

LICENSING PANEL
Regulatory Committee
Agenda

Date Tuesday 18 July 2023

Time 9.30 am

Venue Lees Suite, 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 Tel. 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, 13 July 2023.
 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.

Please also note the Public attendance Protocol on the Council's Website

https://www.oldham.gov.uk/homepage/1449/attending_council_meetings

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

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 Variation of Premises Licence The Old Library Cafe & Bar (Pages 5 - 36)

The purpose of this report is to inform Members of an application for the variation of a premises licence in respect of The Old Library Café & Bar, Unit 6, 45 High Street, Uppermill, Oldham OL3 6HS (also known as the Hidden Garden) which, due to representations being received, has been referred to this Panel for determination.

8 New Premises Dean's Local 1 (Pages 37 - 70)

The purpose of this report is to inform members of an application for the grant of a premises licence in respect of Dean's Local 1, 31 Hardman Lane, Failsworth, Oldham M35 0DZ 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.

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Licensing Panel

Licensing Act 2003

Application for Variation of a Premises Licence

The Old Library Garden Café & Bar, Unit 6, 45 High Street, Uppermill, Oldham OL3 6HS (also known as the Hidden Garden).

Report of Executive Member for: Housing & Licensing

Officer contact: Nicola Lord

18th July 2023

Reason for Hearing:

The purpose of this report is to inform Members of an application for the variation of a premises licence in respect of The Old Library Café & Bar, Unit 6, 45 High Street, Uppermill, Oldham OL3 6HS (also known as the Hidden Garden) 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

The Old Library Café & Bar, Unit 6, 45 High Street, Uppermill, Oldham OL3 6HS

1 Background

2 The purpose of this report is to inform Members of an application for the variation of a premises licence in respect of The Old Library Café & Bar, Unit 6, 45 High Street, Uppermill, Oldham OL3 6HS (also known as the Hidden Garden) which, due to representations being received, has been referred to this Panel for determination.

3 Recommendations

3.1 Members are recommended to consider the application, taking into account the representation received.

4 The Application

4.1 On the 12th May 2023 Rachel Bithell 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 June 2023.

4.2 Details of the proposed variation are as follows:-

Extend the hours for their premises licence to provide existing licensable activities and add additional licensable activity as outlined in the table below.

Activity	Current Hours	Proposed Hours
Recorded music: Outdoors	Monday to Sunday 10:00 to 18:30	Monday to Sunday 09:00 to 21:00
Live music: Outdoors	Not currently licenced	Friday to Monday 12:00 to 20:00
Supply of alcohol On and Off Premises	Monday to Sunday 10:00 to 18:30	Monday to Sunday 10:00 to 21:00
Opening Hours	Monday to Sunday 10:00 to 19:00	Monday to Sunday 09:00 to 21:00

4.3 A copy of the application is attached at **Appendix 15.1**.

4.4 A location map is attached at **Appendix 15.2**.

5 Representations

- 5.1 Following submission and advertisement of the application a representation was received. This can be found at **Appendix 15.3** to this report.

6 Licensing Policy

- 6.1 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.

- 6.2 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.

- 6.3 A full copy of the Councils Licensing Policy statement will be available at the hearing.

7 Secretary of State Guidance

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

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

2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensable objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.19 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.

2.20 Measures to control light pollution will also require careful thought. Bright light outside premises which is considered appropriate to prevent crime and disorder may

itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.

2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises 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.

8 Options/Alternatives

8.1 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
- b) Grant the application but modify the operating schedule in relation to hours, days, conditions or activities;
- c) To reject the application;

8.2 Any steps appropriate to promote the licensing objectives should be specified. If no steps are appropriate the application should be granted.

8.3 Findings on any issues of fact should be on the balance of probability.

8.4 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.

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

9 Consultation

9.1 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.

10 Legal Services Comments

10.1 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)

11 Environmental and Health & Safety Implications

11.1 Contained within the body of the report.

12 Equality, community cohesion and other implications

12.1 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.

13 Equality Impact Assessment Completed?

13.1 No

14 Background Papers

14.1 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

15 Appendices

Appendix 15.1 - Premises Licence Application

Appendix 15.2 - Location Map

Appendix 15.3 – Representation

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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 Rachel Darcey Bithell

(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 PL1029
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Old Library Garden Café & Bar Unit 6, 45 High Street Uppermill			
Post town	Oldham	Postcode	OL3 6HS

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£0

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post town	Oldham	Postcode	[REDACTED]

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

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)

Extension of opening hours from:

(TO PROPOSED OPENING HOURS 9:00am - 21:00pm

To supply alcohol on and off premises Monday – Sunday 10:00am – 21:00pm

To play recorded music (outdoors) Monday – Sunday 9:00am – 21:00pm

To play live music (outdoors) Monday – Sunday 12:00pm – 20:00pm

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)
- 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)

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

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play 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	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 6)		
Wed					
Thur			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 (please read guidance note 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films 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 type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur								
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)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			<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 7)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment 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 type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

E

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"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) This will NOT be every weekend, but something we have been asked about previously and would like the option if granted. Music will be amplified on a small scale and in fitting with the premises and surrounding area (not loud as to disturb surrounding neighbours) and being outdoors. <u>State any seasonal variations for the performance of live music</u> (please read guidance note 6) Only going to be during the months of June – August if granted, in a small corner outdoors as “background music” to allow for a peaceful setting <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) n/a		
Mon	12:00	20:00			
Tue					
Wed					
Thur					
Fri	12:00	20:00			
Sat	12:00	20:00			
Sun	12:00	20:00			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) Background music to be played at a low volume as granted now on premises licence, just longer hours. Music will not be amplified and played on multiple, small speakers around the premises on a low volume without causing any disruption to surrounding neighbours <u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6) n/a <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) n/a		
Mon	9:00	21:00			
Tue	9:00	21:00			
Wed	9:00	21:00			
Thur	9:00	21:00			
Fri	9:00	21:00			
Sat	9:00	21:00			
Sun	9:00	21:00			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance 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	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 6)		
Wed					
Thur			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 (please read guidance note 7)		
Fri					
Sat					
Sun					

H

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					
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 6)		
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 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment 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	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Wed					
Thur			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 (please read guidance note 7)		
Fri					
Sat					
Sun					

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)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6) Longer hours will only be during Summer months of June, July and August and any special events during the year.		
Mon	10:00	21:00			
Tue	10:00	21:00			
Wed	10:00	21:00			
Thur	10:00	21:00			
Fri	10:00	21:00			
Sat	10:00	21:00			
Sun	10:00	21:00			
			<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) n/a		

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> <p>N/A</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) N/A
Day	Start	Finish	
Mon	9:00	21:00	
Tue	9:00	21:00	
Wed	9:00	21:00	
Thur	9:00	21:00	<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) N/A
Fri	9:00	21:00	
Sat	9:00	21:00	
Sun	9:00	21:00	

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.

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)

We will notify authorities of any crime and disorder that may occur or almost occur in and around the premises.
Take correct procedures in removing any customers causing public nuisance and report to relevant authority.
Ensure the premises remains a family-friendly environment and carry out correct procedures in Challenge 25 and reporting/making notes of any attempted under age drinking.
Abide by licensing measurements and common sense of serving alcohol to members of public.

b) The prevention of crime and disorder

Report any crime and disorder to relevant authorities.

c) Public safety

Abide by licensing laws, measurements of drink and use of common sense when serving members of the public.

If required, additional staff (door security) to assist in public safety

d) The prevention of public nuisance

Refusing selling of alcohol to anybody under the influence and causing public nuisance. Removal from the premises and report to relevant authorities.

e) The protection of children from harm

ID checks regularly and Challenge 25 signs clearly up behind the bar. Refuse sales to anybody unable to supply ID and report to the relevant authorities any suspicious behaviour.

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	
Date	10/05/2023
Capacity	Current premises licence 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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Google



Hidden Garden - Uppermill

Restaurants Hotels Things to do Transport Parking

Hillcrest Holiday Homes Hare & Hc

Hidden Garden - Uppermill

4.7 ★★★★★ (70) Cafe

Overview Reviews About

Directions Save Nearby Send to phone Share

✓ Dine-in · ✓ Takeaway

Unit 6, 45 High St, Uppermill, Oldham OL3 6HS

Lucy Cobb - Official Robell Stockist Ladies' Clothes Shop Sacred Heart & Saint William Catholic Church Kobe Coffee Ebenezer Congregational Church Saddleworth Museum & Gallery The Waggon Inn British · EE Thomas and Co Accounting... Pizza Love Temporarily closed

Greater Manchester

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From: Helen Slater <[REDACTED]>

Sent: 24 May 2023 12:16

To: ENV LICENSING <licensing@oldham.gov.uk>

Subject: Objection to variation of premises license for The Hidden Garden, Unit 6, 45, High Street, Uppermill, OL3 6HS

I am writing to make a representation opposing the granting of a variation to a license to alter the timings of the sale of alcohol on the premises/sale of alcohol off the premises and provision of regulated entertainment to Monday - Sunday 09.00 - 21.00 on the grounds of prevention of public nuisance.

Re :- Rachel Darcey Bithell, The Hidden Garden, Unit 6, 45 High Street, Uppermill, OL3 6HS

The reasons I am opposing the variation of the license (as above) are as follow:-

- The rear garden /seating area of my property 6, Watergate, Uppermill, Oldham, OL3 6DQ is adjacent to and abutting the boundary wall of the above mentioned premises, being mere inches away from the waste disposal area belonging to the cafe and just several feet from the outdoor bar area. Should the serving of alcohol be extended until 21.00 it would further impact on my lack of privacy and would extend the period of noise nuisance.
- It would seem that the cafe/bar is solely an outdoor venue and having resided adjacent to the cafe/bar since before its opening in August 2017 I have noticed a considerable increase in noise levels, which includes
 1. Audible clanking of pots and glasses
 2. Loud talking of customers
 3. The opening and closing of the shutters at the premises
 4. Disposal of waste/bottles. As I have mentioned previously in this email, the waste disposal area is mere inches away from my patio area and as a consequence it is already difficult for me to have any conversations in my garden when the waste disposal area is being used. Should the license be extended until 21.00 it would decrease the already limited time when I can enjoy a degree of peace and privacy in my garden.
- The residents of Watergate and two properties on Moorgate street enjoy a communal seating area and recreational area which again abut the above mentioned premises so causing difficulty using and enjoying this space during licensing hours due to the noise levels.
- My Kitchen is adjacent to the cafe/bar garden and a bedroom overlooks the premises in very close proximity.
- With the times and conditions currently in place these being - alcohol not to be served after 18.30, the whole premises to be closed by 19.00 and no disposal of waste/bottles between 19.00 and 09.00, I do at least have a limited time to enjoy a degree of peace and privacy in my garden during daylight hours in the summer month, however should the licensing hours be increased it would have a severe negative impact on my enjoyment of my outside area.

In summary I do not think that it is appropriate to extend the licensing hours to 21.00 as this is an outside only cafe/bar and is in the heart of a residential area which has already been affected by increased noise levels and disturbance. To extend the licensing hours to 21.00 would have a detrimental effect on my well-being and also to the other residents in this area.

Helen Slater - To substantiate my appeal to the variation of licensing hours for the above mentioned premises I have attached a photograph of my patio area which hopefully demonstrates the proximity of the cafe/bar which is directly behind the wall.



The communal area enjoyed by residents of Watergate and two properties on Moorgate Street, the cafe/bar being directly behind the wall /fence.



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Licensing Panel

Licensing Act 2003 – Application for New Premises Licence

Dean’s Local 1, 31 Hardman Lane, Failsworth, Oldham M35 0DZ

Report of: Executive Member – Housing & Licensing

Officer Contact: Nicola Lord

Date of Hearing: 18th July 2023

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 Dean’s Local 1, 31 Hardman Lane, Failsworth, Oldham M35 0DZ 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 – 18th July 2023

Application for a New Premises Licence

Dean's Local 1, 31 Hardman Lane, Failsworth M35 0DZ

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 Dean's Local 1, 31 Hardman Lane, Failsworth, Oldham M35 0DZ 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 June 2023 the applicant, Kirshna Ltd., applied for the grant of a premises licence for Dean's Local 1. The last date for representations in relation to this application was the 5th July 2023.

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

Activity	Indoors / Outdoors	Hours
Supply of Alcohol	Off the premises	Monday to Sunday 8am to 11pm

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

3.6 A location map is attached at **Appendix 14.2**.

4. Representations

4.1 Following submission and advertisement of the application a representation was received. This can be found at **Appendix 14.3** 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 7, Prevention of Crime and Disorder, and Section 12, Public Safety, and Section 13, Prevention of Public Nuisance and Section 15, Protection of Children from Harm.

5.2 A full copy of the Councils 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 (April 2018).

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 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.

In relation to 'Protecting of children from harm', the following paragraphs provide:-

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

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

6.3 A full copy of the guidance 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 but modify the operating schedule in relation to hours, days, conditions, or activities
- c. 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 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 & Plan
Appendix 14.2 – Location Map
Appendix 14.3 – Representations

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Oldham Council

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 Kirshna 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 Dean's Local 1 31 Hardman Lane Failsworth			
Post town	Oldham	Postcode	M35 0DZ
Telephone number at premises (if any)		[REDACTED]	
Non-domestic rateable value of premises		£ 3,400	

Part 2 - Applicant details

- | | |
|---|--|
| Please state whether you are applying for a premises licence as | Please tick as appropriate |
| a) an individual or individuals * | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | X please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> please complete section (B) |
| f) a health service body | <input type="checkbox"/> 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 <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	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)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Nationality					
Current postal address if different from premises address					

Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(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	KIRSHNA LIMITED
Address	4 Newham Avenue Manchester M11 4JS
Registered number (where applicable)	14611232
Description of applicant (for example, partnership, company, unincorporated association etc.)	Limited Company
Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	M	YYY
0 6	0 7	2 0 2 3

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

DD	M	YYYY

Please give a general description of the premises (please read guidance note 1)

Retail premises trading as a grocery supermarket consisting of one main customer area on the ground floor, situated in a dense residential area.

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)

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

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thu			<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 6)		
Fri					
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)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Wed					
Thu			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 (please read guidance note 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	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 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)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur					
Fri			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 (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	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)			
Wed						
Thur			<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)			
Fri						
Sat						
Sun						

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed					
Thur			<p><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)</p>		
Fri					
Sat			<p><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)</p>		
Sun					

1

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	<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 4)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur					
Fri			<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					
Sun					

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	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)					
Mon	08.00	23.00						
Tue	08.00	23.00						
Wed	08.00	23.00						
Thur	08.00	23.00						
Fri	08.00	23.00						
Sat	08.00	23.00						
Sun	08.00	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 Mr Shiry RAM		
Date of birth: [REDACTED]	Place of birth: [REDACTED]	Nationality: [REDACTED]
Address [REDACTED] [REDACTED]		
		
Postcode	[REDACTED]	
Personal licence number (if known) 194165		
Issuing licensing authority (if known) Manchester City Council		

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 9).</p> <p>None</p>
--

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>	<p>State any seasonal variations (please read guidance note 5)</p>	
	Day	Finish

Mon	08.00		<p><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 6)</p>
		23.00	
Tue	08.00		
		23.00	
Wed	08.00		
		23.00	
Thur	08.00		
		23.00	
Fri	08.00		
		23.00	
Sat	08.00		
		23.00	
Sun	08.00		
		23.00	

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)

1. CCTV

- 1.1 The premises will be installed and will maintain a digital CCTV system
- 1.2 The CCTV system will have sufficient hard drive storage capacity to store a minimum of 31 days.
- 1.3 The CCTV system will be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises at the entrance.
- 1.4 A CCTV log will be completed on a weekly basis to record all elements of the CCTV System is maintained in good working order and recordings date and time stamped.
- 1.5 Only nominated staff will be trained in the operation of the CCTV system to ensure rapid data retrieval & downloads of footage can be provided to the Police & the Local Authority Officer upon reasonable request in accordance with the Data Protection Act.

1.6 CCTV will continually recording during licensable hours.

1.7 In the event of a failure of the CCTV system for any reason, a record of the failure will be recorded in the premises CCTV log and immediate steps will be made to rectify the problem.

1.8 Proxy signs will be sited on the premises to deter proxy sales on behalf of under 18's.

1.9 The DPS will provide training to staff in relation to alcohol sales and to record the training in writing. A written sale of Alcohol register will be maintained at the premises.

b) The prevention of crime and disorder

2. Incident / Refusals Register

2.1 An incident log will be kept at the premises. Log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'authorised person' (as defined by section 13 of the Licensing Act 2003), an authorised trading standards officer or the police, and must record the following;

(a) All crimes reported to the premises (where relevant to the licensing objectives)

(c) Any incidents of disorder

3. When the designated premises supervisor is not on duty, a contact telephone number will be available at all times.

4. All spirits will be stored and sold behind the counter.

5. Roller shutters have been installed at the front

c) Public safety

No risk has been assessed under the Licensing Act 2003

d) The prevention of public nuisance

6. Prominent, clear and legible signage shall be displayed at the exit to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quickly and quietly. (Quiet Notice).

7: The Management and staff will observe the external area via the CCTV and endeavour to disperse 3 or more persons that appear to be loitering outside.

8. All waste products will be stored in a suitable receptacle and disposed of in a commercial waste bin at the rear

9. No exterior lights apart from the rear security light fixed to the premises, will cause annoyance to any residential property.

e) The protection of children from harm

9. A written register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months and will be collected by the designated premises supervisor and produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer the local authority/council on demand.

10. All staff engaged in the sale of alcohol to be trained in Challenge 25. Training records shall be kept on the premises and produced to the police or an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised trading standards officer of the local authority/council on demand

11. Challenge 25

11.1 The premises will operate a Challenge 25 policy. Such policy will be written down and kept at the premises. The policy will be produced on demand by the police, an 'authorised person' (as defined by section 13 of the licensing act 2003) or an authorised Trading Standards Officer.

11.2 Prominent, clear and legible Challenge 25 signage shall also be displayed at all entrances to the premises as well as at, at least one location behind any counter advertising the scheme operated.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. *Electronic application*
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X
- [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 (please read note 15). X

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, if appropriate (please see note 15)
Signature	<i>J. Clarke</i>
Date	6 th June 2023
Capacity	Agent on behalf of the applicant

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	

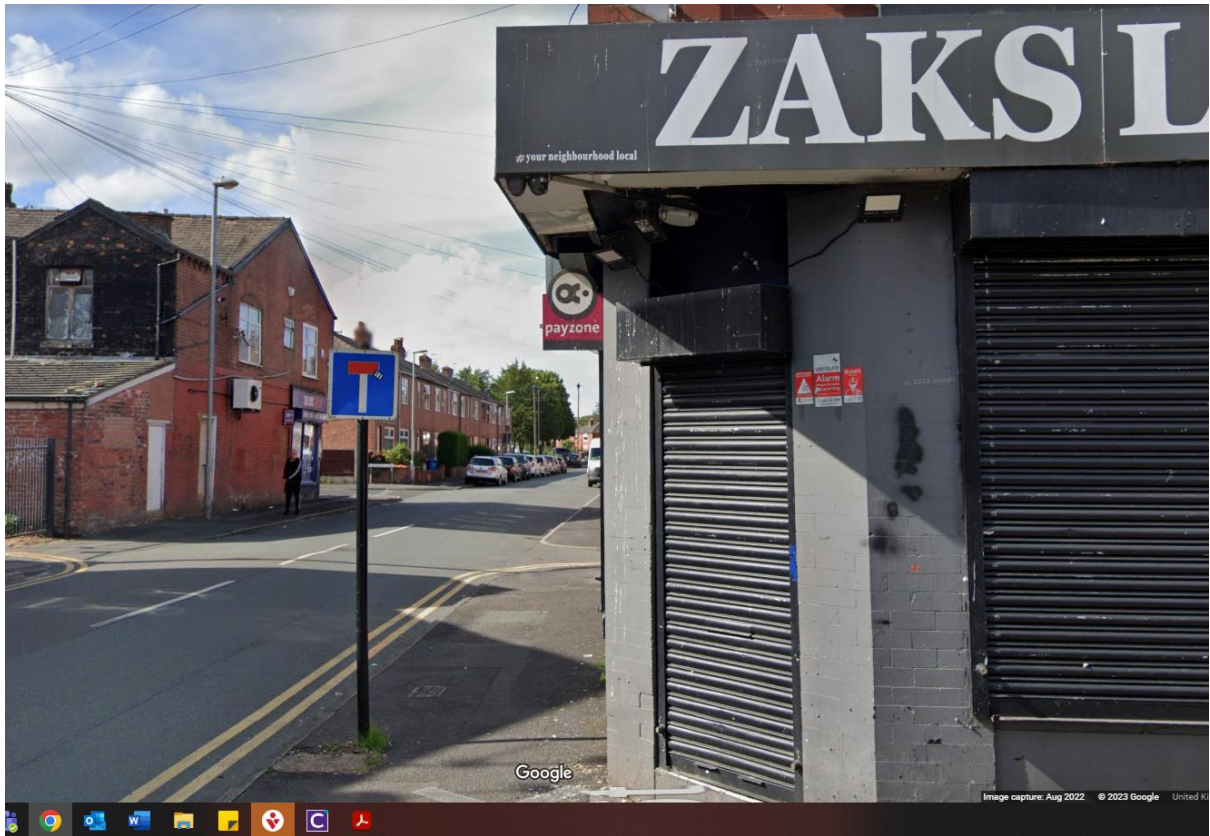
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) June Clarke JMC Licensing Consultants, Warrington Business Park, Long Lane			
Post town	Warrington	Postcode	WA2 8TX
Telephone number (if any)	07961 776 059 - 07834529712		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) licensinghouse@me.com			

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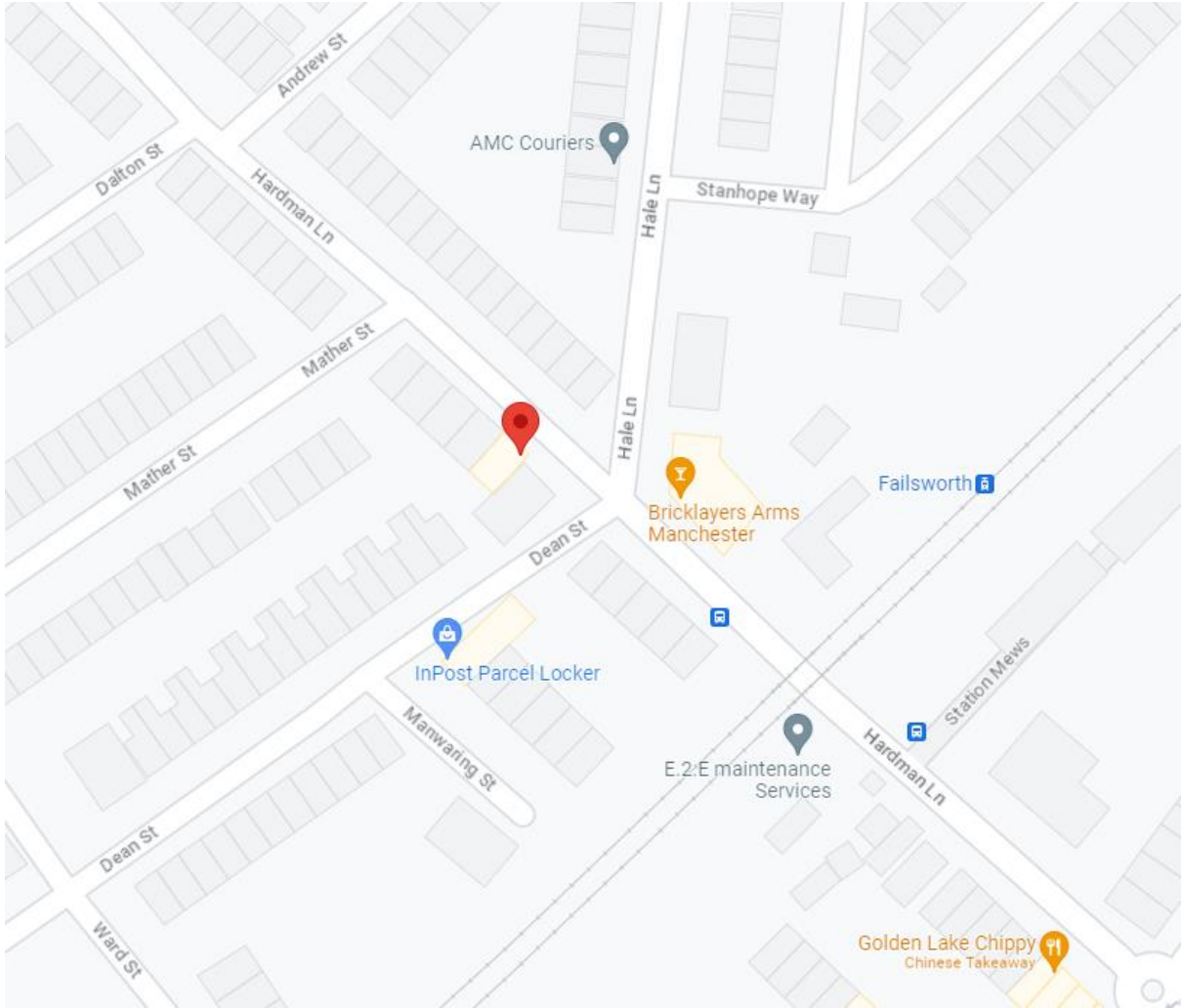


31 Hardman Lane – proposed new premises



Manwaring Street, showing the proximity of the current Dean's Local





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Premises Name **DEAN'S LOCAL 1**
Premises Address **31 HARDMAN LANE FAILSWORTH MANCHESTER M350DZ**
Type of Application **OPEN APPLICATION 085624 PREMISES LICENCE**
THE SUPPLY OF ALCOHOL

Section 2 – Details of Person making Representation
(if you are a representative for an objector please use the next section)

Title **MR**
(Mr/Mrs/Miss/Ms/Other)
Full Name **DAVID FITZSIMMONS**

Telephone

Email Address
(we will use this to correspond with you unless you notify us otherwise)

Full Address **25 HARDMAN LANE FAILSWORTH MANCHESTER**
(Including postcode) **M35 0DL**

Please note that a full copy of your objection (including your name and address) will be sent to the applicant and will be a public document at any hearing of this matter.

Section 3 – Details of Representative

Title
(Mr/Mrs/Miss/Ms/Other)
Full Name

Telephone

Organisation

Email Address
(we will use this to correspond with you unless you notify us otherwise)

Full Address
(Including postcode)

Please state nature of representation:
(residents association / ward councillor / MP / trade association)

Section 4 – Representation Details

I object to the application being granted at all
 I object to the application being granted in its current form¹

¹if you choose this option remember to tell us in Section 5 what changes you would like to see

You need to complete the boxes below as fully as possible. If you do not, then the Licensing Panel may not understand why you have objected.

Try to be as specific as possible and give examples such as "on 1st February 2021 I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises is allowed to open until 2am this will cause further public nuisance to me and other residents on the street"

Licensing Objectives

The Prevention of Crime & Disorder

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

JUST OVER 2 YEARS AGO THIS SHOP WAS A FOCUS OF ANTI SOCIAL BEHAVIOUR, WITH YOUTHS CONTINUOUSLY ENTERING AND LEAVING THIS SHOP AND SPILLING ONTO OUR PREMISES.

Public Safety

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

ATTRACTING LARGE GROUP OF YOUTHS BREAKING BOTTLES AND LITTERING THE STREET AROUND, NO LITTER BIN OUTSIDE THE SHOP ALSO.

The Prevention of Public Nuisance

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

THERE IS A OFF LICENCE ON DEAN STREET ABOUT 25 YARDS AWAY, AND ONE AT THE TOP OF HARDMAN LANE ABOUT 200 YARDS, THERE IS NO REQUIREMENTS FOR ANOTHER OFF LICENCE IN THIS AREA.

Protection of Children from Harm

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


THE ~~AMOUNT~~ NUMBER OF YOUTHS THIS HAS ATTRACTED PREVIOUSLY INTIMIDATING THE RESIDENTS AROUND HERE ~~AND~~ YOUNG AND OLD, WE DONT WANT IT AGAIN. NOBODY WANTED TO GO TO THE LOCAL CHIP SHOP IT STOPPED PEOPLE FROM LEAVING THERE HOUSES.

Section 5 - 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)

I DONT REALLY HAVE ANY ~~MORE~~ SUGGESTIONS, I ~~BELIEVE~~ BELIEVE THIS IS A POWDER KEG WAITING TO GO OFF.
IF LICENCE IS GRANTED THEN PLEASE KEEP THIS OBJECTION ON YOUR FILES FOR FUTURE REFERENCE.

Section 6 - Signature

Sign: 

Date: 27TH JUNE 2023

Guidance Notes:

Please provide all relevant information you feel is pertinent to the consideration of the application. The Licensing Authority will review all representations as they are received, and any information contained within representations that is not considered relevant for the purposes of determining the application will be highlighted.

Members of the Panel who preside over any subsequent hearing to determine the application will be alerted to the highlighted sections of representations and informed those sections cannot be considered in their decision-making process.

If you do make a representation you will be invited to attend the Licensing Panel hearing and any subsequent appeal hearings. Where you choose to attend the Panel, you may only address the panel around the relevant sections of your representation and will not be permitted to discuss the highlighted irrelevant information.

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 licensing@oldham.gov.uk

TIME LIMITS