

## **Licensing Panel**

### **Licensing Act 2003 – Application for New Premises Licence, GO LOCAL EXPRESS**

Report of Director of Environment

Officer Contact: Elise Brophy

**Date of Hearing: Tuesday 17<sup>th</sup> June 2025 at 11am**

#### **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 Go Local Express, 105 Vulcan Street, Oldham OL1 4LQ 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 – Tuesday 17<sup>th</sup> June 2025 at 11am

Application for a New Premises Licence  
Go Local Express, 105 Vulcan Street, Oldham OL1 4LQ

### 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 Go Local Express, 105 Vulcan Street, Oldham OL1 4LQ 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 20<sup>th</sup> March 2025 the applicant, Warraich Ltd., applied for the grant of a premises licence for Go Local Express. The original last date for representations in relation to this application was 17<sup>th</sup> April 2025, but due to notices not being displayed correctly, it was extended to 6<sup>th</sup> May 2025.

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

Activity	Indoors / Outdoors	Hours
Supply of Alcohol	The supply of alcohol OFF the premises	Monday to Thursday 07:00 to 23:00 Friday and Saturday 07:00 to 00:00 Sunday 07:00 to 23:00

3.5 A copy of the application and proposed plan is attached at **Appendix 14.1 and 14.2**

3.6 A location map is attached at **Appendix 14.3**

### 4. Representations

4.1 Following submission and advertisement of the application representations were received. These can be found at **Appendix 14.4 to 14.39** to the report.

4.2 The representations received were served upon the applicant as required by the Act.

4.3 It should also be noted that, following consultation with Greater Manchester Police, their representation was withdrawn after the applicant agreed to incorporate the following amendments to the requested hours.



The applicant and GMP agreed to the following hours:

Activity	Indoors / Outdoors	Hours
Supply of Alcohol	The supply of alcohol OFF the premises	Monday to Sunday 07:00 to 22:00
Opening Times		Monday to Sunday 07:00 to 22:00

## 5. Licensing Policy

5.1 Members considering this application should take note of the Authority's Licensing Policy Statement. Attention should be drawn to page 7, Prevention of Crime and Disorder, and page 11, Public Safety, and page 13, Prevention of Public Nuisance and page 15, Protection of Children from Harm.

5.2 In relation to 'Public Nuisance' the following paragraph(s) provide:-

- 8.2 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.
- 8.3 If relevant representations are received, the Authority may impose conditions to prevent nuisance, noise, disturbance, light pollution, noxious smells, vermin and pest infestations and accumulations of rubbish and litter.

5.3 In relation to 'Prevention of Crime & Disorder' the following paragraph(s) provide:-

- 6.8 The Authority accepts that only a small minority of customers are likely to behave badly, and this policy should be viewed as part of a framework of measures that will be used to tackle anti-social behavioural problems in any area where licensed premises are situated.
- 6.10 The presence of CCTV cameras can be an important means of deterring and detecting crime at, and immediately outside licensed premises. Conditions will not just consider a requirement to have CCTV on the premises, but also the precise siting of each camera, the requirement to maintain cameras in working order, and to retain recordings for an appropriate period of time. The police can provide individuals conducting risk assessments when preparing Operating Schedules with advice on the use of CCTV to prevent crime.

5.4 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 (February 2025).

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 that disorder may take place, the presence of close -circuit (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:-

- 2.21 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 licensing 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.
- 2.22 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 the 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.

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

- 2.28 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.

- 2.35 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively

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 with or without the amendments agreed with Greater Manchester Police
- 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 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: Elise Brophy

## 14. Appendices

Appendix 14.1 Application  
Appendix 14.2 Plan  
Appendix 14.3 Location Map  
Appendix 14.4 to 14.39 Representations