

Licensing Panel

Licensing Act 2003 – Review of a Premises Licence following Review Notice

Woodhouses Cricket Club Medlock Road, Woodhouses, Failsworth, M35 9NG

Report of: Executive Member – Neighbourhoods

Officer Contact: Nicola Lord

Date of Hearing: 11 November 2025

Reason for Hearing:

Pursuant to Section 53C of the Licensing Act 2003, the purpose of this report is to ask Members to review the premises licence in respect of Woodhouses Cricket Club, Medlock Road, Failsworth, following an application for review of those premises made by Oldham Council Licensing Service on 16 September 2025.

Recommendations

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

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Review of Premises Licence following Review Notice

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1. Purpose of Report

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2. The Premises

2.1 Pursuant to Section 53C of the Licensing Act 2003, the purpose of this report is to ask Members to review the premises licence in respect of Woodhouses Cricket Club, Medlock Road, Failsworth, following an application for review of those premises made by Oldham Council Licensing Service on 16 September 2025.

2.2 A location map is attached at **Appendix 12.1**.

2.3 A copy of the existing premises licence is attached at **Appendix 12.2**.

3. The Application

3.1 On 16 September 2025, the applicant, Oldham Council Licensing Service, applied for a review of the premises licence for Woodhouses Cricket Club. A copy of the application is attached at **Appendix 12.3**. The last date for representations in relation to this application was 14 October 2025.

3.2 The review was lodged on the following grounds:

- Prevention of crime & disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

3.3 In summary the application outlines that the premises licence held by Woodhouses Cricket Club affords the holder to run up to 4 outdoor events per year at the premises subject to a number of "Special Event Conditions".

3.4 The conditions to restrict events to 4 per year were agreed by the licence holder upon applying for the grant of the premises licence in 2018. The conditions were proposed by an Environmental Health Officer under the objective of public nuisance and the potential to cause serious problems to the local residents.

3.5 Woodhouses Cricket Club breached some of these conditions when they organised a music event to take place on Saturday 24 August 2025, and during the period 2018 to 2024 for Bonfire Events held at the premises.



- 3.6 By breaching their conditions, the licence holder brings into question their ability to uphold the Licensing Objectives.
- 3.7 The full details of the breaches and the history of the premises licence can be found in the review application.
- 3.8 As part of the review, the Licensing Service seeks to alter the permissions relating to live and recorded music, to change permission to play live or recorded music indoors only. In addition, the Licensing Service seeks to remove the special event conditions and replace them with the following wording:

“No events involving licensable activities to take place involving the use of the outside areas of the clubhouses and cricket pitch”.

4. Representations

- 4.1 Representations have been received in support of the review of the premises licence where concerns have been raised in relation to the licensing objectives. These representations can be found at **Appendix 12.4**.
- 4.2 Representations against the review of the premises licence, and in support of Woodhouses Cricket Club, have also been received. Whilst they do not all meet the relevant requirements of a representation as they do not relate to the licensing objectives, they have been included. These can be found at **Appendix 12.5**.

5. Licensing Policy

- 5.1 Members consider the application should take note of the Authority's Licensing Policy Statement. In particular, attention should be drawn to the sections highlighted below.

Policy Statement

Section 2.4 - The Authority recognises that any breaches of conditions attached to operating schedules automatically become criminal offences under section 136 of the Act and could lead to imprisonment for up to six months and/or a £20,000 fine for non-compliance. The penalties are high because such action could involve putting public safety at serious risk and particular care needs to be taken in both the decision to impose conditions and how they may be framed.

Public Safety

Section 7.2 - When addressing public safety 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 safety objective. Such steps as are required to deal with these identified issues should be included within the applicant's Operating Schedule.

Section 7.3 - It is also recognised that special issues may arise in connection with outdoor and large scale events. Whether or not any risk assessment shows any of the measures to be necessary in the individual circumstances of any premises will depend on a range of factors including the nature and style of the venue, the activities being conducted there, the location of the premises and the anticipated

clientele of the business involved.

Public Nuisance

Section 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 applicant's Operating Schedule.

Section 8.5 - In certain premises where existing legislation does not provide adequately for the prevention of public nuisance, consideration might be given to conditions that ensure that:

- noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties. This might be achieved by a simple requirement to keep doors and windows at the premises closed, or to use noise limiters on amplification equipment used at the premises;
- prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly;
- the use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas are restricted (particularly ensuring that firework parties are not managed by persons consuming alcohol, that adequate safety precautions are in place, that fireworks are not set off between 2300hrs and 0700hrs (except on 31st December/1st January); and
- the placing of refuse – such as bottles – into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.

Protection of Children from Harm

Section 9.20 - Where entertainment aimed specifically at children takes place, the licensee must take all reasonable steps to maintain the safety of the children on the premises. The licensee must ensure that there are sufficient adult supervisors, with sufficient experience, in place to provide an adequate level of safety bearing in mind the number and ages of the children involved and any other issues such as disabilities that the children may have.

Live Music & Entertainment

Section 18.1 - The Authority recognises that as part of implementing any cultural strategy as may from time to time apply, proper account will need to be taken to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community. Conditions to be imposed on relevant licences will not discourage the promotion of such entertainment but will relate solely to the promotion of the licensing objectives.

Conditions

Section 24.1 - Conditions to be imposed on licences will be specific to the individual premises and events. They will normally be drawn from the model pool of conditions



based upon this Policy and the Secretary of State's Guidance or from a localised Greater Manchester pool of conditions which can be used for reference and can be found at Appendix 1 of this policy.

Section 24.2 - This list is not exhaustive and may be varied from time to time as considered necessary when licensable activities are being carried out. The Authority may also impose such other conditions as described in this policy and consistent with meeting the Authority's licensing objectives.

Representations

Section 29.5 As well as responsible authorities, any other person, which includes any individual, body or business, can make representations in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence.

Section 29.7 - Representations can only be considered if they relate to a problem that could compromise one or more of the licensing objectives. Officers will decide if this is the case and they are charged with deciding whether or not objections are irrelevant, frivolous or vexatious. Any representation deemed so will not be considered.

29.8 - Representations need not just relate to the negative effect of a licence but may relate to the positive effect the granting of a licence may have. This also true in the case of a review where positive representations can be taken into account by the Authority.

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

6. Statutory Guidance

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

Licensing Objectives and aims

Section 1.2 - The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

Section 1.3 - The licensing objectives are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

Section 1.4 - Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.

Section 1.5 - However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
- giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
- recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

Licence conditions – general principles

Section 1.16 - Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met;
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and

- should be written in a prescriptive format.

Public Safety

Section 2.9 - A number of matters should be considered in relation to public safety. These may include:

- Fire safety;
- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts;
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises; and
- Considering the use of CCTV in and around the premises (, this may also assist with promoting the crime and disorder objective).

Public Nuisance

Section 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.

Major festivals and carnivals

Section 10.18 - Licensing authorities should publicise the need for the organisers of major festivals and carnivals to approach them at the earliest opportunity to discuss arrangements for licensing activities falling under the 2003 Act. For some events, the organisers may seek a single premises licence to cover a wide range of activities at varied locations within the premises. This would involve the preparation of a substantial operating schedule, and licensing authorities should offer advice and assistance about its preparation.

Section 10.19 - For other events, applications for many connected premises licences may be made which in combination will represent a single festival. It is important that licensing authorities should publicise the need for proper co-ordination of such arrangements and will need to ensure that responsible authorities are aware of the connected nature of the individual applications.

6.2 A full copy of the guidelines will be available at the hearing.

7. Licensing Policy

7.1 The 2003 Act provides a range of powers which may be exercised on determining a review where it considers them appropriate for the promotion of the licensing objectives. Where Members consider action is appropriate, one of the following steps may be taken:

- Modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition)
- Exclude a licensable activity from the scope of the licence
- Remove the designated premises supervisor
- Suspend the licence for a period not exceeding 3 months
- Revoke the licence

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. 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 for the review, the holder of the premises licence or any other person who made relevant representations in relation to the application have a right of appeal to the Magistrates' court within 21 days of being notified of the Council's decision. (A Evans)

10. Environmental and Health & Safety Implications

10.1 None

11. Equality, Community Cohesion & Crime Implications

11.1 The Council's Statement of Licensing Policy considers these matters. All decisions made by the Licensing Panel must have regard to this policy and national guidance.

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:

12. Appendices

- 12.1 Location Map
- 12.2 Existing Licence
- 12.3 Review Application
- 12.4 Representations in agreement with the review of licence
- 12.5 Representations supporting Woodhouses Cricket Club