

## **Licensing Panel**

### **Licensing Act 2003 – Application for New Premises Licence, Albion Farm/Turkey Shed.**

Report of Director of Environment

Officer Contact: Nicola Lord

**Date of Hearing:** Tuesday 7<sup>th</sup> October 2025

#### **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 Albion Farm/Turkey Shed, Oldham Road, Delph, Oldham, OL3 5RQ 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 7<sup>th</sup> October 2025

Application for a New Premises Licence for Albion Farm/Turkey Shed, Oldham Road, Delph, Oldham, OL3 5RQ

### 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 Albion Farm/Turkey Shed, Oldham Road, Delph, Oldham, OL3 5RQ which, due to representations being received, has been referred to this Panel for determination.

### 2. The Application

2.1 On the 8 August 2025 the applicant, Jac Billington, applied for the grant of a premises licence for the Albion Farm/Turkey Shed. The last date for representations in relation to this application was 5 September 2025.

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

Activity	Indoors / Outdoors	Hours
Supply of Alcohol	The supply of alcohol ON and OFF the premises	Monday to Wednesday 09:00 to 22:30 Thursday 09:00 to 23:30 Friday and Saturday 09:00 to 01:30 Sunday 09:00 to 23:30 <u>Seasonal Variations</u> Christmas Eve, Christmas Day, New Years Eve, New Years Day, From commencement of trading to 02:00
Live Music	Indoors and Outdoors	Monday to Wednesday 09:00 to 22:30 Thursday 09:00 to 23:30 Friday and Saturday 09:00 to 01:30 Sunday 09:00 to 23:30 <u>Seasonal Variations</u> Christmas Eve, Christmas Day, New Years Eve, New Years Day, From commencement of trading to 02:00



Recorded Music	Indoors and Outdoors	Monday to Wednesday 09:00 to 22:30 Thursday 09:00 to 23:30 Friday and Saturday 09:00 to 01:30 Sunday 09:00 to 23:30 <u>Seasonal Variations</u> Christmas Eve, Christmas Day, New Years Eve, New Years Day, From commencement of trading to 02:00
Late night refreshment	Indoors	Friday and Saturday 23:00 to 01:30 Sunday 23:00 to 01:00
Films	Indoors	Thursday 10:00 to 23:00 Friday to Sunday 10:00 to 01:00
Performance of dance [Traditional folk dancing]	Indoors and Outdoors	Thursday to Sunday 09:00 to 23:30
Anything of a similar description [Live music, Brass bands, Folk dancing]	Indoors and Outdoors	Monday to Wednesday 09:00 to 22:30 Thursday 09:00 to 23:30 Friday and Saturday 09:00 to 01:30 Sunday 09:00 to 23:30 <u>Seasonal Variations</u> Christmas Eve, Christmas Day, New Years Eve, New Years Day, From commencement of trading to 02:00
Hours premises are open to the public		Monday to Wednesday 09:00 to 23:00 Thursday 09:00 to Midnight Friday and Saturday 09:00 to 02:00 Sunday 09:00 to Midnight <u>Seasonal Variations</u>



		Christmas Eve, Christmas Day, New Years Eve, New Years Day,  From commencement of trading to 02:30
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2.5 A copy of the application is attached at **Appendix 13.1** and proposed plans are attached at **Appendix 13.2 and 13.3**.

2.6 A location map is attached at **Appendix 13.4**.

### 3. Representations

3.1 Following submission and advertisement of the application, representations were received. These are set out at **Appendices 13.5 to 13.21** of the report. Two of the respondents (Appendices 13.7 and 13.8) provided video evidence via WhatsApp. This evidence can be made available to members upon request.

3.2 It should also be noted that following consultation with **Greater Manchester Police** their representation was withdrawn when the applicant agreed to incorporate the following amendments to requested hours, and revised conditions on the premises licence.

*GMP would suggest the extra conditions set out below to cover the outdoor events to assist the prevention of crime and disorder, prevention of public nuisance and public safety licensing objectives.*

*Extra conditions regarding special outdoor events will contain:*

#### **SPECIAL EVENTS**

***Albion Farm/Turkey Shed has the facility to put on special events during the year. These events will involve the use of the outside area of the Albion Farm and Turkey Shed.***

##### **1. Event Management Plan**

*An Event Management Plan must be produced and forwarded to the Licensing Office for circulation to the responsible authorities a minimum of 28 days before the date of the activity. The event management plan must include appropriate risk assessments to be agreed to by all responsible authorities before the event can go ahead.*

*The applicant must submit an event notification form to the council at least 4 weeks before the event if they are to attract more than 200 people to the event.*

##### **2. Permitted numbers**

*The maximum number of people attending an event including staff, security and stewards will be 499*

##### **3. Notice period**

*Albion Farm/Turkey Shed will notify the police and local authority that any such event is being held at least 28 clear days before such an event. Not including the day that the notice is given or the day of the event.*

##### **4. Notice to residents**

*Residents will be notified by letter at least 28 clear days before such an event. Not including the day that the notice is given or the day of the event. The letter will include details of the event and details of a point of contact for Albion Farm/Turkey Shed who will be on duty on the day of the event including a telephone number.*

##### **5. Perimeter Inspections**

*The Designated Premises Supervisor must ensure that perimeter inspections are undertaken every hour when regulated entertainment, live music (amplified or unamplified), recorded music or any other type of entertainment (amplified or unamplified) is taking place. These inspections must be recorded in a book which must be made available for inspection to Local Authority Officers and Greater Manchester Police on request.*

#### **6. Music cut off time**

*Any external music, live or recorded will cease no later than 2200 hours.*

#### **7. Security**

*Each event as a minimum will employ 2 SIA registered door staff. All door staff will wear hi-visibility vests/jackets so that they can be easily identifiable to the public and emergency services if required.*

#### **8. Door Staff Log**

*A Door Supervisor Log shall be correctly maintained at the premises. This will include the following details:*

- (i) The door staff names, dates of birth and home addresses.*
- (ii) Full details, name, address and contact number of employment agency used*  
*And for each individual period of trading:*
- (iii) The name of the individual member of door staff*
- (iv) His/her Security Industry Authority licence number*
- (v) The time and date He/she start and finishes duty*
- (vi) The time of any breaks taken whilst on duty*
- (vii) Each entry shall be signed by the door supervisor and DPS or nominated person*

#### **9. Event search policy**

*Albion Farm/Turkey Shed must implement and document a search policy for each event. Those suspected of carrying offensive weapons/drugs will be excluded from the premises.*

#### **10. Litter Control**

*The Designated Premises Supervisor must ensure that a member of staff collects all litter from within the curtilage of the premises after each event. A written log must be kept of the areas checked and made available to responsible authorities for inspection on request.*

#### **11. First aid**

*There must always be a minimum of 2 suitably trained and qualified first aid staff on duty during an event. They must wear a hi-visibility vest/jacket and be clearly identifiable to the public or emergency services if required.*

#### **12. External Use of Polycarbonate Glassware**

*All glassware used in the outside area of the premises must be of Polycarbonate type. Any drinks served in bottles must be in plastic bottles only. All drinks from glass bottles to be decanted into polycarbonate containers.*

#### **13. Personal Licence Holder**

*A Personal Licence Holder must always be present at the premises whilst a special event is taking place.*

3.3 It should also be noted that following consultation with **Environmental Health** their representation was withdrawn when the applicant agreed to incorporate the following amendments to requested hours, and revised conditions on the premises licence.

*Recorded music outdoors finishes by 9.00pm every night and that the other outdoor events such as live music, folk dancing and dance are limited to four events per year and must finish by 11.00pm.*

3.4 The applicant, Mr. Billington, engaged the services of a Licensing Consultant, Mr. Tony Dales of Due Diligence Matters. Mr. Dales requested that a revised proposal of timings, to replace the original application, be submitted to panel members. This revised proposal is attached at **Appendix 13.22**. As the proposal differs from the terms previously agreed, it has been sent to Environmental Health and GMP to give them the opportunity either to maintain their withdrawal of representation or to reinstate their original representation for



consideration at the hearing. At the time of writing this report, their responses are still awaited.

3.5 A copy of the revised proposals of timings has also been circulated to all other parties who submitted representations.

## 4. Licensing Policy

4.1 Members considering this application should take note of the Authority's Licensing Policy. 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.

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

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.

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.

Conditions may include restrictions on the times when music or other licensable activities may take place and may include technical restrictions on sound levels at the premises. Conditions may be imposed requiring licensees to display signs at all exits of premises reminding customers to leave premises quietly and to respect the rights of nearby residents.

4.3 A full copy of the Councils Licensing Policy Statement will be available at the hearing.

## 5. Secretary of State's Guidance

5.1 Members also need to consider statutory guidance issued, by the Secretary of State, under Section 182 of the Licensing Act 2003 (February 2025).

5.2 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 and disorder...For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (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 Safety', the following paragraph provide:-

- 2.16 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:
- Providing information on the premises of local taxi companies who can provide safe transportation home; and
  - Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

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

- 2.25 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.
- 2.27 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:-

- 2.28 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.
- 2.32 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.

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

## 6. Options





6.1 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 and Environmental Health.
- b. Grant the application but modify the operating schedule in relation to hours, days, conditions, or activities.
- c. Reject the application.

6.2 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.

6.3 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.

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

## 7. Consultation

7.1 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.

## 8. Legal Services Comments

8.1 In determining the application Member 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).

## 9. Environmental and Health & Safety Implications

9.1 Contained within the body of the report.

## 10. Equality, Community Cohesion & Crime Implications

10.1 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.

## 11. Equality Impact Assessment Completed?

11.1 No

## 12. Background Papers

12.1 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:



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File Ref: Records held in Directorate  
Officer Name: Nicola Lord



## 13. Appendices

Appendix 13.1 – Application form  
Appendices 13.2 & 13.3 Plan  
Appendix 13.4 - Location Map  
Appendices 13.5 to 13.21 Representations  
Appendix 13.22 – Revised proposal of timings