

The Licensing Act 2003 Responsible Authority Representation Form



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

Section 1 - Application Details	
Applicants Name	324 Manchester road
Premises Name	
Premises Address	
Type of Application	

Section 2 – Responsible Authority Details	
Please tick the appropriate box	<input type="checkbox"/> Greater Manchester Police <input type="checkbox"/> Greater Manchester Fire & Rescue <input type="checkbox"/> Environmental Health <input type="checkbox"/> Trading Standards <input type="checkbox"/> Public Health <input type="checkbox"/> Safeguarding <input checked="" type="checkbox"/> * Planning Service <input type="checkbox"/> Home Office Immigration <input type="checkbox"/> Licensing Service
Full Name	Rachael greaves
Telephone	3279
Email Address <i>(we will use this to correspond with you unless you notify us otherwise)</i>	Rachael.greaves@oldham.gov.uk
Full Address <i>(Including postcode)</i>	

Section 3 – Representation Details

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

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

Licensing Objectives

The Prevention of Crime & Disorder

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

Public Safety

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

The Prevention of Public Nuisance

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

I have attached the previously approved operating hours giving my the planning department 11am till 11pm this is to prevent nuisance to surrounding properties and the /hmo above. If tis is allowed they will be in breach of planning.

Protection of Children from Harm

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

Section 4 – Suggestions

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

I would have no objections if it married up with the approved operating hours 11am till 11 pm. (condition 5)

Section 6 – Signature

Sign: R Greaves

Date: 24.03.2023

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

TIME LIMITS

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

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

NOTICE OF APPROVAL OF PLANNING PERMISSION

Town and Country Planning Act 1990
Town and Country Planning (General Development Procedure) Order 1995

Correspondence Address:

Mr Amjad
Design and Build Solutions UK Ltd
[REDACTED]
[REDACTED]
[REDACTED]

Applicant:

Mr Hussain
Golden Buck
324 Manchester Road
Oldham
OL9 7ES

Application Number: PA/334006/13

Date of Application: 4 July, 2013

Location: Golden Buck, 324 Manchester Road, Oldham, OL9 7ES
Proposal: 1) Change of use of ground floor to restaurant 2) Change of use of 1st floor, 2nd floor and 3rd floor to HMO with 11 no. bedrooms 3) Alterations to external elevations 4) External staircase with railings

1. The development hereby approved shall be fully implemented in accordance with the approved plans and specifications, received 30 May 2013; 4 July 2013; 26 August 2013, which are referenced as follows 'GB-BR-01; PR-PP-05; PR-PP-06; PR-PP-02A; GB-PP-03; PR-PP-4', unless otherwise agreed in writing by the Local Planning Authority.

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

2. Notwithstanding the plans hereby approved, within three months of the date of this decision a scheme for the following shall be submitted and agreed in writing with the Local Planning Authority and shall be fully implemented in accordance with the approved scheme:
 - a detailed scheme for noise mitigation measures between the ground floor

- restaurant and the HMO at first, second and third floors hereby approved;
- a detailed scheme for all externally mounted mechanical to the exterior of the building to include details of its appearance, colour, size and levels of vibration and noise; and
 - a detailed scheme odour mitigation measures between the ground floor restaurant and the HMO at first, second and third floors hereby approved.

The approved scheme shall be retained at all times thereafter.

Reason - In the interests of residential amenity of nearby occupier and future residents.

3. Within three months of the date of this decision all external security roller shutters shall be fully removed from the building in accordance with a scheme that has first been agreed with the Local Planning Authority.

Reason - In the interests of visual amenity.

4. Within three months of the date of this decision a scheme for the removal of signage attached to the building shall be submitted and agreed in writing with the Local Planning Authority and shall be fully implemented in accordance with the approved scheme. The approved scheme shall be retained at all times thereafter.

Reason - In the interests of visual amenity.

5. No machinery shall be operated, no process shall be carried out, no deliveries taken at or despatched from the ground floor restaurant hereby approved (C3 use class) and it shall not be open to customers outside of the following times: 11:00 until 23:00 Monday to Sunday.

Reason - To protect the amenities of the occupiers of nearby premises.

6. Notwithstanding the plans hereby approved, within three months of the date of this decision a scheme for the erection of boundary treatment to the flat roof single storey rear extension (above the ground floor ladies and gents W/C - shown on plan drawing PR-PP-02A and received 26 August 2013) and external staircase at the rear of the building, to include details of appearance, design, size and colour, shall be submitted and agreed in writing with the Local Planning Authority and shall be fully implemented in accordance with the approved scheme. The approved scheme shall be retained at all times thereafter.

Reason - In the interests of visual amenity.

7. The premises at ground floor shall be used only as a restaurant (C3 use class) and the first, second and third floors shall be used as a House of Multiple Occupation (Sui Generis use class).

Reason - To ensure that the use of the premises is acceptable to the Local Planning Authority.

8. The ground floor kitchen annotated as 'Kitchen for residents of HMO residents', as shown on the amended plan received 26 August 2013 and referenced as 'PR-PP-02A', shall remain available as a kitchen for use of the residents of the House of Multiple Occupation hereby approved, only, at all times and for no other use (including in association with the ground floor restaurant hereby approved). The separate access to this kitchen shown on the approved plans shall be retained at all times for future residents.

Reason - To ensure that adequate facilities are available for future residents of the HMO hereby approved.

9. Within three months from the date of this decision a scheme for refuse storage shall be submitted to and agreed in writing and the approved scheme shall be fully implemented. The scheme as approved shall be retained at all times as operational thereafter.

Reason - In the interests of the visual appearance of the area.

10. Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 (or any Order revoking and re-enacting that Order) no windows/ dormer windows, doors or other openings shall be inserted in any elevation of the building to which this planning permission relates without the prior written consent of the Local Planning Authority.

Reason - In the interests of visual amenity.

Applied Policies:

Not applicable.

Statement and Informative Notes:

1. **Statement in accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)**

The proposed development complies with the Local Development Framework which would improve and maintain the economic, social and environmental conditions of the area. It therefore comprises sustainable development which is conditioned accordingly to enhance the quality of development and where

necessary the Local Planning Authority offered proactive and positive solutions during the decision making process. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the NPPF.

Signed on behalf of the Council

Dated:

29 August, 2013



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From: Cllr G Shuttleworth <[REDACTED]>
Sent: 17 May 2023 11:57
To: Representations <representations@oldham.gov.uk>
Subject: 1. Cllr. Shuttleworth Rep

I wish to record my objections to the licence application in respect of the above.

This immediate area has recently been the subject of a controversial planning application which was refused by both the local planning authority and an appeal dismissed by the Planning Inspectorate. One of the grounds which the Planning Inspectorate refused permission on was stated as follows: *I have noted that the car park can accommodate a total of 15 cars, and it is also clear that the car park serves the restaurant and the HMO for the upper floors of No 324 Manchester Road.*

To the best of my knowledge the HMO remains in place but irrespective of this, it would be reasonable to expect that more than 15 vehicles are likely to visit the premises should a late night alcohol licence be granted, as well as off premises sales, and this would create a public nuisance.

Residents complained frequently about the disturbance caused by vehicles visiting the site at present as well as indiscriminate parking, with litter being another factor.

This is primarily a residential area and to the rear of the premises is Goodwin Court and Bickerton Court with the premises occupied by elderly residents.

Homes on Stanley Road facing the car park have complained about the vehicles lights shining into their homes, with one resident advising that she has had to move into the rear of their home in order to sleep due to vehicle noise. Traffic would also 'spill' on to nearby streets which in turn would no doubt impact on residents with the closing of car doors and vehicles being driven away late at night.

Should the operator continue to provide an online order and collection service (possibly including alcohol sales?) then this would also lead to further vehicle activity in the area, and the fact that the music licence is required from 23:00 – 02:00 would be clearly present it's own problems.

The wellbeing and comfort of residents, including those living within the premises, should be the prime concern here and the application refused.