as a whole.

The difference between the clubhouse and the two other bars is that the clubhouse is a permanent structure and other than at closing time there is usually very little noise experienced by residents across the road. Both Macie’s and the pitchside bar are out in the open, are not permanent structures and are closer to the homes of residents on the opposite side of the road. The noise from the public address system can be heard very clearly by near neighbours. The noise from people using the bars can also be clearly heard.

After each of the Temporary Event Notice days residents complain that the carpark and surrounding grass verges are littered with plastic glasses. Some even find them in their front gardens. Residents do acknowledge that the club staff/volunteers do collect the glasses from their own premises and dispose of them.

Perhaps the most compelling argument for turning down this application is the impact it will have on nearby residents in terms of the hours of use of the site. Currently conditions placed on the use of the site state that all activity must cease at 10pm on a weekday and at 8pm Saturday and Sunday. Granting this license effectively negates these conditions and means that noise nuisance will continue until well after 11pm as people await taxis to take them home. I have also been sent photographs of people inside the stadium on the pitch at weekend after the 8pm cutoff time.

I have been a ward councillor for Hollinwood for a total of 18 years. Whilst I have previously complained to licensing officers about breaches of an existing license this is the first time I have objected to a licensing application at its inception, such is the strength of feeling expressed to me by near neighbours across Whitebank road from the stadium. I would like to ask the committee to reject this application.

Jean Stretton

05/07/2021
Reference planning application.PL0439
Avro Football club.

24 Whitebank Rd
o18 3jh

Dear sir.

I write to you to formally object to the above licence variation/application based on clear facts and without malice or prejudice.
Noise.

The club has over 28 teams including Oldham athletic using the facility 7 days a week and the noise from the players and visitors is already at an unacceptable level,due in no small part to the total lack of proofing around the perimeter and absolutely none in the pitch side bar which is made up of 4 shipping containers which I believe was done along with other works without the relevant planning.

Anti social behaviour.

Public urination behind the concrete fence in full view of passing public, indecent exposure from users/grown men.

Using the car park as a test track speeding along it whilst children are getting out of cars.

Our right to a peaceful existence.

Foul language.

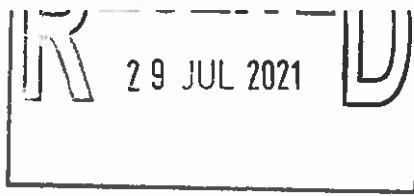
If the bar is granted a variation then the level of noise, intrusion, loss of, privacy, sleep deprivation would be increased to an unbelievable level .

I have three young children one of which has a disability and struggles sleeping now.

Regards Gavin Bryer.

A handwritten signature in black ink, appearing to read 'Gavin Bryer', with a long horizontal line extending from the bottom left of the signature.

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MR & MRS I. M. Fairley

10. Whitebank Rd

Limeside

OLDHAM

PLANNING APPLICATION

REF NO PLO439

OL8 3JH

26TH July 2021

To Whom it may concern,

My husband and I would like to inform you, we do not object to the premises licence that is currently held by AVROS at Vestacare Stadium, but we do object to the variation of the licence, because it would allow AVROS to facilitate the functions, events, the sale of alcohol and live and nonlive music outside in constructed portacabins with no sound-proofing and can offer us no protection from the noise and amplified music resounding around our home and garden. Allowing AVROS to operate 11am-11pm every day would also contradict the conditions put in place for the playing amenities that should finish at 8pm weekends and 10pm weekdays by serving alcohol until 11pm and people still playing on the pitch, as we experienced with recent events. For this to happen every day from 11am-11pm alongside the football would be unacceptable and unbearable. We already have very little relaxation time and family time because of constant noise disturbance, shouting, swearing loudly and loud speaker announcements from the pitch and noisy, rowdy behaviour and amplified music from the Pitch-side bar and Macey's Cafe (wagon).

there are several ongoing problems concerning Avkos's that have been brought to their attention and have not been resolved. No visible security to stop males using the carpark as toilets and changing rooms in full view of our's and neighbours homes also with women and children around. No-one overseeing young children seen entering the premises unaccompanied by parents or adults where alcohol is on sale. Insufficient marshalls to help ease the flow of traffic, which then causes congestion with a chaotic build up of cars at a standstill leading to arguments between drivers and intimidation of residents as drivers park inconsiderately and obstructively over driveways. Drug dealing is a regular occurrence in broad daylight, gangs in cars access the carpark and engage in antisocial behaviour and activities late at night sometimes with blaring car radios, late at night and into the early hours, there is no security or a gate to prevent access to the carpark which is then littered with heaps of silver cannisters this type of antisocial behaviour causes sleep disturbance and anxiety. We have to endure light pollution and intrusion of our privacy, when, very often cars park facing our windows with head lights shining in, due to lack of marshalls, that could move the drivers to the correct place to park. There is also no one overseeing crowd control as large groups leave when the pitchside bar has closed, then gather in groups on the carpark, and garden walls, many still drinking alcohol, cause sleep disturbance and fear of intimidation, with shouting and unruly behaviour, then leave their plastic tumblers, bottles and rubbish in gardens, on the grass verges and carpark littering the area.

Since AVROS took over the premises, we feel it is over-used and understaffed and is operating irresponsibly and unprofessionally, with insufficient security officials and Marshalls and no care or consideration for the residents or the community as a whole. They have changed a once decent social club with excellent playing amenities into an area resembling an industrial estate/building site and our once quiet residential road into a very undesirable place to live. Please find this as our objection.

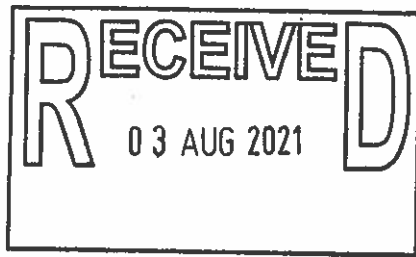
Thank you

yours faithfully

MR & MRS Irene & Michael Fairley

Irene Fairley
M. Fairley

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Mr & Mrs Glennon,
28, Whitebank Rd,
Limeside,
Oldham.
31/07/21.

The reason we are opposed to the application. PL0439.

Avro Football Club, Whitebank Stadium, Whitebank Rd, Limeside ,Oldham. The stadium is surrounded by residential homes, on three sides. The stadium is visible from the road / footpath on Whitebank Rd, Limeside , Oldham.

Avro management team: – Mr R. Fuller, Mr. D,W,Moxon, (13/07/21) Mr. C O'Brien.

In the last five years, the management team have proven to be unreliable and irresponsible in the running of Whitebank Stadium. Unfortunately, Avro management team have no respect for the residents of Whitebank Rd. Avro staff have informed the residents it their way, or no way. Mrs Glennon on 09/04/21 telephoned Mr O'Brien, at Avro to arrange a meeting to hopefully discuss a range of issue the residents were experiencing, to find some common ground. Mr O'Brien, P Armstrong, from Avro, met with Mrs Glennon on Whitebank Rd, the conversation was negative, and Mrs Glennon gave her apologise, and ended the meeting.

Avro left the residents no choice but to contact the following people to rectify their concerns.

Local Labour Counsellor Jean Stretton and M.P. Jim. Mc, Mahon. Senior Council Officers, Ben Hill, and Town and Country Planner, Andrew Jones. and Peter Garvin. Jane Greer. Mohammed A Hussian.

Our objections are as follows.

On the 30th March 21, Avro allowed two young men to cut down a number of trees on Whitebank Rd, these men were using a chainsaw, they wore a pair of summer shorts, no top and wore trainers. They had no personal protective clothing (safety equipment). These men wear drinking bottles of Budwieser, and posing for photos on their phones, they were swinging the chain saw above their heads. Photo evidence available.

10th July.21, Pitch side bar, people drinking outside and loud music playing, 30th birthday party at night time. Avro at this time have no alcohol licence, and neither does Macie Food Wagon again selling alcohol. This is not a trailer described by Avro application it's a wagon. Photo evidence available. The new Pitchside bar plans show two new toilets, no toilets any were near Macie Food Van. No evidence of disabled toilets. Have Avro applied for planning permission for connection of waste from these toilets?

1. Avro Football Club, have broken their lease with Oldham Council. They have sublet the area adjoining the social club to a scaffolding company in Feb 21. This area should have housed 2 waste bins (general & recycling). In the same location Planning Officers stated a Sheffield Bike Stand must be provided. This was part of the planning permission application. Evidence available.
- 2.

5th June 21. Fire at Avro, no emergency lighting at the club, no fire alarms from the social club sounded. Residents woken by Blue Flashing Lights of the emergency services attending Avro. 100 or more young people that night was sent out on the Pit Club car park, many intoxicated still holding bottles of alcohol and drinking vessel. Which were, left on Whitebank Rd, and had to be cleared by residents. The pitch side bar had not been opened long. Covid rules were still in place, except for people attending Avro Football Club.

Mr Crolla, Boxing Gym, inside the old social club, Avro are claiming this had been a gym since Oldham Rugby used the Pitch for training/matches. Oldham Rugby used Oasis Academy, Hollins Rd, for gym purposes during this time. The residents have photo evidence available, that in 2020, this room was a concert room, and a Birthday Party was held for a local family. In 2017, Avro held an open night, and the concert room was still in situ. Avro /Mr Crolla had no planning permission for change of use from a bar to a boxing gym.

On 27/7 Avro have allowed a marquee, for boxing gym to be erected without planning consent this is placed behind the north stand hidden by the trees, this has been advertised by P. Armstrong on his Twitter. According to Mr Fuller, 26/7 Avro have no CCTV available on the ground since the fire, they are waiting for insurance. We are concerned about safeguarding issues, because over recent months. Avro are allowing a number of unaccompanied children on to the facility.

We have seen a number of unaccompanied primary school children, climbing on the black electrical wire to climb over the concrete panels and climb on to the roof of the stands. Unaccompanied children are walking through the main gates, at all times of the day. Male/Female teenagers are also entering the facility, during the day and night time. Do all Avro staff, have DBS checks these are important when working with children and vulnerable groups? These may have been omitted from the new application.

The residents of Whitebank Rd have had to endure a wide range of Antisocial behaviour from attendees at Avro stadium. On 3rd July, and other occasions we have grown men changing into their football kits from day clothes. We have had to endure grown men urinating in front of our windows. Foul language can be heard on a regular basis, from grown up men playing football/spectators. This behaviour prevents us from enjoying gardens, and family time during the good weather.

An increase in traffic volume, and parking is still an issue, the dirt track, during good weather create a whirl pool of dust affecting people health. Attendees using Avro are still parking with head lights shining into our homes. We have watched in horror, as drivers enter the dirt track and egress from the same point, and at times speeding, when children are walking around the facility. It only a matter of time, before an accident occurs. In front our property we have very limited privacy as the concrete fence is only one metre in height. And people are looking into our property. Avro staff have removed even more concrete panels, in front of our homes, so players can urinate in front of our windows/ collect footballs.

We are unable to enjoy our amenities, due to poor urban planning the level of noise / light pollution created by Avro. This pollution increases during the winter months. This is having an adverse effect on our quality of life, and children's health.

If the pitch side bar, and Macie food truck, are allowed to serve alcohol, and play music seven days a week. This will prevent children from sleeping, and in the long term affect their life chances. The pitchside bar has been constructed by joining together two steel shipping containers, and covered in wood, no internal sound proofing. So, closing windows and doors will not reduce much noise. Due to the fact the stadium is built in a residential area, which is very quiet at night time. The noise from pitch side bar, Macie Food Truck and the attendees will intensify after dark and increase the noise pollution. The residents will be unable to open their windows, and affect people sleep. This is already having a detrimental effect on resident's mental health, we have a number of residents who are key workers and work shifts, they are struggling to sleep at the moment. Due to the noise from Avro's.

If Avro are allowed to sell alcohol in the near future legally, will they be providing additional toilet facilities for men, women and disabled people.

We think introducing two alcohol outlets in close proximity to each other, and allowing children to see adults smoking especially in a sporting environment does not provide a positive environment for all children. In Oldham Primary school, many children leave school with weight issues, selling unhealthy food in a sporting environment is not providing a positive message.

Avro's Football Club, have been promoting the pitchside bar, by providing free food and alcohol to 2 families on Whitebank Rd, during the Euro's Football.


Avro's facility was built to promote and improve people's health by encouraging sport. And to provide positive role model for children.

Yours Faithfully.

S. Glennon. Mr.



C. Glennon. Mrs.



22/07/21

26 Whitby Bank Rd
OLDHAM
OL8 3JH

Reference PL0439.

Dear Sir or Madam

I write to you
to formally object to the Licence application
posited by Auro FC for a pitch side
Bar licence.

- ① Noise - visitors will be put out onto the
car park creating all sorts of noise +
distress to local residents
- ② Anti-social behaviour -
Foul and abusive language, Rowdiness
- ③ Urinating in public (we have evidence
of this gang on over 4 half-years)
- ④ Human Rights Act: our Right to a
quiet life.
- ⑤ Pitch side Bar has no sound proofing
- ⑥ Full Risk Assessment (Have to have)
- ⑦ Have a club house already but
give it over to a boxing club
and took out the BAR.

Yours most sincerely R. M. B. S.

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29/07/2021

20 Whitebank Rd
limehurst village
OL8 3JH

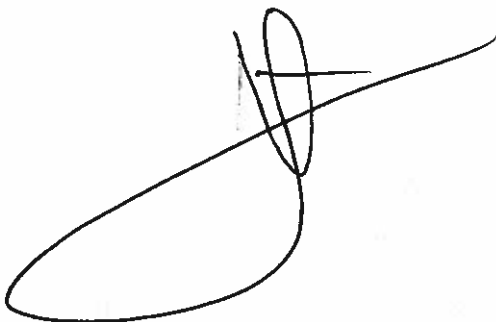
Reference planning application.PL0439
Avro Football club.

Dears sir or madam.

Please find for your attention our objections to the application for a pitch side bar licence at the above premises.

1. Anti social behaviour.
2. Noise.
3. Urinating outside the ground due to insufficient facilities.
4. Foul and abusive language, we have all been subject to threats of violence and aggression from visitors to the club over the past 4.5 years.
5. Total lack of communication from the officials.
6. They have had functions at the pitch side bar without a licence.
7. We have a right to a relatively peaceful life under the human rights act.
8. The club is only yards away from our houses.
9. Fighting in the car park.
10. Some of the people who live on the road are key workers.
11. Some have young children and don't want them exposed to blokes effing and blinding at all hours and urinating in the car park.
12. Some of us have lived here since the early seventies.
13. We also have elderly people living on the road.
14. The pitch side bar has no sound proofing, it comprises of four steel containers put together and all without planning permission.
15. The club operates a conveyor system for training and matches 0800-2200 hrs. mon-fri.0800-20 saturday and sunday, we have absolutely no relief from the noise, parking and foul language now it would be made worse by allowing them a pitch side bar licence, it will enable them to carry on the noise and anti social behaviour later into the night.
16. They had a club house with a perfectly good bar that they illegally sub contracted out to a boxing gym and removed all of the bar areas and fittings.
17. And finally for the past 4.5 years we have basically been under siege from a so called community focussed football club that was allowed to open without the proper basic requirements that now has over 30 teams using the facility seven days a week with absolutely no regard or respect for the local residents.

Yours sincerely Ronnie and Carol Bailey

A handwritten signature in black ink, consisting of a large, loopy 'C' shape with a horizontal line crossing it, followed by a long, sweeping horizontal stroke.

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RE APPLICATION PL0439

AVRO FC

WHITEBANK ROAD

OLDHAM

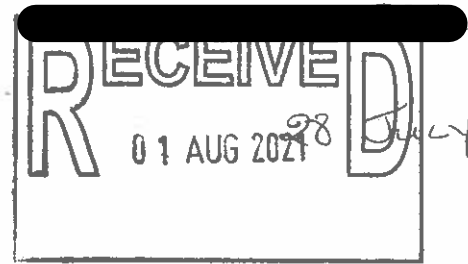
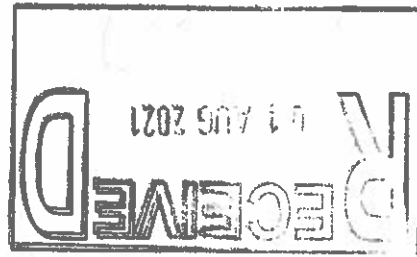
OL8 3JH

MR PAUL + MRS DENISE CATER

14, WHITEBANK ROAD

OLDHAM

OL8 3JH



Dear Sirs

With reference to the application PL0439 for a variation of premises licence at AVRO to provide alcohol and refreshments 11.00am to 11.00pm Monday to Thursday, 11.00am to 12.00pm Friday to Saturday and 10.30 Sunday, we strongly oppose this application.

Whilst we have no problem with the existing licence held by AVRO for the original clubhouse, the noise and music was contained within the premises, our objection is based on concerns this new application is for a pitchside/VIP bar constructed out of porta cabins with double doors which are left open to the external seating and a food wagon with external seating, both of which provide no soundproofing and the amplified music and general noise from patrons is audible from our home.

Both these facilities have been open since 28 May 21 under temporary events notices and I have messaged the club chairman numerous times re loud music and anti-social behaviour:-

1st May - party held around mid afternoon 3.00pm, loud music and general noise until 10.30pm, audible from our home. Would have probably gone on longer if I hadn't contacted Paul Armstrong member of staff. at 10.15pm.

2nd May - party at Mac's food wagon, loud music 12 noon text chairman 12.50pm, he had music turned down. But we still had noise from partygoers. Same night 11.00pm to 11.50pm over 20 people congregating

on carpark waiting for taxis, shouting, arguing between themselves and generally causing a public nuisance with their drunken anti-social behaviour. Emailed chairman the following day, his reply and I quote "Unfortunately with alcohol comes stupidity".

5th June - 11:00pm ground evacuated due to fire, no emergency lighting to be seen, no assembly point, all patrons congregating on Whitebank Road, utter chaos, same anti-social behaviour as previous week, young girls so drunk they had to literally be man handled into taxis. Plastic glasses and litter left behind.

3rd July - Two young boys aged about 7 years had tried to gain entry to the ground but were refused by staff, so they played football on the car park, they kicked the ball on the clubhouse roof and then scaled the high perimeter fence approx 15/20 foot to retrieve it. No member of staff came out to and speak to these children even though they knew of their presence. If they have CCTV covering all areas, why was this allowed to happen, this could have turned into a nasty accident.

10th July - Messaged chairman again re loud music from Macies @ 2:10pm. Same night function held pitchside bar, football on till 8pm but footballs still being kicked about until 10:15pm and we can hear the thud of the ball being kicked each time.

11th July - Euro football final, plenty of patrons to watch the match, we made exception Page 50 the noise being what it was, England in the final, but the following morning

our view was a carpark and grass verge full of plastic glasses. Why are people allowed to leave the premises with alcohol when they have registered door supervisors?

7th July - 8 50pm, gates still open, footballs still being kicked about. Two men sat in one car on carpark using silver canisters, balloons for over an hour, should have been visible on CCTV but went unnoticed. Unaccompanied and unsupervised children entering ground.

We already suffer excessive noise from the football 7 days a week from as early as 7 40am, especially at weekends, with shouting, swearing from both players and spectators. Amplified music constantly playing over the tannoy system well before matches are due to start. Car doors slamming, inconsiderate parking, headlights shining into our house.

We have endured indecent anti social behaviour numerous times with males urinating in front of our house and footballers stripping to their underwear.

Cars ignoring the one way and no entry signs whilst children are on the carpark. Marshals only in attendance occasionally and only when cars are arriving not when they are leaving. We have seen young children climbing on an electric cable attached to the concrete fence, this is a massive public safety issue.

30 March - Two young men were cutting trees down with a chainsaw on the spare land prior to the car park/dirt track being laid. No safety protection worn, no safety goggles worn, drinking beer and posing for photographs holding the chainsaw in one hand and beer in the other. No-one came out checking on these men, surely AVEO have a responsibility for the health and safety of its employees.

This facility and car park are approximately 50 yards from our home and this is where the patrons congregate, be it before or after football, after attending a party or function.

We have to put up with this intrusion in our lives, we cannot have windows or doors open because of the noise. We have had sleep disrupted. We cannot enjoy family time in our gardens because of the noise and foul language.

We have a basic human right to privacy in our home free from noise nuisance, light pollution and anti social behaviour all of which we haven't got with this overdeveloped, overused facility.

Granting this application for an alcohol licence that goes upto 11pm/12pm for the pitchside bar effectively negates the conditions of use of the playing amenities that state use should end 10pm week days and 9pm weekends. It would also means at weekend we would and already have had to endure this facility being open 16 hours and all the noise that comes with it.

As you can see whilst Avro have been operating on the temporary events licences we have had first hand experience of what it will be like if this application is passed with the above public nuisance, public safety, anti social behaviour and lone children issues

We strongly object to this application and urge you to dismiss it.

Yours faithfully
Bob - + Dapper.