

Licensing Panel

Licensing Act 2003 – Application for New Premises Licence Jo Convenience Store.

Report of Director of Environment

Officer Contact: Nicola Lord

Date of Hearing: Tuesday 31 March 2026

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 Jo Convenience Store, 1 Jubilee Street, Shaw, Oldham, OL2 8PN 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 31 March 2026

Application for a New Premises Licence for Jo Convenience Store, 1 Jubilee Street, Shaw, Oldham, OL2 8PN

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 Jo Convenience Store, 1 Jubilee Street, Shaw, Oldham, OL2 8PN 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 22 January 2026 the applicant, Mr Gowrijan Rajenderan, applied for the grant of a premises licence for Jo Convenience Store. The last date for representations in relation to this application was 19 February 2026.

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 Sunday 6:30am to 11:00pm

3.3 A copy of the application is attached at **Appendix 14.1**. The proposed plan is attached at **Appendix 14.2**, and a location map is attached at **Appendix 14.3**.

4. Representations

4.1 Following submission and advertisement of the application, an interested party representation was received. This can be found at **Appendix 14.4** to the report.

4.2 The representations received were served upon the applicant as required by the Act. The applicants response is attached at **Appendix 14.5** to the report. The applicant also provided supporting documents which can be found at **Appendices 14.6 to 14.9**.

A responsible authority representation was received from Planning; however, planning considerations fall outside the scope of the Licensing Act 2003. Licensing and planning operate under separate statutory regimes, and the absence of planning permission is not a matter that can be taken into account when determining an application under the Act. The Planning Authority was therefore advised to liaise directly with the applicant regarding any planning concerns.



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 12, Public Safety, and page 14, Prevention of Public Nuisance

5.2 A full copy of the Council's 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.

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 'Public Safety', the following paragraphs provide:-

- 2.8 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.10 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38- 8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve

In relation to the 'Public Nuisance' objective, the Guidance provides:

- 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.

6.3 A full copy of the guidelines 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
- 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: Nicola Lord

14. Appendices

Appendix 14.1 Application

Appendix 14.2 Plan

Appendix 14.3 Location map

Appendix 14.4 Representation

Appendix 14.5 Applicants response

Appendices 14.6 to 14.9 Applicant supporting documents