

SPEAKERS PANEL (LIQUOR LICENSING)

Day: Tuesday
Date: 6 July 2021
Time: 10.00 am
Place: Zoom Meeting

Item No.	AGENDA	Page No
1.	APOLOGIES FOR ABSENCE To receive any apologies for absence.	
2.	DECLARATIONS OF INTEREST To receive any declarations of interest.	
3.	MINUTES To approve as a correct record the Minutes of the proceedings of the Speakers' Panel (Liquor Licensing) held on 16 April 2021 (attached).	1 - 6
4.	APPLICATION FOR A NEW PREMISES LICENCE – SUMMERS QUAY, UNITS 1-3, ARMENTIERES SQUARE, STALYBRIDGE, SK15 2AR To consider the attached report of the Assistant Director, Operations and Neighbourhoods.	7 - 110

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SPEAKERS PANEL (LIQUOR LICENSING)

16 April 2021

Commenced: 9.30am

Terminated: 11.25am

Present: Councillors Sweeton (Chair), Bowden and Cartey

In Attendance:	Mike Robinson	Regulatory Services Manager, TMBC
	David Joy	Legal Representative, TMBC
	Deborah Evitt	Applicant and Premises Licence Holder
	Tim Evitt	Partner of Premises Licence Holder
	Gerard Wilson	Solicitor (on behalf of Applicant)
	Councillor David Mills	Submitted representations

23. DECLARATIONS OF INTEREST

There were no declarations of interest.

24. MINUTES

The Minutes of the previous meetings held on 6 April 2021 were agreed as a correct record.

25. APPLICATION FOR A FULL VARIATION OF PREMISES LICENCE – JOLLY CARTER, 231 MANCHESTER ROAD, DROYLSDEN, M43 6HE (PL0383)

Mr Robinson presented the report to the Panel and identified the steps available to the Panel in determining the application.

Mr Robinson reminded the Panel that the hearing was not a review of the planning decision. A licensing application decision should be made having regard to the promotion of the licensing objectives.

Mr Robinson informed the Panel of the brief background to the application as set out in the report and summarised the representations received from:

- Local/Ward Councillors

The Jolly Carter, 231, Manchester Road, Droylsden, M43 6HE was a licensed premises. A site plan, including an up to date photograph of the premises, was attached at **Appendix 1** of the report.

A copy of the current licence for the Jolly Carter, 231 Manchester Road, Droylsden was attached at **Appendix 2** of the report.

On 12 March 2021, the Licensing Office received an application from Ms Deborah Anne Evitt (Premises Licence Holder) for a full variation of the premises licence at the Jolly Carter, 231 Manchester Road, Droylsden, M43 6HE.

The Applicant sought authorisation to include the side grassed area within their licensable area and to be used as a beer garden until 10:30pm along with the extension of hours from 9:00pm to

10:30pm for the current rear beer garden. There was a condition attached to the current licence that restricted the use of the beer garden beyond 9pm. The application and site plan was attached to the report at **Appendix 3**.

On 29 July 2020 the Planning Office received an application from the premises licence holder to change the use of the side garden area to public use with the proposed use as a drinking establishment and hours of opening of Monday to Sunday 10:00am to 02:00am.

This application was refused on 22 September 2020 due to the close proximity of the land to residential properties and the possibility of excessive noise and potential anti-social behaviour. The decision letter was attached at **Appendix 4** to the report.

On 28 November 2020 the Planning Office received an application to change the use of the grassed area to public house use with shelter. The proposed times for the hours of opening were Monday to Sunday 10:00am to 22:30pm. This application was granted on 1 February 2021, the decision letter was attached at **Appendix 5** to the report.

Following the change of use applications submitted to the Planning Office, there were no discussions between the Planning Office and Licensing Department in relation these applications.

Within the last three years, the Council had received one noise complaint in 2019 regarding the Jolly Carter, Manchester Road, Droylsden. A diary sheet was sent to the Complainant but not returned therefore the complaint was not investigated any further.

Mr Robinson referred the Panel to the Council's Statement of Licensing Policy and the Statutory Guidance.

Mr Wilson, for the applicant, then addressed the Panel and made the following submissions in support of the application:

- Reference was made to an Acoustic Impact Report dated 25 November 2020. The report identified that any noise created would be within acceptable levels. The report recommendations included the provision of a Perspex roof and an acoustic fence. These had been installed at significant cost.
- The Applicant noted the representations from local Councillors. There were no other objections – nothing from the Police, Licensing Authority, Environmental Health nor from any local residents. The Representations did not present any evidence as such.
- The Representations should be measured against the actual evidence – the noise assessment, the absence of complaints, the existing conditions, the acoustic measures and the limited time (i.e. 10.30pm).
- The licence holder and Mr Evitt were known locally – they were part of the community and very experienced and passionate pub owners. The clientele was well behaved and the premises had door security.
- Judge them by their past not by fears about the future. They could be trusted to run the premises effectively.
- The Government was currently encouraging publicans to operate external areas in light of the pandemic.
- Other local pubs were permitted to use external areas even though there were nearby residential premises. There should be consistency in the Council's approach.

Cllr David Mills attended the hearing and presented the representation submitted by himself and other Elected Members for Droylsden East Ward, Councillor Susan Quinn and Councillor Laura Boyle. The representation was attached to the Report at **Appendix 7** the details of which were as follows:

- Local Ward Councillors believed granting the premises licence variation application would undermine the Licensing Objectives, in particular the Prevention of Nuisance, Prevention of Crime and Disorder and Protection of Public Safety.

- The proposed terminal hour (10:30pm) for use of the beer gardens at the premises was unacceptable and would cause a nuisance to the local community.
- The premises was located opposite Chesworth Court, which was a sheltered housing scheme for elderly residents. If the application was granted, there was a potential for a large number of customers to congregate in the new beer garden, which was adjacent to the pub and directly opposite Chesworth Court. Local Ward Councillors felt that this would cause a disturbance to these residents, particularly under current coronavirus restrictions where all customers were required to use outside areas at all times that the premises was open.
- Further, there were many other properties which would be adversely affected by the proposed variation to the premises licence, namely residents of; Martins Way, Kershaw Street and Carpenters Walk.
- Currently, there was a condition on the premises licence which restricted use of the beer garden after 9pm. Local Councillors felt that this condition was reasonable and compliance with this condition should be maintained.

Cllr Mills informed the Panel that he had had complaints from local residents when out canvassing.

Cllr Mills did not object to the use of the external space but that it should be restricted to 9.00pm.

The Panel further noted the representation submitted by Cllrs. G Cooney, A Holland and B Holland, (Elected Members for Droylsden West). The representation was attached to the report at **Appendix 6**.

All parties were provided with the opportunity to ask questions in relation to the representations made.

All parties were invited to provide a brief statement in summary.

Members of the Panel then retired to carefully consider the written submissions, representations and questions and answers during the hearing in addition to all the information provided. The Panel were accompanied by the Legal Representative and the Principal Democratic Services Officer who provided legal and procedural advice only and took no part in the decision making process.

In determining this matter, the Panel had due regard to:-

- all oral and written evidence and submissions
- the Council's Statement of Licensing Policy
- the relevant sections of the Licensing Act 2003 and Regulations made thereunder
- the Guidance issued by the Secretary of State under section 182 of that Act

The Panel determined the application pursuant to s35(4) of the Act having regard to the relevant representations and the requirement to take such steps as it considers appropriate to promote the licensing objectives.

The key points were as follows:

- The application related to 2 external areas at the premises – an existing rear beer garden which was currently in use until 9.00pm and a new area at the side of the premises – currently unlicensed.
- Local Ward Councillors had concerns regarding the potential for an increase in noise nuisance from the requested increased use of external areas (particularly after 9.00pm) and the impact on nearby residents including those in sheltered accommodation.
- Planning permission had been granted for the extended outdoor seating area, or beer garden which included the following conditions:

- The extended outdoor seating area, or beer garden were not to be used outside the hours of 10:00 to 22.30 on any day.
- No public address system, television set, amplified music, or musical instrument shall be relayed to, or played in the extended outdoor seating area, or beer garden hereby permitted.
- Noise mitigation measures were to be implemented (prior to use) including acoustic fencing and a Perspex roof.
- A planting scheme was to be introduced.
- The Premises Licence currently included conditions in the following terms:
 - Doors & Windows - To prevent noise nuisance, all windows and doors at the premise must be kept closed at any time when regulated entertainment, live music (amplified or unamplified), recorded music or any other type of entertainment (amplified or unamplified) was being performed at the premise, except to allow people to enter or exit.
 - Noise generated by regulated entertainment should be inaudible at the nearest noise sensitive location.
- There was one record of a noise complaint relating to the premises in the last three years. This complaint was not pursued further by the Complainant.
- The rear beer garden had been in use for a number of years (although, as stated, limited to 9.00pm).
- The new area was not really any nearer to residential premises than the existing beer garden. No local residents had directly objected.

The Panel considered all available options.

The Panel considered whether the licence variation application could be granted (with or without the imposition of appropriate conditions and/or limits on proposed licensable activities).

On balance, having carefully considered all of the available information, the Panel concluded that the licence could be varied in accordance with the application and such a grant would not undermine the promotion of the licensing objectives.

In granting the application the Panel particularly noted that mitigation measures that were to be in place and the prohibition on amplified music etc.

The Panel also noted the available enforcement options in the event that there was noise nuisance from the premises and/or the planning or licence conditions. Options included a review of the premises licence.

The grant of the variation to the licence would be subject to amendments/additions to the licence conditions.

STEPS TAKEN PURSUANT TO S18(4) LICENSING ACT 2003

The steps that the Panel considered appropriate to promote the licensing objectives were to grant the application to vary the premises licence/conditions. The effect of this would be:

- (1) to extend the hours of use of the existing rear beer garden from 10.00am - 9.00pm to 10.00am to 10.30pm; and
- (2) to include the new external area within the licensed area with permitted hours of use from 10.00am to 10.30pm.

The existing licence conditions will be amended to include the above and:

- A variation of the current cctv condition to extend it to the external beer garden/outdoor seating areas.
- A condition relating to amplified music etc. This would be in similar terms to the current planning condition and imposed on the licence for consistency and clarity.

The details of the amendments/additions to the conditions are set out in Appendix 1 to these Minutes.

The Panel thanked those attending the hearing for their contribution and assisting the Panel in reaching its decision.

RESOLVED

That the variation to the licence be granted subject to amendments/additions to the licence conditions as set out in Appendix 1 to these Minutes.

CHAIR

APPENDIX 1

Premises: JOLLY CARTER, 231 MANCHESTER ROAD, DROYLSDEN M43 6HE

Amendments to the current premises licence conditions:

Annex 2 – Conditions consistent with the Operating Schedule

CONDITIONS AS PER WRITTEN AGREEMENT WITH RESPONSIBLE AUTHORITY – LICENSING AGREED 1 July 2005

At the end of paragraph number 3 “The beer garden must not be used by customers after the hours of 9.00pm” insert the words, “(deleted 16 April 2021)”

Annex 3 – Conditions attached after a hearing by the Licensing Authority

- (1) The beer gardens/outside seating areas at the premises must not be used outside of the hours 10.00am to 10.30pm any day
- (2) The CCTV system installed and maintained at the premises pursuant to the existing licence conditions shall be extended to include the beer gardens/outside seating areas at the premises. For the avoidance of doubt, all existing CCTV requirements will apply to the external CCTV.
- (3) No public address system, television set, amplified music, or musical instrument shall be relayed to, or played in the beer gardens/outdoor seating areas.

Report to:	SPEAKERS PANEL (LIQUOR LICENSING)
Date:	6 July 2021
Reporting Officer:	Emma Varnam – Assistant Director, Operations & Neighbourhoods
Subject:	APPLICATION FOR A NEW PREMISES LICENCE – SUMMERS QUAY, UNITS 1-3, ARMENTIERES SQUARE, STALYBRIDGE, SK15 2AR
Report Summary:	Members are requested to determine the application
Recommendations:	<p>Having regard to the application and the relevant representations, Members are invited to take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. The steps available are:</p> <ul style="list-style-type: none">(a) to grant the licence subject to –<ul style="list-style-type: none">(i) such conditions that the authority considers appropriate for the promotion of the licensing objectives, and(ii) current mandatory conditions;(b) to exclude from the scope of the licence any of the licensable activities to which the application relates;(c) to refuse to specify a person in the licence as the premises supervisor;(d) to reject the application.
Corporate Plan:	Living Well – Improve satisfaction with local community
Policy Implications:	Members are provided with policy guidelines to assist in the decision making process.
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	There are limited financial implications for the Council, as detailed in the report, however, any legal challenge to a policy decision may potentially incur costs.
Legal Implications: (Authorised by the Borough Solicitor)	<p>In determining the application the Panel must do so with a view to promoting the licensing objectives. The Panel must have regard to its own licensing policy and the Guidance issued pursuant to s182 Licensing Act 2003. The Panel's decision must be supported with reasons.</p> <p>If the Panel rejects the application that decision can be challenged by the Applicant. If the Panel grants the licence the Applicant can appeal against any of the conditions imposed on the licence or against a decision to refuse to specify a person in the licence as the premises supervisor. Any person who made relevant representations can appeal against the decision to grant the licence or against any of the conditions imposed on the licence or on the grounds that the Panel should have refused to specify a person in the licence as the premises supervisor. Any challenge would be by way of an appeal to the Magistrate's Court which may dismiss the appeal, substitute for the decision appealed against any other</p>

decision which could have been made by the licensing authority, or remit the case to the licensing authority to dispose of it in accordance with the direction of the court, and may make such order as to costs as it thinks fit. If an appeal were successful the Magistrates would be unlikely to order costs against the Local Authority if the authority had acted honestly, reasonably, properly and on grounds that reasonably appeared to be sound, in exercise of its public duty.

Risk Management:

Failure to give full consideration to the determination of licensing issues has the potential to impact on public safety.

Access to Information:

The author of the report is Mike Robinson, Regulatory Services Manager (Licensing).

Background Information:

The background papers relating to this report can be inspected by contacting Mike Robinson



Telephone: 0161 342 4122



e-mail: mike.robinson@tameside.gov.uk

1. INTRODUCTION

- 1.1 Section 17 of the Licensing Act 2003 outlines the procedure whereby an application can be made to the Licensing Authority for a premises licence.
- 1.2 Section 18(3) of the Licensing Act 2003 states that where relevant representations are made in respect of such an application, the authority must:
- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
 - (b) having regard to the representations, take such steps as mentioned in subsection (4) (if any) as it considers appropriate for the promotion of the licensing objectives.
- 1.3 The steps mentioned in subsection (4) are:
- (a) to grant the licence subject to –
 - (i) such conditions that the authority considers appropriate for the promotion of the licensing objectives, and
 - (ii) current mandatory conditions;
 - (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - (c) to refuse to specify a person in the licence as the premises supervisor;
 - (d) to reject the application.

2. REPORT

- 2.1 An application for a premises licence for Summers Quay, Units 1-3, Armentieres Square, Stalybridge, SK15 2AR was received by the Licensing Office on 11 May 2021. The named applicant is Ohana FL Ltd, the sole director of this company is Tina Harrison, who is also the proposed Designated Premises Supervisor (DPS).
- 2.2 The application is seeking the authorisation of licensable activities, namely the provision of sale of alcohol, regulated entertainment and late night refreshment.

The application is summarised as follows:

- Live Music:
Sunday-Thursday (11:00hrs – 00:00hrs)
Friday-Saturday (11:00hrs – 01:30hrs)
- Recorded Music:
Monday-Wednesday (07:00hrs – 00:00hrs)
Thursday (07:00 – 01:00hrs)
Friday-Saturday (07:00hrs – 02:00hrs)
Sunday (07:00 – 01:00hrs)
- Sale of alcohol
Monday-Wednesday (11:00hrs – 00:00hrs)
Thursday (11:00 – 01:00hrs)
Friday-Saturday (11:00 – 01:30hrs)
Sunday (11:00 – 01:00hrs)
- Late night refreshment
Monday-Wednesday (07:00hrs – 00:00hrs)
Thursday (07:00hrs – 01:00hrs)
Friday-Saturday (07:00hrs – 01:30hrs)
Sunday (07:00hrs – 01:00hrs)

A copy of the application is attached at **Appendix 1**.

- 2.3 In response to the application, the Licensing Authority received representations from a number of concerned residents residing at Summers Quay, which has up to 67 residential apartments. The representations mainly relate to concerns regarding the late night hours proposed, which is feared will cause severe inconvenience and nuisances to residents living nearby and will negatively impact on their lives.
- 2.4 In addition to the concerns from the local residents regarding the application, the Licensing Authority is also not satisfied that the operating schedule sufficiently details how the licensing objectives will be promoted if the application is granted. Furthermore, the application does not specify what type of venue the applicant intends to operate, as no clear description is defined within the application.
- 2.5 The premises does not currently have the required planning permission in place. Any application for planning permission will be determined separately.

3 CUMULATIVE IMPACT

- 3.1 The premises is located within a Cumulative Impact Area (CIA), which is set out in the Council's Statement of Licensing Policy (2021-2022). The CIA in Stalybridge Town Centre has been in place since 2011.
- 3.2 The decision to introduce the Cumulative Impact policy was taken with regard to the Council's concern over rising trends of late night alcohol related violence against the person and late night disorder and rowdiness associated with late night licensed premises in the area.
- 3.3 The effect of this special policy is to create a presumption that applications for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused, following relevant representations, unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives.
- 3.4 Upon determining the application, the Panel must have regard to the relevant Policy and Statutory Guidance relating to cumulative impact, including the following:

Cumulative impact statement or saturation policy is a term used to describe the potential impact on the promotion of the four licensing objectives where there are significant numbers of licensed premises concentrated in one area. If there are large numbers of premises in an area then disorder and nuisance may arise when customers leave licensed premises either to go onto a venue with later licensing hours, or to congregate at takeaways or taxi ranks or walk home past residential properties. The impact of their behaviour is likely to be greater than when in the individual premises particularly as they may not be as aware of how loud or rowdy their behaviour is.

Paragraph 13.33 of the statutory guidance advises it would not be normally be justifiable to adopt a special policy on the basis of concentration of shops, stores or supermarkets selling alcohol for consumption off the premises. Section 4 of the Licensing Act provides that 'a licensing authority should have regard to guidance issued by the Secretary of State under S182 guidance' however the guidance states in section 1 it is permissible for the 'licensing authority to depart from the guidance provided they have reason to do so and are able to provide full reasons'.

The process of introducing a statement of cumulative impact begins with receiving representations from a responsible authority or an interested party accompanied with evidence that the addition of premises would produce the suggested negative impacts on the

licensing objectives. This approach has been made by Greater Manchester Police G Division to look at the feasibility of introducing a cumulative impact policy for licensed premises in Stalybridge and Ashton Town Centres.

The following steps must be taken when considering the adoption of a special policy on cumulative impact;

- Identification of concerns about crime and disorder and public nuisance.*
- Consideration whether there is good evidence that crime and disorder or impact is imminent*
- Identification of the boundaries of the area where problems are occurring*
- Consult with those specified in section 5(3) of the 2003 Act, and subject to the outcome of the consultation*
- Amend licensing policy statement to include details of special policy*

CUMULATIVE IMPACT POLICY – ON LICENCE PREMISES

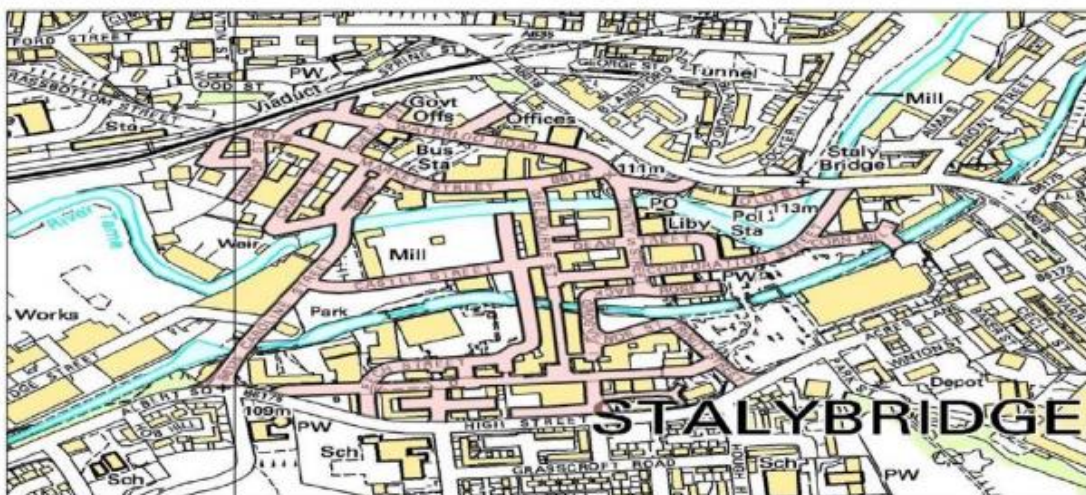
The cumulative impact policy adopted is to refuse applications for new premises licences, club premises certificates or variations which increase late night opening [for the supply of alcohol] in the centre of Stalybridge or the centre of Ashton-under-Lyne where a representation against granting the application has been made on the grounds granting it will or is likely to add to the existing cumulative impact. This policy will be strictly applied, but all cases will be considered on their merits. If the application can be granted in such a way so that the application would have demonstrable positive or neutral impact on the four licensing objectives then it will be granted,

The Council has a duty to consider section 17 of the Crime and Disorder Act and the impact on Crime and Disorder of each application.

The Council recognises that a minority of consumers behave badly. The Licensing Policy is not the only tool that can be used to address anti-social behaviour; it is part of a framework of measures listed in paragraph 1.39 of statutory guidance.

Examples of circumstances where it may be appropriate to grant an exemption include an application from a restaurant with reduced hours for sale of alcohol or an application which seeks to bring family entertainment or a type of entertainment with broad appeal to the area. This list is not exhaustive and there will be other examples.

The Council consider it is necessary for the cumulative impact policy to apply to streets in Stalybridge town centre as shown in the map below highlighted in pink;



For the purposes of this policy, premises are in Central Stalybridge if they have a frontage onto the parts of Caroline St, Castle St, Leech street, Trinity St, Back Grosvenor St, Melbourne St, Melbourne St, Dean St, Corporation St, Chapel St, Market St, Queen St, Waterloo Rd, Queen St and Harrop St as shown in the area marked on the plan

REASON

The Council are of the view the concentration of licensed premises in Stalybridge town centre particularly those licensed to trade beyond 2am contribute to an unacceptable level of crime and disorder and public nuisance in and around the Market Street area. The pattern of customers arriving into Stalybridge town centre has stretched later and later into the night with the effect the town does not get busy until after 23:00 or later. People appear to arrive into the town showing signs of intoxication. As the larger venues do not close until 3am – 4am it appears people are content to pre-load and then come out much later. The area is under stress because of the cumulative impact of the concentration licensed premises with late trading hours leading to crime and disorder and public nuisance.

The majority of licensed premises in Stalybridge offer the same type of entertainment which is predominately recorded music. They compete for the same clientele with the added pressure of declining footfall at night. A large number of the premises do not open during the day and do little to attract people into this part of the town during the day.

Evidence for this special policy has been obtained from Analysis of crime reports using the Simple2Start methodology and also analytical reports Page 27 commissioned from GMAC (Greater Manchester against Crime) analysts. The analysis shows a trend of incidents of crime and disorder occurring later and later into the night and early morning particularly in and around the Market Street area. Premises in the town centre are located in close proximity to each other and the cumulative impact of the premises does put the area under stress. Residents suffer from the alcohol related ASB, criminal damage etc from people leaving the area at the same time.

The 'cumulative impact' of the granting of a new premises licence or variation to an existing licence on the promotion of the Licensing Objective to prevent crime and disorder is a proper matter for the Council to consider under this policy.

It is hoped introducing this policy will encourage operators to provide a different style of premises that will appeal to a broader market.

Paragraph 14.44 of the statutory guidance advises that CIA should never be absolute. Statements of licensing policy should always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. After receiving relevant representations in relation to a new application for or a variation of a licence or certificate, the licensing authority must consider whether it would be justified in departing from its CIA in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of cumulative impact, a small restaurant or a theatre may not. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one or more of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

4. REPRESENTATIONS & EVIDENCE SUBMITTED

- 4.1 Representations have been received by TMBC Licensing, Greater Manchester Police, TMBC Councillors and members of the public.

TMBC Licensing

- 4.2 A representation relating to the application has been provided by James Horton of TMBC Licensing. A copy of this is attached at **Appendix 2**.

Greater Manchester Police

- 4.3 A representation has been provided by the Police Licensing Officer, PC Martin Thorley. A copy of this is attached at **Appendix 3**.

A representation has also been provided by PC Sue Morris, Neighbourhood Beat Officer. A copy of this is attached at **Appendix 4**.

TMBC Councillors

- 4.4 A representation has jointly been received from Stalybridge and Dukinfield Ward Members; Cllr Eleanor Wills, Cllr David Sweeton and Cllr Leanne Feeley. A copy of this is attached at Appendix 5.

Interested Parties

- 4.5 Representations have been received from 19 members of the public, who are residents of Summers Quay and live above the premises which is proposed to be licensed. A copy of these are attached at **Appendices 6 - 24**.

A representation has also been received from Mr Ray Harrison on behalf of a local community association, Stalybridge Town Team. This is attached at **Appendix 25**.

5. HOME OFFICE GUIDANCE (S182 Licensing Act 2003)

Determining actions that are appropriate for the promotion of the licensing objectives

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. Whilst this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is

Revised Guidance issued under section 182 of the Licensing Act 2003 I 75 imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on

determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination

6. CONCLUSION AND OPTIONS FOR THE PANEL

6.1 The Panel is requested to consider the evidence and decide what (if any) steps to take as it considers appropriate for the promotion of the licensing objectives. The options available to the Panel are;

- (a) to grant the licence subject to –
 - (i) such conditions that the authority considers appropriate for the promotion of the licensing objectives, and
 - (ii) current mandatory conditions;
- (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
- (c) to refuse to specify a person in the licence as the premises supervisor;
- (d) to reject the application.

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I OHANA FL LTD

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Summers Quay Units 1-3 Armentieres Square, Stalybridge SK15 2AR			
Post town	Stalybridge	Postcode	SK152AR

Telephone number at premises (if any)	07738766360
Non-domestic rateable value of premises	£13,500

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☐

I am making the application pursuant to a statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over			I am 18 years old or <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
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Surname		First names	
Date of birth over		I am 18 years old or <input type="checkbox"/> Please tick yes	
Nationality			
Current postal address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Ohana FL Ltd
Address The Accountancy People Huddersfield Road Sk15
Registered number (where applicable) 13358750
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 07738766360
E-mail address (optional) ohanaltd@hotmail.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
0	1	0	6	2	0	2	1

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY			

Please give a general description of the premises (please read guidance note 1)

The premises will house a Bistro, Bar, Restaurant and Grill.

There will be 1 bar area, a kitchen and seating area comprising of both fixed booth seating and moveable tables and chairs.

There will be a cellar and store, one office and 2 toilets areas. 1 set of male toilets with a cubicle, wash basin and urinal, 1 set of female toilets with 2 cubicles and wash basin

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)



Supply of alcohol (if ticking yes, fill in box J)



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
Wed						
Thur			State any seasonal variations for the exhibition of films (please read guidance note 5)			
Fri						
Sat						
Sun						
			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	1100	0000	<u>Please give further details here</u> (please read guidance note 4) The requested times gives us the availability to offer functions, with a pianist, live bands and other similar entertainment – We would ensure the volume is well within the legal requirements and would not be excessive, taking into consideration the residential properties close to the venue. Some performances may or may not be amplified but will be set to a suitable level		
Tue	1100	0000			
Wed	1100	0000	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) On day preceding a bank holiday 1100hrs to 0130hrs Christmas Eve, New years Eve, Boxing Day, 27 th & 28 th December 1100 to 0200 Easter Sunday 1100-0130		
Thur	1100	0000			
Fri	1100	0130	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) On day preceding a bank holiday 1100hrs to 0130hrs Christmas Eve, New years Eve, Boxing Day, 27 th & 28 th December 1100 to 0200 Easter Sunday 1100-0130		
Sat	1100	0130			
Sun	1100	0000			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon	0700	0000	Please give further details here (please read guidance note 4) The venue would benefit from background music throughout trading hours.	
Tue	0700	0000		
			The requested times gives us the availability to offer a range of private hire functions, with live bands and similar entertainment on offer.	
Wed	0700	0000	State any seasonal variations for the playing of recorded music (please read guidance note 5)	
Thur	0700	0100		
			On day preceding a bank holiday 1100hrs to 0130hrs Christmas Eve, New years Eve, Boxing Day, 27 th & 28 th December 1100 to 0200 Easter Sunday 1100-0130	
Fri	0700	0200	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) On day preceding a bank holiday 1100hrs to 0130hrs	
Sat	0700	0200		
Sun	0700	0100		
			24 th Dec Christmas Eve, 31 st Dec New years Eve, Boxing Day, 27 th & 28 th December 1100 to 0200 Easter Sunday 1100-0130	

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)			
Tue						
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors <input type="checkbox"/>
Mon	0700	0000		Outdoors <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
Tue	0700	0000	<u>Please give further details here</u> (please read guidance note 4) The venue will be made available for various public functions such as weddings, wakes, birthdays, charity events and community project meetings and promotional events.	
Wed	0700	0000		
Thur	0700	0100	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)	
Fri	0700	0130		
			On any day preceding a bank holiday / public holiday 1100hrs to 0130hrs Christmas Eve, New years Eve, Boxing Day, 27 th & 28 th December 1100 to 0200 Easter Sunday 1100-0130	
Sat	0700	0130	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sun	0700	0100		
			On day preceding a bank holiday 1100hrs to 0130hrs Christmas Eve, New years Eve, Boxing Day, 27 th & 28 th December 1100 to 0200 Easter Sunday 1100-0130	

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) The venue will offer food and beverages throughout the day / evening.	
Mon	0700	0000		
Tue	0700	0000	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)	
Wed	0700	0000		
Thur	0700	0100	On day preceding a bank holiday 1100hrs to 0130hrs Christmas Eve, New years Eve, Boxing Day, 27 th & 28 th December 1100 to 0200 Easter Sunday 1100-0130	
Fri	0700	0130		
Sat	0700	0130	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6) On day preceding a bank holiday 1100hrs to 0200	
Sun	0700	0100		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) On day preceding a bank holiday 1100hrs to 0130hrs Christmas Eve, New years Eve, Boxing Day, 27 th & 28 th December 1100 to 0200 Easter Sunday 1100-0130		
Mon	1100	0000			
Tue	1100	0000			
Wed	1100	0000			
Thur	1100	0100	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) On a day preceding a bank holiday 1100hrs to 0130hrs Christmas Eve, New years Eve, Boxing Day, 27 th & 28 th December 1100 to 0200 Easter Sunday 1100-0130		
Fri	1100	0130			
Sat	1100	0130			
Sun	1100	0100			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name TINA HARRISON	
Date of birth 04/09/1980	
Address 5 CEDAR AVENUE CYPRESS OAKS STALYBRIDGE CHESHIRE	
Postcode	SK15 3GD
Personal licence number (if known) PA2479	

Issuing licensing authority (if known)
TAMESIDE

□□□□

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	On day preceding a bank holiday 1100hrs to 0130hrs
Mon	0700	0030	Christmas Eve, 1100 to 0130
			New years Eve, 1100 to 0200
Tue	0700	0030	Boxing Day, 27 th & 28 th December 1100 to 0130
			Easter Sunday 1100-0130
Wed	0700	0030	Easter Friday 1100 - 0130
			<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Thur	0700	0130	
Fri	0700	0200	
Sat	0700	0200	On day preceding a bank holiday 1100hrs to 0130hrs
			Christmas Eve, 1100-0130

			New years Eve, 1100 to 0200
Sun	0700	0100	Boxing Day, 27 th & 28 th December 1100 - 0130
			Easter Sunday 1100-0130
			Easter Friday 1100 - 0130

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The Licensee shall ensure that all times when the premises are used for any licensable activity there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

The venue will run in accordance with all conditions at all times which will ensure a healthy working relationship between licence holder and compliance officers.

b) The prevention of crime and disorder

1. Any incidents of a criminal nature that may occur on the premises will be reported to the Police.
The Licensee will install comprehensive CCTV coverage at the premises and it is operated and maintained at the premises.

The CCTV system shall conform to the following points:
 1. Cameras must be sited to observe the entrance and exit doors both inside and outside.
 2. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
 3. Cameras overlooking floor areas should be wide angled to give an overview of the premises.
 4. Be capable of visually confirming the nature of the crime committed.
 5. Provide a linked record of the date, time and place of any image
4. Provide good quality images –colour during opening times.
5. Operate under existing light levels within and outside the premises.
6. Have the recording device located in a secure area or locked cabinet.
7. Have a monitor to review images and recorded picture quality.
8. Be regularly maintained to ensure continuous quality of image capture retention
9. Have signage displayed in the customer area to advise that CCTV is in operation.

10. Digital images must be kept for 28 days.
11. Police will have access to images at any reasonable time.
12. The equipment must have a suitable export method. A USB storage device will be on site

Police can make an evidential copy of the data they require. Copies must be made available to Police on request.

The venue will join 'Pub Watch' and will play an active role

The venue will have the following documents on site and will be used daily

A refusal log

A drug incident log

An general incident log

c) Public safety

Appropriate fire safety procedures will be in place including fire extinguishers (foam, H2O and CO2), fire blanket, internally illuminated fire exit signs, numerous smoke detectors a sprinkler system and emergency lighting. All appliances will be inspected annually.

All emergency exits shall be kept free from obstruction at all times.

Adequate access will be provided for emergency vehicles at all times

All parts of the premises and all fittings and apparatus therein, door fastenings and notices and the seating, lighting, heating, electrical, ventilation, sanitary, washing facilities and other installations, will be maintained at all times and in good working order and kept in a safe condition.

d) The prevention of public nuisance

All customers will be asked to leave quietly at all times

Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.

Customers will be discouraged to loiter upon leaving the venue

Music will be kept at a background level so not to disturb neighbours.

Perimeter checks for both sound and litter will be kept on site and checked throughout the day / night

Windows and doors will stay closed during regulated entertainment

The street will be kept clean and tidy in front of the venue so not to cause discomfort to the neighbours.

e) The protection of children from harm

The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as a photographic driving licence or passport.

All staff will be trained for UNDERAGE SALES PREVENTION every 3 months after their initial training upon employment

A register of refused sales shall be kept and maintained on the premises.

A register of any drug related incidents will be kept on site and a secure 'Substance' box will be kept on site with a log of all entries

Children will be permitted on site until an agreed time with the local licencing authority. I suggest 10 pm being an acceptable time as long as the person under 18 is accompanied by an adult

When children are on site the protection of children from moral, psychological and physical harm will be of high importance. This includes protecting them from early exposure to:

- strong language
- sexual expletives
- adult entertainment
- drinking alcohol
- drug-taking
- gambling
- violence

Checklist:

Please tick to indicate agreement

- | | |
|--|-------------------------------------|
| • I have made or enclosed payment of the fee. | <input checked="" type="checkbox"/> |
| • I have enclosed the plan of the premises. | <input type="checkbox"/> |
| • I have sent copies of this application and the plan to responsible authorities and others where applicable. | <input checked="" type="checkbox"/> |
| • I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. | <input checked="" type="checkbox"/> |
| • I understand that I must now advertise my application. | <input checked="" type="checkbox"/> |


- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☐

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	07/05/2021
Capacity	

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Tina Harrison 5 Cedar Avenue Cypress Oaks Stalybridge			
Post town	Stalybridge	Postcode	SK153GD
Telephone number (if any)	07738766360		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.

6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations

2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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Cumulative Impact Policy

I understand that local licensing authorities can adopt special policies in relation to cumulative impact where evidence is produced by one or more responsible authorities that the impact of a number of licensed premises in a specific geographical area is having an adverse effect on the promotion of the licensing objectives.

I am aware that Stalybridge, and in particular, Armentieres Square, has been placed within this zone.

Summers Quay is a luxury development in the heart of Stalybridge Town Centre. The 6-storey building boasts 67 luxury apartments, overlooking the Huddersfield narrow Canal and in close proximity to local shops and country walks.

Underneath the development, there are commercial units that I would like to develop into a restaurant and bar and would be aimed at families and professionals throughout the day, and a more high-end customer during the evening trading hours.

The day would start around 7am and would offer a full breakfast and coffee menu. The venue would aim to rival other coffee providers such as Starbucks with a huge range of speciality coffees. I believe we lack this type of establishment in the town centre and this would be a great asset to the town. A perfect place for professionals to start the day, meet with colleagues and a venue that would also offer a warm welcome to families and friends.

Throughout the day there would be a laid back, coffee house, bistro type approach, serving moderately priced meals and offering a selection of light bites and fancy deserts.

During the evening the venue would have a more formal feel and offer a selection of 'off the grill' type meals, wood fired pizza from a custom-made wood fired pizza oven and various other family inclusive meals. Prepared by chef with 20 years city centre experience, who will bring a feel of the city centre to Stalybridge!

The food menu would only be available until 9pm, at which point the venue would then evolve into a high-end bar, serving cocktails, premium spirits and guest beers. There will be back-ground music throughout all trading hours and will not exceed a limit agreed by the local licensing authority and the environmental health. The venue will adopt a very cool and classy feel where couples would meet, friends would socialise, and families would make memories whilst dining on quality fresh and locally sourced food!

There would also be weekly dining event which would appeal to the vegan and vegetarian residents of the town.

The venue will be available for private hire and would easily accommodate a range of occasions from wakes to weddings, birthdays and baby showers.

There will also be a selection of weekly and monthly entertainment sessions, such as a pianist on a sunny Sunday afternoon complimented by a specially prepared menu, acoustic sessions on a Saturday, early evening ,and many charity based events throughout the year in a bid to raise awareness of many local issues, such as homelessness and many other local causes.

We will also adopt a policy that food will not go to waste at the venue and will work with local food banks.

I appreciate there are already many 'pubs' dotted around the town centre, but I truly believe the town is in desperate need of a high-end eatery and bar that will offer a menu that would normally only be found within the city centre and priced accordingly. The location of the venue is fantastic will provide a huge face-lift to the centre of the town and offer a friendly environment for all ages.

The location of the venue makes this a fantastic destination for food and drink, without the added cost of the transport to Manchester, which in turn would allow local business to thrive - local taxi companies would benefit along with local food suppliers. Meat, vegetables and sweet treats would be sourced locally in a bid to increase revenue and growth within the town, along with the added revenue the local hairdressers and beauty salons may find themselves benefiting from.

The Cumulative Impact Policy outlines areas of concern such as Crime and Disorder, Public safety, Prevention of Public Nuisance, Protection of children from harm.

In a bid to reduce this risk, I would adopt the following policies.

Crime and Disorder

1. CCTV

A tamper-proof digital colour CCTV system will be installed and maintained at the premises to the satisfaction of Greater Manchester Police.

The system must run and record continuously for 24 hours a day, 7 days per week and recorded footage must be stored for a minimum of 28 days.

The system will provide a clear head and shoulders view to an evidential quality on every entry/exit route and within any other vulnerable areas as identified by Greater Manchester Police.

Recorded footage will be provided to a representative of any responsible authority on request. Such footage will be provided in an immediately viewable format and will include any software etc. which is required to view the footage. Any discs, portable

drives or other storage media onto which footage is transferred will be provided by the premises and sufficient stock of such storage media will be kept on the premises at all times.

A member of staff who is trained to operate the system and supply footage will be present at the premises at all times when licensable activities are taking place.

The Designated Premises Supervisor will ensure that the CCTV system is checked at least once every week by a suitably trained member of staff. This check must include the operation of the cameras, the recording facilities, the facilities for providing footage and the accuracy of the time & date. A written record of these checks will be kept, including a signature of the person carrying out the check. This written record will be kept on the premises at all times and made available to a representative of any responsible authority on request.

Suitable signage informing customers that a CCTV system is in operation will be placed in prominent positions within the premises, including information on the Data Protection Act and the Human Rights act.

2. Incident Book

An incident book (with the pages numbered sequentially) will be kept on the premises and be made available for inspection by responsible authorities. The incident book will be used to record the following:

- (i) Any incident of violence or disorder on or immediately outside the premises
- (ii) Any incident involving controlled drugs (supply/possession/influence) on the premises
- (iii) Any other crime or criminal activity on the premises
- (iv) Any refusal to serve alcohol to persons who are drunk (On sale and off sale premises only)
- (v) Any refusal to serve alcohol to under 18's or anyone who appears to be under 18 (vi) Any call for police assistance to the premises
- (vii) Any ejection from the premises
- (viii) Any first aid/other care given to a customer

3. Drug Policy

The management of the premises will introduce a strict "zero tolerance" policy in respect of the use and/or supply of illegal drugs on the premises. The policy to include checks of the toilet areas every half-hour whilst the premises are open and suitable signage to be placed in prominent areas within the premises.

Public Safety

1. Occupancy Limit

The total occupancy of the premises must not exceed *** persons, including staff.

2. Glass Collection

In order to minimise the risk of persons becoming injured by broken glass, the designated premises supervisor will ensure that empty glasses, bottles and other containers are collected and disposed of regularly and at least every half-hour whilst the premise is open.

Prevention of Public Nuisance

1. Doors & Windows

To prevent noise nuisance, all windows and doors at the premise must be kept closed at any time when regulated entertainment, live music (amplified or unamplified), recorded music or any other type of entertainment (amplified or unamplified) is being performed at the premise, except to allow people to enter or exit.

2. Entertainment to be Inaudible

Noise generated by regulated entertainment, live music (amplified or unamplified), recorded music or any other type of entertainment (amplified or unamplified) must be inaudible at the nearest noise sensitive location.

3. 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.

4. Notices to Customers

Notices requesting customers to leave quietly must be displayed in a prominent position next to each entrance/exit. The Designated Premises Supervisor must ensure that customers are encouraged to keep noise to a minimum when leaving the premise.

5. Litter Control

The Designated Premises Supervisor must ensure that a member of staff collects all litter from the curtilage of the premises every day at the conclusion of trading. A written log must be kept of the areas checked and made available to responsible authorities for inspection on request.

6. No Drinks Outside

The Designated Premises Supervisor must ensure that no drinks are taken or consumed outside the premises nor glasses/bottles removed from the premises by patrons when leaving.

Protection of Children from Harm

1. Challenge 25

The premises must operate a “Challenge 25” scheme at the premise in relation to age verification for alcohol sales and other age-restricted products. Signs and/or posters must be displayed in prominent positions inside the premise to inform customers of this condition.

2. Refusals Book

A refusals book must be kept at the premises and must be used to record all refusals to sell alcohol for any reason. Where other age restricted products are sold at the premise, any refusals to sell such items to underage persons or persons who appear underage must be recorded. The details to be recorded must be as follows:

- (i) Time, day & date of refusal
- (ii) Item refused
- (iii) Name & address of customer (if given)
- (iv) Description of customer
- (v) Details of i.d. offered (if shown)

The refusals book must be made available for inspection by responsible authorities on request.

3. List of Agreed Products

A list of all items not to be offered for sale will be agreed with the Premises Licence Holder and the responsible authorities, including Trading Standards, and Greater Manchester Police. This list can be subject to further amendment and agreement between the parties. Once the list is agreed, items on the list must not be sold or supplied by the premises.

4. Proxy Notices

The premise must display, in a prominent position, a notice or notices explaining that it is an offence for adults to purchase alcohol and then supply it to persons under 18.

5. Door Age Policy

No persons under the age of 18 will be granted entry after 7.30pm, unless they accompanied by an adult. No persons under the age of 18 to be allowed entry to the premises after 9pm regardless if they are accompanied by an adult.

All persons under the age of 18 must be off the premises by 10.30pm

All 4 Licensing Objectives

1. Staff Training

Any staff employed at the premises will receive training by the Designated Premises Supervisor on first appointment and at least every three months thereafter. Training will include input on preventing underage sales, sales of alcohol to people who are drunk, application of the drugs policy and any other relevant matters. A written record will be kept of all training carried out. This record must be kept on the premises and made available for inspection by any responsible authority.

2. Personal Licence Holder to be on Premise after 10pm

A Personal Licence Holder will be present at the premises at all times licensable activities, live music (amplified or unamplified), recorded music or any other types of entertainment (amplified or unamplified) are taking place.

3. List of Authorised Persons

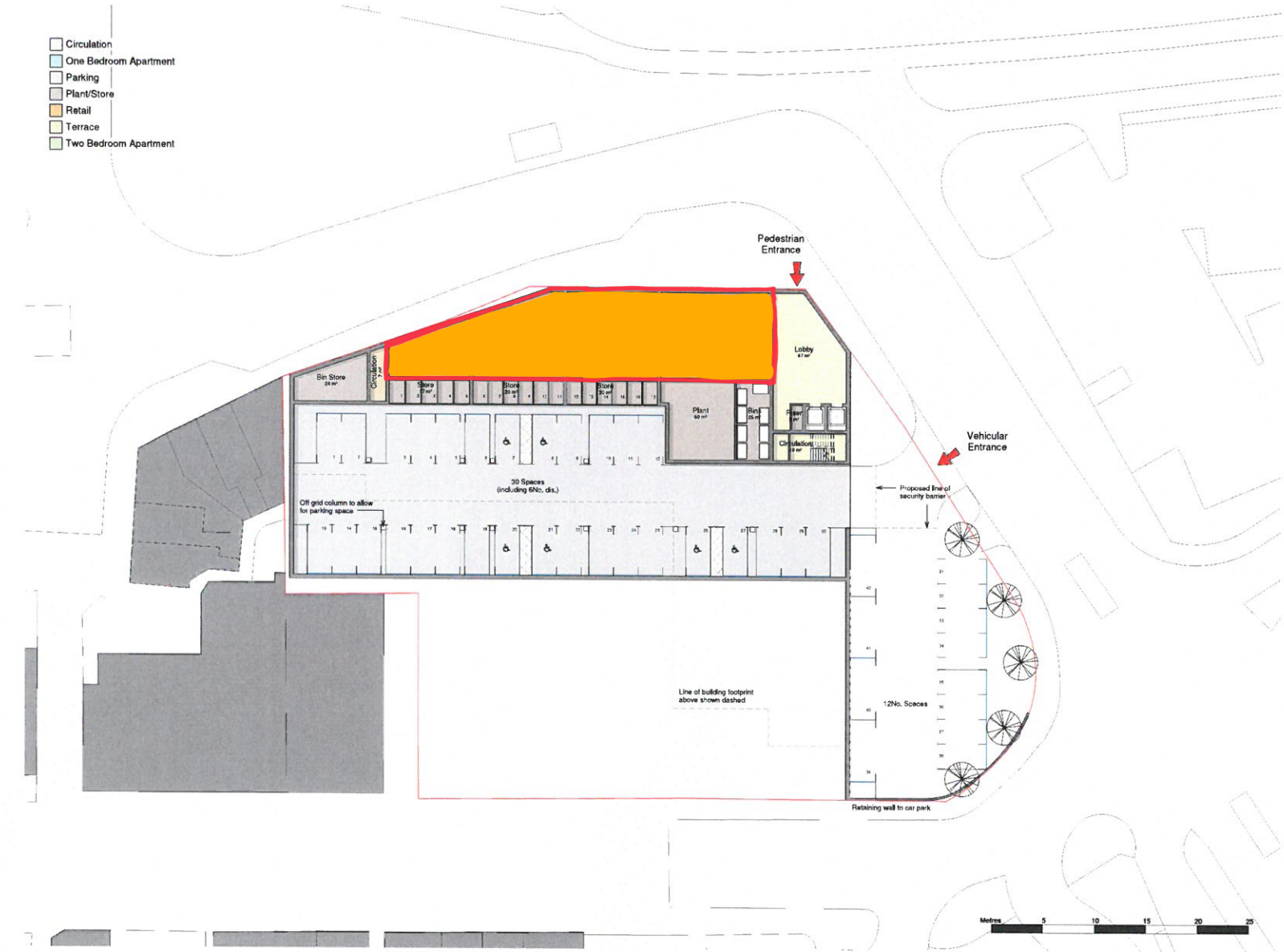
The Designated Premises Supervisor will maintain a written record of all members of staff who are authorised to sell alcohol.

4. Pub watch

Where such a scheme is in operation, the Designated Premises Supervisor must be an active member of a local Pub watch scheme or equivalent.

I believe the venue will be a huge asset to the town and if all policies are adopted and adhered to, the venue will play host to a plethora of safe and responsible social activities. The impact on the surrounding area would be of a positive nature and would complete a long-awaited transformation of the canal side development.

The venue will be managed by an experienced individual, who has extensive knowledge of the hospitality sector and has lived and worked in Stalybridge for 40 years. The owner has the best interests of the town at heart and believe it's time to put Stalybridge back on the map by providing a venue that boasts plush surroundings, fine food, premium beers, spirits and town centre worthy cocktails matched with delicious treats.



LEVEL 1

North

GIA 1356.07 m²

Level 1
1 : 1000

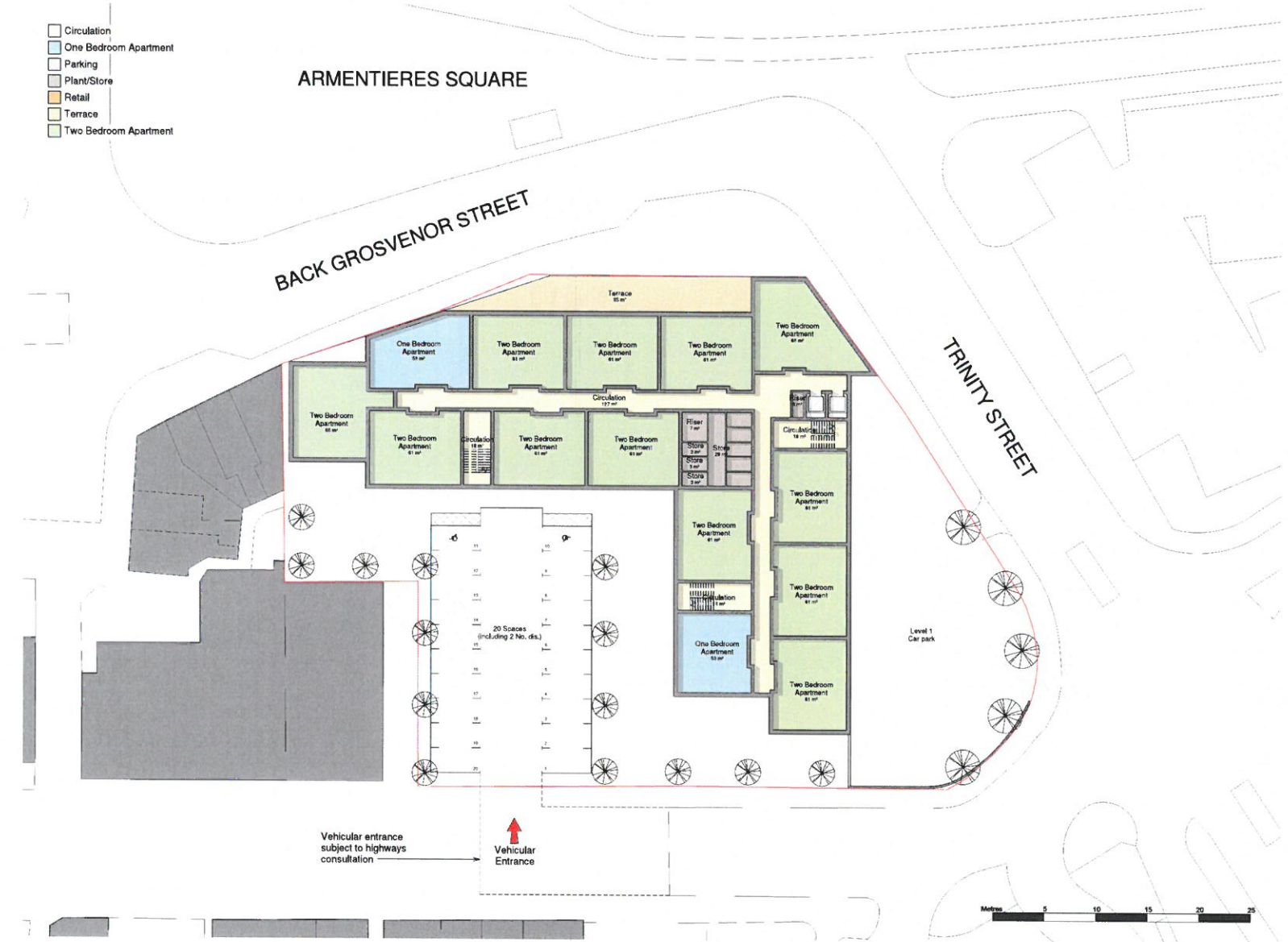
Area Schedule (GIA)	
Level	Area
Level 1	1356 m ²
Level 2	1191 m ²
Level 3	1191 m ²
Level 4	1191 m ²
Level 5	1059 m ²
Level 6	837 m ²
Level 7	670 m ²
Grand total	7494 m ²

Residential Accommodation Schedule	
Apartment Type	Count
One Bedroom Apartment	8
Two Bedroom Apartment	62
Grand total	70

Commercial Accommodation Schedule	
Level	Area
Level 1	34 m ²
Level 1	63 m ²
Level 1	72 m ²
Level 1	88 m ²
Grand total: 4	257 m ²

Area Use Schedule	
Department	Area
Circulation	1095 m ²
One Bedroom Apartment	449 m ²
Parking	790 m ²
Plant/Store	441 m ²
Retail	257 m ²
Terrace	187 m ²
Two Bedroom Apartment	3863 m ²
These areas do not include separating party walls 7082 m ²	

Car Parking Provision (including parking at Level 2):
62 spaces
Including 8 disabled spaces



LEVEL 2

North

GIA 1190.83 m²

Level 2
1 : 1000

Area Schedule (GIA)	
Level	Area
Level 1	1356 m ²
Level 2	1191 m ²
Level 3	1191 m ²
Level 4	1191 m ²
Level 5	1059 m ²
Level 6	837 m ²
Level 7	670 m ²
Grand total	7494 m ²

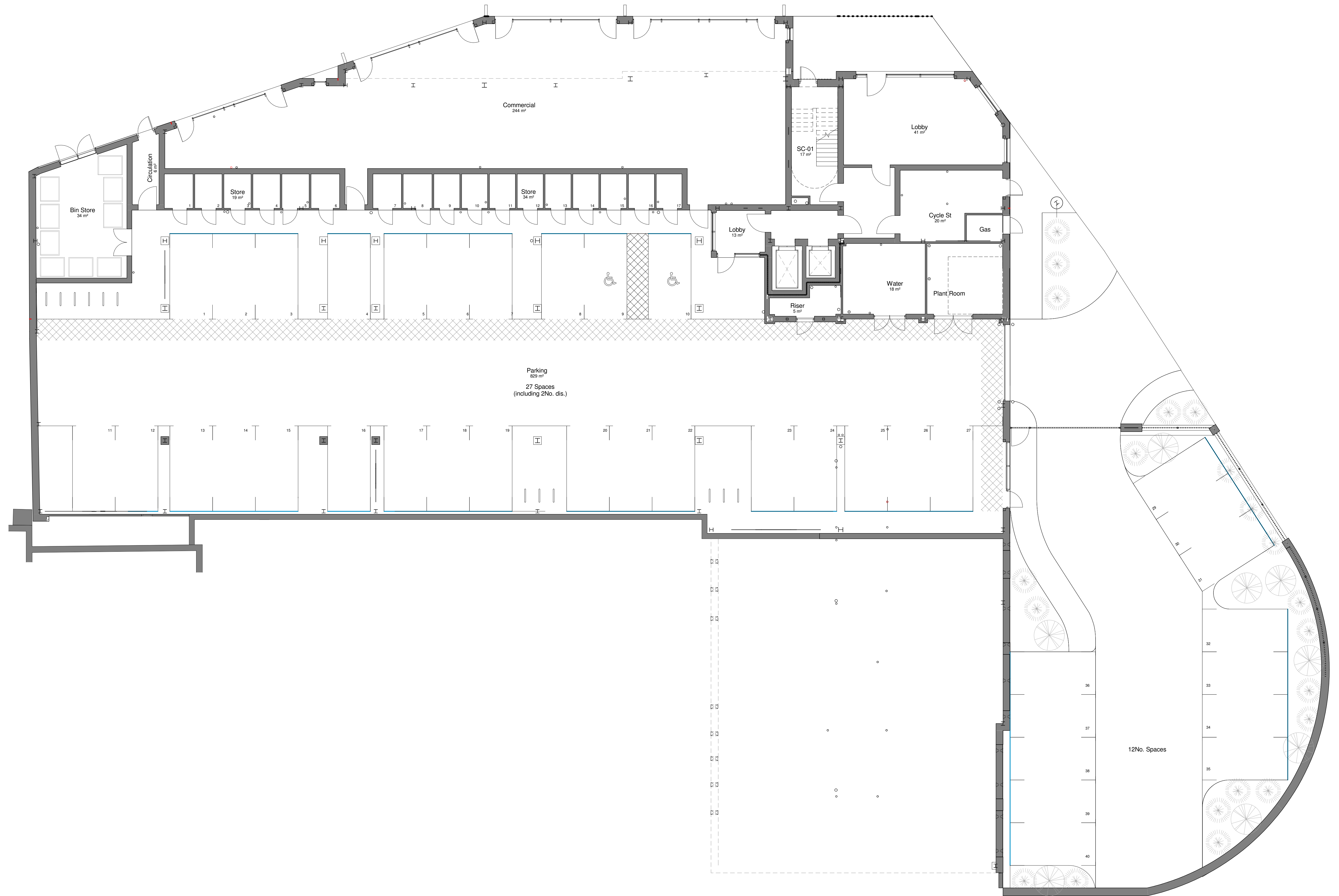
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Terrace	187 m ²
Two Bedroom Apartment	3863 m ²
These areas do not include separating party walls 7082 m ²	

Car Parking Provision (including parking at Level 1):
62 spaces
Including 8 disabled spaces

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Representation Re: Application for a Premises Licence

From:	Licensing Authority, Tameside Metropolitan Borough Council
To:	Licensing Authority, Tameside Metropolitan Borough Council
Date:	7 June 2021
Premises:	Summers Quay, Units 1-3, Armentiers Square, Stalybridge, SK15 2AR
Date of Application:	11 May 2021

The Licensing Authority, in its capacity as a 'Responsible Authority' under the provisions of the Licensing Act 2003, hereby give notice of our objection to application for a new premises licence in respect of the above premises.

The reason(s) for the objection are as follows:

I wish to object to the above application due to concerns regarding the potential operation of the premises and lack of confidence that the premises will effectively promote the licensing objectives namely; the prevention of public nuisance and public safety.

The premises is situated on the ground floor at Summers Quay, Units 1-3 situated on Armentieres Square, Stalybridge, SK15 2AR. Summers Quay is a Jigsaw Homes development which has up to 67 residential apartments.

The Licensing Authority does not oppose a restaurant style venue operating at this location with reasonable and proportionate licensable conditions and hours. However, the location is not suitable for a late night bar to operate and effectively promote the licensing objectives. The licensable hours requested for this application are excessive and fall more in line with a bar or nightclub type establishment. Furthermore, the venue could be hired out for parties or external events, which has the potential to cause a public nuisance to local residents. The applicant has also not clearly stated the type of venue this premises will be - this raises concerns as to what type of venue the applicant will be operating. The premises is described as four different types of venues within the application, namely; a Bistro/Bar/Restaurant/Grill. In addition, the premises are yet to obtain the correct class of use permissions from the Planning Department in relation to the type of venue at this location.

The venue is located within close proximity to the residents of Summers Quay and in turn has the potential to have an adverse effect on the wellbeing of these residents and enjoyment of their home. These concerns appear to be shared by the residents as the Licensing Authority have received several representations from residents of this building, some of whom are elderly.

In order to ensure the effective promotion of the licensing objectives, please acknowledge this as an opposing representation to the application in its current state. However, in determining the application - if the panel are minded to grant the licence. Then, I would suggest the following conditions are taken into consideration and imposed on the respective licence;

- Due to the location of the premises being within close proximity to residential properties. I would suggest a terminal hour for the sale of alcohol to be 23:30hrs with a premises closing time of 00:00hrs.
- In addition to the above, to ensure safety of patrons I would propose if the premise remains open past 00:00hrs, then a minimum of 2 SIA licensed door supervisors must be in place from 9pm until 30 minutes past the last sale of alcohol.
- All events to be held at the venue must not be organised by anyone other than the PLH.
- Any sale of alcohol must be ancillary to a table meal.

Signed: 

Name: James Horton
Regulatory Compliance Officer

GREATER MANCHESTER POLICE - REPRESENTATION

About You

Name	PC Martin Thorley
Address including postcode	Ashton-under-Lyne Police Station Manchester Road Ashton-under-Lyne Tameside OL7 0BQ
Contact Email Address	Martin.thorley@gmp.police.uk
Contact Telephone Number	07393145364

About the Premises

Application Reference No.	
Name of the Premises	Ohana FL Ltd
Address of the premises including postcode	Summers Quay Units 1-3 Armentieres Square Stalybridge SK15 2AR

Your Representation

Please outline your representation below and continue overleaf. This should describe the likely effect of the grant of the variation on the licensing objectives on and in the vicinity of the premises in question.

Please accept this as formal notification of the Greater Manchester Police objection to the request for a premises license to be granted in relation to the above premises.

The grounds for the objection are

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance.

This premise is situated on the ground floor of Summers Quay which is a luxury development in the heart of Stalybridge Town Centre. The 6 storey building boasts 67 luxury apartments, overlooking the Huddersfield narrow Canal. Unit 1-3 is currently unoccupied and has been since the development was built and opened in 2018.

As with other areas in Tameside, Stalybridge suffers from issues with on street drinking and other alcohol related anti-social behavior. The nearest late night bar venue is situated on High Street, a pedestrianised area which runs behind Summers Quay, which is a short walk away where there are premises which are permitted to sell alcohol until 0200hrs with proportionate conditions including the use of SIA registered door staff to ensure the promotion of the four Licensing Objectives.

I believe there is a distinct possibility that persons attending the other local bars will be drawn to these new premises causing Public Nuisance to the local residents who reside above Unit 1-3, with the intention of consuming more alcohol and as they will already be in a 'party mood'. There is a danger that groups of people will gather near the front of the premises whilst they await their transportation home, be it a bus or a taxi, given that the other local bars are within a pedestrianised area, which I

believe shows a risk to the **Public Safety Licensing Objective..**

This would increase the traffic flow around Armentieres Square and could place customers and pedestrians in danger with vehicles frequenting the location which in turn will certainly cause an added disturbance to the local residents.

The application includes provision of late night refreshment taking place both on and off the premises until 0130hrs. This in itself will cause disturbance to local residents with people coming from far and wide to purchase food and will undoubtedly increase the potential for additional reports of anti-social behaviour and unnecessary additional demand being placed on Police resources.

I do not have any objection to this premises being developed into a restaurant and bar aimed at families and professionals throughout the day and the early evening.

I question the suitability of the location and the requested times to allow the premises to host a range of private hire functions with live bands and similar entertainment in the evening trading hours which are proposed to run into the early hours of the morning as requested up to 0200hrs at weekends and later still with seasonal variations being on day preceding a bank holiday from 1100hrs to 0130hrs. Christmas Eve, New Year's Eve, Boxing Day, 27th & 28th December 1100 to 0200 and Easter Sunday 1100-0130.

Under the prevention of public nuisance Licensing objective the applicant claims that music will be kept at a background level so not to disturb neighbours. And that Perimeter checks for both sound and litter will be kept on site and checked throughout the day and night. I would seek clarity on how this can be achieved with Live Bands being a source of entertainment late at night directly under residential properties.

Under the prevention of crime and disorder Licensing objective the applicant does not mention having SIA registered Door staff in place to offer reassurances to reduce or prevent crime and disorder. If the premise was to limit its supply of alcohol both on and off the premises to midnight, I would be satisfied with the proposed conditions. However, with the last sales of alcohol being after this time and the Hours premises are open to the public being half an hour later I would insist on at least two SIA registered Door staff being booked on duty from 2100hrs on any day when the premises is open to the public after midnight until half an hour after closing. The SIA registered Door staff will be responsible for ensuring that All customers will be asked to leave quietly at all times from 2100hrs and have regard for the local residents. The Customers must be discouraged to loiter upon leaving the venue.

I am aware that PC Sue Morris who is the NBO for this area has also submitted supporting documentation with regards to this Licence Application and I concur with her observations and representation.

I would ask that The Licensing Authority considers the following as key issues in relation to this application:

The applicant falls short in evidencing the steps they intend to take in promoting all four licensing objectives.

The proximity of the premises to local residents

The general character of the surrounding area including crime and anti social behaviour (ASB) levels.

The hours applied for licensable activities should be appropriate with regard to the nature of the location of the premises.

I believe that given that there are currently issues related to youth annoyance, ASB and street related crime in the locality that persons may be drawn to this particular premises and or

location, causing an increased and unnecessary demand on the Local Policing Resources.

The use of SIA Registered Door Staff to assist in reducing crime and disorder and promoting the Licensing Objectives.

Therefore GMP believe that to allow this premises (under the proposed conditions) to open for the desired hours will lead to an increase in Crime and Disorder and alcohol related incidents in the area and will definitely cause greater disturbance to the residents who live in very close proximity to the premises.

We therefore ask that the application is refused.

PC 14627 Martin Thorley

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Rebecca Birch

From: Andrea Winterbottom
Sent: 21 June 2021 11:14
To: Nicola Healey
Subject: FW: Summers Quay, Stalybridge

Andrea Winterbottom
Regulatory Services Officer

Environmental Services (Public Protection)
 Operations and Neighbourhoods
 Operations and Neighbourhoods

[Tameside MBC](#) | [Twitter](#) | [Facebook](#) | [Instagram](#)

Tame Street Depot | Tame Street | Stalybridge | Tameside | SK15 1ST

Tel. 0161 342 2452

Mobile. 07783656232

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<http://www.tameside.gov.uk/disclaimer>



From: Mike Robinson <mike.robinson@tameside.gov.uk>
Sent: 08 June 2021 10:12
To: Licensing <licensing@tameside.gov.uk>
Cc: Nicola Healey <nicola.healey@tameside.gov.uk>
Subject: FW: Summers Quay, Stalybridge

Please send to the applicant.

Thanks,
 Mike

Mike Robinson

Regulatory Services Manager (Licensing)

Environmental Services (Public Protection)

Operations and Neighbourhoods

Operations and Neighbourhoods

[Tameside MBC](#) | [Twitter](#) | [Facebook](#) | [Instagram](#)

Tame Street Depot | Tame Street | Stalybridge | Tameside | SK15 1ST

Tel. 0161 342 4122

Mobile. 07971285294

Fax. 0161 342 2275

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From: Martin.Thorley@gmp.police.uk <Martin.Thorley@gmp.police.uk>

Sent: 07 June 2021 08:16

To: Mike Robinson <mike.robinson@tameside.gov.uk>

Subject: FW: Summers Quay, Stalybridge

Summers Quay Representation from NBO, Sue Morris.

Regards

14627 Thorley | PC

Delegated District Licensing Officer | Tameside 'G'

Internal **69484** Telephone **0161 856 9484** Work Mobile – **07393145364**

Email 14627@gmp.police.uk or g.licensing@gmp.police.uk

Address **Ashton DHQ, Manchester Road, Tameside, OL7 0BQ**



From: Susan Morris
Sent: 03 June 2021 16:35
To: Martin Thorley
Cc: Antonia J Jackson
Subject: Summers Quay, Stalybridge

Hi Martin

Thank you for forwarding the proposed plans for a licensed nightclub under the Summers Quay apartments.

After careful consideration I strongly object to this new venture going forward. The apartments were marketed and sold as luxury accommodation. The opening of a licensed premises in the units beneath the apartments would have a detrimental effect on the lives of the people living above.

The late licensing hours and also the request for entertainment and live music I feel would impact so much on the lives of those living above that they would have no choice but to either sell or move out due to the increase in noise during and after opening times.

I also feel that a new night club is not a viable venture as the club that is already open (Khaleasi) does not appear to attract the numbers expected. The clientele appear young and I have observed on several occasions fights and drunken behaviour outside. If this was to continue in the area surrounding Summer Quay I believe it will have an adverse effect on the re-generation of Stalybridge Town Centre that is proposed by Tameside Council and partnership initiatives.

There is currently a real time issue in the centre of Stalybridge and around Armentieres Square involving young teenagers and older adults which has culminated in large scale gang fights and an increase in drug dealing. This establishment would attract further interest from these groups and an increase in anti -social behaviour which, again would impact on the lives and businesses of the people living in the apartments, running the local businesses and also residents in the surrounding area.

This issue has been raised at SLT level within Tameside police and action is being taken against those that commit offences.

I feel the venue would be better suited to a bar and grill with limitations on as and when the entertainment can start and finish. This would take into consideration the welfare of current residents and business' and would be a welcome venue for families and older clientele who I am sure would welcome a new venture of this type.

PC 08861 Susan Morris
Stalybridge/Dukinfield Neighbourhood Beat Officer

Ashton Police Station HQ

Manchester Road

Ashton Under Lyne

Email: 08861@gmp.police.uk
Telephone: 0161 856 9350
Mobile: 07584 224 962

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Thank you for your co-operation.

**The Cabinet Office**

Tameside Metropolitan Borough Council, Tameside One,
PO BOX 317, Ashton under Lyne, OL6 0GS

Licensing Team

Ref:

Date: 4 June 2021

Dear Licensing,

Premises: Summer Quays Units 1-3 Armentieres Square, Stalybridge, SK15 2AR

Date of Application 11/05/21

Cllrs, Eleanor Wills, Leanne Feeley and David Sweeton (elected members for Dukinfield and Stalybridge), in their capacity as 'interested party' under the provision of Licensing Act 2003, hereby give notice to the Licensing section of our objection to the New Premise Application in respect of the above premises.

The reasons for objection are as follows:

We believe that granting this license will undermine the Licensing Objectives, in particular the prevention of nuisance, prevention of crime and disorder and protection of public safety, including our most vulnerable and the promotion of public health

.

The proposed terminal hours for live music Sun- Thurs 11:00am – 00:00am, Fri- Sat 11:00am – 01:30am is unacceptable. There are 67 apartments above the premise, loud live music until the early hours of the morning will hugely impact on their peace, also the surrounding area and residents within it.

The proposed terminal hour for recorded music Mon-Thurs & Sun 07:00am – 00:00, Friday – Sat 07:00-02:00am. There are 67 apartments above, we also have sheltered housing with vulnerable adults within close proximity and having loud music from 7am-2am will hugely impact on their lives and could affect their mental and physical health.



The proposed terminal hour of Light refreshments indoors and outdoors Mon-Weds 07:00-00:00am, Thurs-Sun 07:00-01:00am Fri-Sat 07:00-01:30am. There are over a hundred people living directly above the premises and they will be directly impacted by having people outside the building eating and drinking until 01:30 in the morning. Within those apartments we have a community of people of varying ages, from children to elderly residents who will all be impacted by noise until unreasonable hrs of the morning. We have residents within the building with disabilities and compromised immune systems who are concerned about sleep and their quality of life if this license is permitted, also within the wider community we have other vulnerable adults within close proximity.

The proposed terminal hour of alcoholic beverages both on and off the premises. Mon-Weds 11:00-00:00, Thur & Sun 11:00-01:00am, Fri-Sat 11:00-01:30. Serving alcohol until this time in the morning will impact on the local community. As part of the application the applicant states that later in the evening alcohol would only be served inside premises yet the applicant is applying for a license to have alcohol inside and outside until 01:30 in the morning. This will mean people outside drinking until the early hours of the morning, congregating and disturbing the peace of the residents above and surrounding. There is concern that this will lead to anti-social behaviour, with people able to consume alcohol from 11am-01:30am within close proximity to the canal etc. Serving alcohol from 11:00am to 01:30am contravenes the council's protection and improvement of public health. The council has a responsibility to protect its residents from the potential harms of the prolonged sale and consumption of alcohol.

The proposed opening hours Mon-Wed 07:00-00:30, Thur & Sun 07:00-01:30, Fri-Sat 07:00-02:00am. At times the premise will only be shut for 5hrs, it is assumed that within those 5hrs there will be people onsite, clearing up and setting up, deliveries etc. Constant activity in and out of the premise where residents live and sleep above is deemed wholly unreasonable and an unacceptable quality of life for residents who have lived in the apartments for years now and have enjoyed the peace of the area as it stood are now to be expected to adapt to noise and activity 24/7. When people leave the premises they will congregate outside, further disturbing the peace. There are also a lot of benches around the surrounding area, which are currently being refurbished. The benches are in place to allow the town to be an accessible space, the concern is when leaving at the early hours of the morning people can congregate on the benches, chatting and disturbing the peace beyond 2am.

Taxi's will be required for people leaving the premises throughout the evening, these will congregate near the apartments with engines on until the early hrs, people with raised voices coming in and out of taxi's slamming doors etc etc.

For a comprehensive business model, there is no mention of a car parking facility for customers, where are people expected to park, in Tesco's? Failure to address this will bring them into conflict with Tesco, who as a result could detrimentally alter the free parking terms and conditions, which will have a devastating impact on the people who shop in Stalybridge as well as the local business owners. The carpark is 30metres from the premises.

As ward Councillors we are all opposed to the operating times of the principle application, we do feel that the town and local community could benefit from a new business in the premises, but not an offer that greatly impacts in this way, it should enrich where they live not deter people from living in a home that they've otherwise enjoyed.

Yours sincerely,



The Cabinet Office

Tameside Metropolitan Borough Council, Tameside One,
PO BOX 317, Ashton under Lyne, OL6 0GS


A handwritten signature in black ink, appearing to be 'E. Wills'.

Councillor Eleanor Wills

Executive Member – Adult Social Care & Population Health

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8/6/21



Dear Councillor Feeley,

I'm writing to you as a resident of summers quay.

I wish to strongly object to the planning proposal to site a wine bar at the above location in the retail units on the ground floor. If this application is granted it will have a detrimental effect upon my quality of life.

The application is seeking a licence to:

- 1, Serve alcohol on and off the premises (11.00am - 1.30am)
- 2, Play live or recorded music (7.00am - 2.00am)
- 3, Serve food for consumption on and off the premises (7.00am - 02.00am)
- 4, Dancing in and out doors 7.00am - 1.30am)

At present we live in a quiet residential apartment with tenants ranging in age from late 30+ to 90+ for the old residents that make up almost 50% of the residents it will destroy their quality of life including mine.

The planned music venue will:

- 1, Lead to excessive noise leakage as customers enter & exit with loud conversation and laughter.
- 2, Excessive noise from loud dancing music.
- 3, Passive smoke drifting into the apartments above as their customer exit to smoke outside.

- 4, Litter in the form of disregarded cigarette ends.
- 5, Increased traffic flow during the late hours in the street below with associated car flumes and engine noise.
- 6, Antisocial behaviour with over intoxicated customers.
- 7, The constant smell of cooking drifting through are homes
- 8, *With all the will in the world the above will not end at 2.00am it will all roll on to well past 3 or 4.00am each day.*

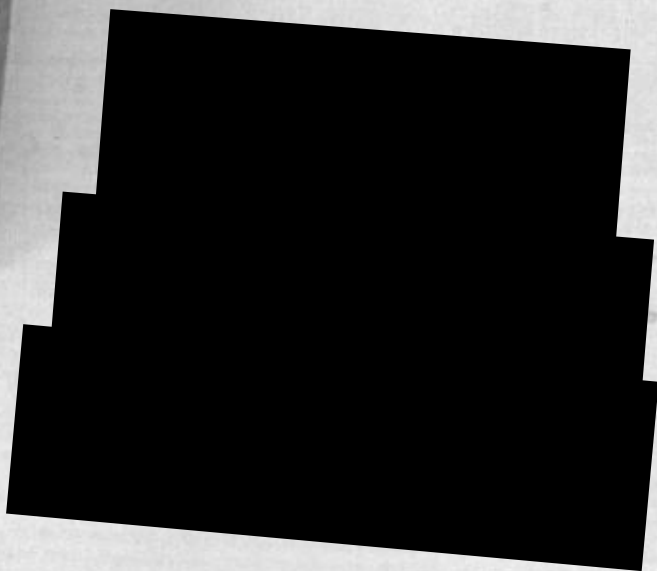
My bedroom is above the proposed venue and I fear it will impact severely on my quality of life. I often sleep with my window open especially during the warmer months, this type of venue will mean I can no longer do this and be comfortable in my home at night due to the noise the venue and its customers will generate.

Due to the unforeseen circumstances of Coronavirus and the measurements put in place myself along with other residents now work from home, it's important to protect our living and working environment so it doesn't affect our mental well-being.

I understand that these spaces on the lower ground floor are for rent but this type of business will attract a noisy night time crowd and that's all and well in the right environment.

The request that OHANA FL Ltd have made the planning will a huge negative impact and destroy the lives and wellbeing of all the residents at Summers Quay.

On the basis of the above planning permission should not be granted.



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Rebecca Birch

From: [REDACTED]
Sent: 24 May 2021 22:01
To: Licensing
Subject: Licensing application summer's quay.

Follow Up Flag: Follow up
Flag Status: Flagged

To who it may concern.

My name is [REDACTED] and I'm a resident at summers Quay. I am emailing my objections to the proposed licence application regarding the units below.

As administrator of the residents group im often the first port of call when a resident has a problem. It already causes me stress and anxiety dealing with everyday problems as I love the place I live and I want everything to be right and everyone to be content. The extra stress of worrying about the issues this late licence will bring is already causing my stress levels to go through the roof. I have many health issues and this is detrimental to my health both mentally and physically.

So my concerns regarding the application are as follows.

Noise from loud music as the acoustics won't be in line with the decibels which are are allowed. Plus people urinating and fighting and the noise wouldn't be acceptable. Taxis picking people up, damage to the main entrance, not feeling safe when coming home.

There are alot of elderly people and couples with children that live at summers Quay especially on the side where the units are situated. I have lived at summers Quay from day one.

[REDACTED]

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The Licensing Section

Tameside Metropolitan Borough Council

Tame Street Depot

Tame Street

Stalybridge

SK151ST



Dear Licencing Section

I strongly object to the licence being given, to use the empty units on the ground floor of Summer Quay as a Bar/Café/Club/late night opening.

I am 74 years of age and find it hard enough to sleep at weekends, because of the noise coming from the other bars/clubs in the centre of Stalybridge.

I moved into Summer Queys because of its location to the shops, and the picturesque view of the canal. I thought it would be nice and quiet apart from the traffic obviously driving around the square. Pre COVID, I dreaded the weekends due to the loud music and people shouting in the early hours of the morning as they left the bars to go home.

I really could not cope with that happening directly underneath my flat, and front window as

Your Sincerely.

01.06-2021.

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Rebecca Birch

From: [REDACTED]
Sent: 23 May 2021 11:20
To: Licensing
Cc: [REDACTED]
Subject: Premises Licence Application

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs

We write in connection with the current application by Ohana FL Ltd., relating to Summers Quay Units 1-3, Armentieres Square, Stalybridge, SK15 2AR. As residents of [REDACTED] we wish to register our strong objection to this application for the reasons set out below.

The application appears to relate, in part, to a "nightclub" type of operation including live and recorded music until the early hours, both indoors and outdoors. The units proposed for this business are directly beneath a residential block containing 67 apartments. We are of the opinion that a business of this type is wholly inappropriate to be located in a residential premises.

The hours of operation requested run from early morning to late night. When considering the work required both before and after opening to the public, this would be almost a 24 hour a day operation, particularly with the extended opening times requested on the weekends. Venues of this nature, by their very definition, inevitably generate a great deal of noise. The effects of this will be extremely damaging to the ability of residents of the apartments to sleep.

Venues of this nature are also routine sources of anti-social behaviour. Summers Quay residents are already exposed on a regular basis to anti-social behaviour emanating from night time economy venues elsewhere in the town. This includes noise, litter, vandalism and public urination. The establishment of a "nightclub" type of operation beneath the apartment block will substantially increase these existing problems by bringing them to our very doorstep.

As to the likely effects upon ourselves personally, my wife suffers from Hyperthyroidism which results in great difficulty sleeping. The inevitable noise nuisance generated by the proposed business would increase the effects of my wife's condition. I myself am employed as an HGV driver and hold an ADR licence. As such, I am responsible for the transportation of highly dangerous materials on a daily basis. The effects of sleep deprivation in my case could have consequences far beyond my own well-being.

In summary, as stated at the outset, this proposal is totally un-suited to a residential setting. In our view the application should be refused. At minimum, if the application were to be granted, the permitted hours of operation should be significantly curtailed and strict noise limits imposed to lessen the likelihood of quality of life degradation for the large number of people who have made their homes at Summers Quay.

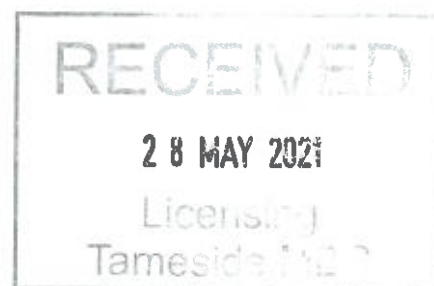
We would be grateful if you could acknowledge safe receipt of this email.

Kind Regards

[REDACTED]



Untitled



To whom it may concern.

22nd May 2021.

I have only lived in this apartment since the 17th March 2021, and consider myself very lucky to be able to live in a lovely apartment block which is so convenient for everyone's needs, whether it be shopping, eating or drinking out and yet it's right on the edge of our beautiful Peak District and the Cheshire countryside. It's also very suitably situated for travelling to the City centre or even further afield. It, being very secure, I feel very safe from any intruders that may be around.

[REDACTED], I don't think that the music itself would affect me as much as it obviously would the other residents on the front of the building, as I love most kinds of music, but played at the right time and the right volume, but being aware of the other problems a night club open till 1&2 in the morning, such as extreme rowdiness, urinating and vomiting in doorways, empty beer bottles and cans littering the area, drunken idiots jumping in the canal or even worse, in the early hours of the morning would soon attract the wrong kind of people from other nearby towns.

Stalybridge is just becoming a nice, popular & peaceful town to live in again after the Staly Vegas era, and I personally don't want to see a return to that. It's these points that I fully understand that my fellow residents are objecting to, and I back them 100% in their concerns. Therefore I am objecting to this application, although it would be nice to see the shop premises occupied with traders more suited to what is basically a lovely seating and relaxing area

Kind regards,



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Rebecca Birch

From: Andrea Winterbottom
Sent: 21 June 2021 11:14
To: Nicola Healey
Subject: FW: Wine bar / nightclub

Andrea Winterbottom
Regulatory Services Officer

Environmental Services (Public Protection)
 Operations and Neighbourhoods
 Operations and Neighbourhoods

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From: [REDACTED]
Sent: 07 June 2021 20:18
To: Licensing <licensing@tameside.gov.uk>
Subject: Wine bar / nightclub

[REDACTED]

I am objecting to the wine bar night club on armenteries square. because there will be loud music until 2am at weekends .and on kicking out time there will be drunks shouting and brawling .there will be empty drinks bottles left on the street and probably smashed on the road .there will probably be damage to the summers quay apartment block .and there will be chairs and tables outside the bar which will be blocking the public walk way so this bar is not a good idea

[REDACTED] [Outlook](#)
[for Android](#)

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Rebecca Birch

From: Andrea Winterbottom
Sent: 21 June 2021 11:13
To: Nicola Healey
Subject: FW: Summers Quay Units 1-3, Armentieres Sq, Stalybridge

Andrea Winterbottom
Regulatory Services Officer

Environmental Services (Public Protection)
 Operations and Neighbourhoods
 Operations and Neighbourhoods

[Tameside MBC](#) | [Twitter](#) | [Facebook](#) | [Instagram](#)

Tame Street Depot | Tame Street | Stalybridge | Tameside | SK15 1ST

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Mobile. 07783656232

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From: [REDACTED]
Sent: 07 June 2021 13:37
To: Licensing <licensing@tameside.gov.uk>
Subject: Summers Quay Units 1-3, Armentieres Sq, Stalybridge

Hi,

I write to express my concerns and objections to the application by Ohana FL Ltd to convert the empty units to a bar and bistro.

As a resident of Summers Quay, my apartment would be directly above the bar and I object for the following reasons:

- Prevention of public nuisance:
 - The proposed licensing hours would mean that residents would be disturbed by noise at an unreasonable hour, potentially 7 days a week. It would also mean that opening windows in warm

weather would be impractical. Please consider the time taken from 'last orders' to people finishing drinks, leaving the premises and making their way home. We would be disturbed well in to the early hours.

- Extraction fumes from the Kitchen would be discharged directly under windows to the apartments situated on the front elevation. Again, this would mean that residents on the front elevation could not enjoy fresh air by opening windows.
- The units do not have an external rear elevation (as they back onto the underground parking area) so unsightly extraction plant would have to be located in full view of the square which would have a detrimental effect on the aesthetics and atmosphere of one of the town's centrepieces.
- Again due to lack of an external rear elevation, large commercial bins would have to be placed to the front elevation again spoiling the aspect. The residents bin stores could not reasonably be used as they are full and the existing bin provision is inadequate for residents.
- The prevention of crime and disorder:
 - We already suffer from anti-social behaviour with the entrance to the apartments being used as a toilet by those that have been consuming alcohol during a night out. We have also had our main entrance door smashed. I feel the addition of this bar could potentially lead to an increase in such acts of anti-social behaviour.

In summary, I do not think the proposed use of the units is suitable below a residential apartment block which houses a mix of working age residents and the elderly / retired and I don't think many of the residents would have moved into the development had the proposed bar / bistro been open beforehand. I certainly would not have done.

Regards,



Rebecca Birch

From: [REDACTED]
Sent: 31 May 2021 20:41
Cc: Licensing
Subject: Licensing Application for Summers Quay, Stalybridge

Follow Up Flag: Follow up
Flag Status: Flagged

We wish to object to the Application for the Grant of a Premises License for Summers Quay units 1 to 3 Armentieres Square, Stalybridge SK15 2 AR.

We are residents at Summers Quay on the [REDACTED] and we wish to object on the grounds of Public Nuisance Issues. We have been in residence since October 2018 and prior to the Corona Virus Pandemic and the subsequent closing of pubs and clubs we have had regular noise issues late at night from licence premises nearby, namely The Lord Stamford public house, the Bohemian Lounge and Bar, and sometimes the Weatherspoon's pub a little further down the street.

As these noise levels are not extreme, however we have no problem with the current situation.

This current application for premises on the ground floor apartments we live in we feel is a much more serious issue our main objection is the very late licensing hours applied for.

We are sure that the noise levels from the customers leaving the premises in the early hours of the morning after several hours of eating and drinking will be unbearable for apartment tenants trying to sleep in all of the flats immediately above the licence premises. Some of whom are elderly residents who retire early and most certainly do not want to be woken up by late night and early morning revellers singing, shouting and swearing and possibly arguing and fighting as they leave the premises.

We would not have an objection to a licensed restaurant in the premises as long as the licensing hours were reasonable and not Night Club Hours as for this current application.

[REDACTED]
[REDACTED]

Sent from my iPad

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Rebecca Birch

From: [REDACTED]
Sent: 04 June 2021 11:03
To: Licensing
Subject: Re: License

Categories: [REDACTED]

HI

Apologies, Summers Quay apartments

[REDACTED]

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From: Licensing <licensing@tameside.gov.uk>
Sent: Friday, June 4, 2021 10:53:29 AM
To: [REDACTED]
Subject: RE: License

Thank you for your email. Unfortunately you have not mentioned in your email which application you are referring to. Can you please advise stating name and address of premise application.
 Thanks

Nicola Healey

Regulatory Support Officer

Environmental Services (Public Protection)
 Operations and Neighbourhoods
 Operations and Neighbourhoods

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From: [REDACTED]
Sent: 04 June 2021 09:21
To: Licensing <licensing@tameside.gov.uk>
Subject: License

To whom this may concern

I'm writing this on behalf of my friend who has no internet access, [REDACTED] he lives in the apartment above

He is concerned being a father that the noise will be a problem for his daughter who is only 8 , the possibility of a night club would be a source of concern for Fracas's breaking out and property potentially being damaged.

When he moved in like all residents he believed these units would be shops and on that basis took the property.

Regards [REDACTED]

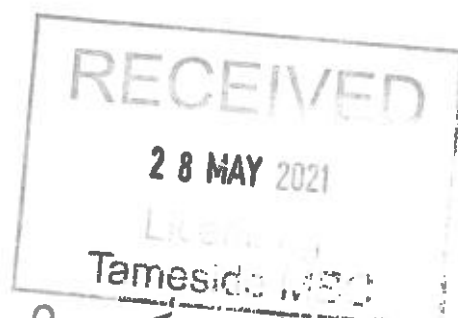
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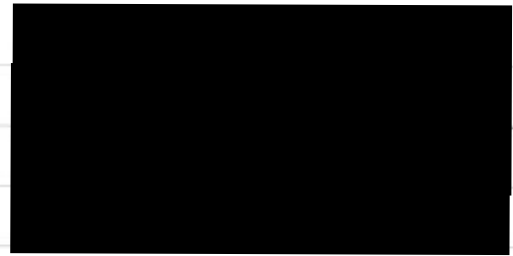
HAVING NOT BEING INFORMED BY JIGSAW AND
 FINDING OUT INFORMATION BY FACEBOOK AS SUMMERS QUAY
 I WOULD LIKE TO PUT OBJECTION TO LICENSING TO
 TAMESIDE COUNCIL (WINE BAR & BISTRO)
 LATE NIGHT LICENSING (DISTURBING SLEEP)
 NOISE / MUSIC / VIBRATIONS / PRESSING KEYPAD / TO TRY TO GET
 INTO BUILDING AND WANDERING AROUND
 TAXI ENGINES RUNNING & PEOPLE CALLING FOR TAXIS
 PEOPLE TALKING, SHOUTING, SCREAMING, FIGHTING
 (THIS ALREADY HAPPENS FROM OTHER PREMISES IN THE AREA)
 DELIVERY VANS ALL HOURS. DAY / NIGHT
 OBSTRUCTION OF PAVEMENT. WHICH WOULD DANGEROUS AS BUSES
 STOP OUTSIDE OPPOSE THE PREMISES
 PEOPLE OUTSIDE ~~OUT~~ SMOKING THROUGH THE WINDOWS
 LEAVING LITTER, FAG ENDS, BOTTLE, (COULD ^{BE} BROKEN)
 USING SUMMERS QUAY AS A TOILET WHICH WILL SMELL
 INSURING THAT NO ONE UNDER 18 WILL BE SERVED A
 ALCOHOLIC DRINK
 ATTEMPT TO USE UNDERGROUND CAR PARK
 WHICH WILL NOT HELP

WHERE THEY GOING TO PARK
GROUP OF PEOPLE OUTSIDE PREMISES IS 'INTIMADING'
WHEN COMING IN AND OUT ON YOUR OWN
NOT BEING ABLE TO HAVE OPEN WINDOWS BECAUSE OF
THE NOISE

I MOVED TO 'STAYBRIDGE' AS MY HOME TO BE SAFE
BUT WITH THESE PROPOSER I WILL NOT FEEL SAFE.

ALL THE ABOVE OBJECTIONS WILL BE HAPPENIN
BEHIND BY BEDROOM WINDOW AND THE APARTMENTS
ARE NOT SOUNDPROOFED





22.5.21

Re. The application for the granting of a Premises Licence for Summer Away Units 1-3.

I am writing to inform you of my opposition to the granting of the above licence.

My wife and I moved into Summer Away in September 2018 when the development opened. Our apartment is [REDACTED]

[REDACTED] with our bedrooms overlooking Armentieres Square [REDACTED]

[REDACTED] from our bedrooms we can see directly into the commercial units. My main objections to the granting of this licence are as follows.

The proposed opening hours will mean that we will be subjected to the noise from the proposed restaurant, bar and grill from 7am in the morning to the early hours of the morning on every day of the week.

There will be cooking smells coming from the kitchen and deliveries day and night.

Music will be played and we already hear music from Judges bar on Corporation Street in the evening and will feel as well as hear music from directly below us. Cars and Taxis will be coming and going at all times of the day and night and these vehicles will leave

their engines running whilst waiting. This will lead to an intolerable situation for the residents of the block and for us in particular.

One of the main problems we will face is when customers leave the premises in the early morning and congregate outside and the noise they will make. We already have the situation where people leaving other bars in the area using the area around the foyer as a toilet and generally shouting and arguing making sleeping almost impossible.

I therefore wish to oppose the granting of any licence to sell alcohol on or off the premise in the strongest possible terms because if this licence is granted I firmly believe that living here will be intolerable for us and I believe for the majority of my neighbours. In Summerville Derry

Yours etc

[Redacted Signature]

[Redacted Address]

Rebecca Birch

From: [REDACTED]
Sent: 26 May 2021 19:27
To: Licensing
Subject: Opposition to license at Summers Quay

I would like to oppose the above

1. I work shifts over 7 days & sometimes have to go to bed at 9pm people passing coming and going to the bar would disturb me.
2. I had a 2 bedroom Apartment so my 2yr old grandson can stay and the noise will disturb him.
3. The building is not fit for purpose for a bar where will the rubbish/deliveries go.
4. I will feel intimidated passing people that are stood outside smoking when I am trying to get in or out of the building later at night.

Thank you

[REDACTED]

Sent from my iPhone

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RECEIVED

28 MAY 2021

Licence
TamesideTO WHOM IS MAY CONCERN.

RE: APPLICATION POSTED ON
EMPTY PREMISES ON GROUND FLOOR
OF SUMMERS QUAY.

WE, IN SUMMERS QUAY, SHOULD NOT HAVE TO
FIND OUT BY A PAPER POSTED ON AN
EMPTY BUILDING ABOUT AN APPLICATION FOR
A BAR + RESTAURANT WITH LATE ADDITIONAL
HOURS. BELOW US.

RESIDENTS SHOULD BE CONSIDERED AS WE
ARE ALL PAYING DECENT RENTS AND HAVING
AFTER HOURS NOISE IS NOT CONSIDERING
ANYONE PARTICULARLY IN HERE AND GETTING
THEIR SLEEP DISTURBED.

I THOUGHT THE COUNCIL WERE TRYING TO
MAKE STALYBRIDGE A BETTER PLACE TO
LIVE + NOT HAVE IT TRASHED BECAUSE OF

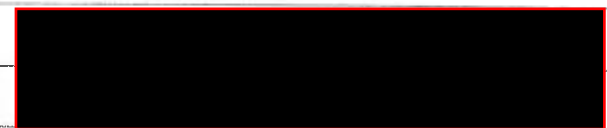
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28 MAY 2021 -2-

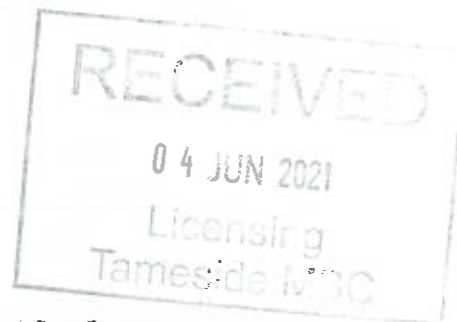
AFTER HOURS DRINKING AND MORE PEOPLE
ENDING UP IN THE CANAL IN DANGER
AND ALSO ABUSE THE PLACE AS THEY HAVE
TRIED TO DO ALREADY.
IT SHOULDN'T HAVE GOT THIS FAR AND
STOPPED AT SOURCE.

WOULD THE POWERS THAT BE - ASK
THEMSELVES WOULD THEY LIKE TO HAVE
THE PROSPECT OF A NIGHT CLUB STYLE
RESTAURANT NEAR THEM

I KNOW THE ANSWER WOULD BE 'NO'
THAT IS WHY I AM OBJECTING.



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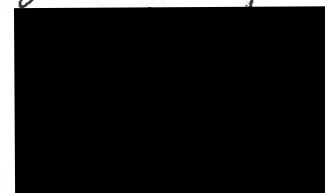
SUBJECT:

LICENSE FOR LATE BAR OPENING.

29-5-2021.

Sir,

I am writing to you about the application for a late bar license at Summer's Quay. I object to this as it will degrade the area around us. It will be right under my apartment and I do not wish to hear noise and loud music in the early hours of the morning.



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The Licensing Section
Tameside MBC
Tame Street Depot
Tame Street
Stalybridge
SK15 1ST

Dear Sir/Madam

APPLICATION FOR GRANT OF PREMISES LICENSE ON BEHALF OF DHANA FL LTD

I am writing as a resident of the above property to express my objection to the above proposal which I understand relates to the ground floor of said property.

In accordance with the notification posted detailing the terms of the application (copy attached), it is clear that the applicant intends to offer the sale of alcohol both on and off the premises with opening times from 07.00 and 00.00/02.00 everyday of the week in a premise consisting of residential flats a number of which are occupied by persons such as myself who are retired plus other individuals in excess of 60 years of age. Although I personally am a more recent occupant, many of those individuals have also been resident since the completion of the property and this proposal is of serious concern to us all.

In addition to the proposed sale of alcohol, the application also includes the provision of regulated entertainment (the definition of which is not made clear) as well as the provision of facilities for regulated entertainment and the provision of late night refreshments, once again the definition of which is not detailed. As such, I find it grossly misleading that we as residents are expected to consider a proposal the detail of which is frankly extremely vague until you look at the terms of the Licensing Act in this regard which states that:

The provision of regulated entertainment covers the provision of entertainment or of entertainment facilities. The descriptions of entertainment in the Licensing Act are:

- the performance of a play;
- an exhibition of a film;
- an indoor sporting event;
- boxing or wrestling entertainment;
- a performance of live music;
- any playing of recorded music;
- a performance of dance;
- or entertainment of a similar description to live music, recorded music or dance.

Furthermore, to be "regulated entertainment" the entertainment must take place in the presence of an audience and be provided for the purpose of, or for purposes which include, entertaining that audience. Entertainment facilities are facilities for enabling people to take part in entertainment for the purpose of being entertained or for purposes, which include the purpose, of being entertained.

This applies only to:

- making music;
- dancing; and
- entertainment of a similar description to making music or dancing. "Entertainment facilities" are, for example, a dance floor provided for customers to use, whereas "entertainment" might involve a

performance of dance provided for an audience. In order for the provision of entertainment or entertainment facilities to be regulated, two conditions must be satisfied.

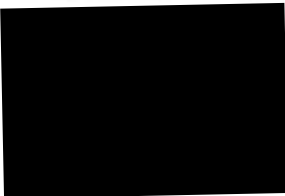
- The first of these is that the entertainment or entertainment facilities must be provided: (a) to any extent for the public or a section of the public or (b) exclusively for members and their guests of a club which is a qualifying club in relation to the provision of regulated entertainment or (c) where (a) and (b) do not apply, for consideration and with a view to profit.*

- The second is that the premises on which the entertainment takes place, or entertainment facilities provided, are made available for the entertainment to take place.*

Once the definitions are made clear it is obvious that there is clear potential for noise and disturbance from music and attendees, and given that the proposed operating times extend to 2.00am on a Friday and Saturday night it also becomes clear that these proposals are likely to have a significant adverse effect upon our lives as residents living above the intended location. In light of these circumstances, surely this type of premise should be located in a more suitable area of the town where residents are much less likely to be subjected to loud music, large gatherings and the potential for alcohol related anti-social behaviour.

Whilst I fully understand the Local Authority's desire to provide entertainment facilities for all I sincerely hope that that same Local Authority will understand the concerns of their residents in relation to what is clearly an inappropriate location for a premise of this nature.

In this regard I would therefore wish to express my most earnest objection to the proposed application.



Ohana FL LTD is applying for the Grant of a Premises Licence for
Summers Quay
Units 1-3
Armentieres Square
Stalybridge
SK15 2AR

The Licence if granted is to enable the Following Activities to take Place:

Sale of alcohol on the premises / Sale of alcohol off the premises / Provision of regulated entertainment / Provision of facilities for regulated entertainment/provision of late-night refreshment.

Monday, Tuesday, Wednesday 0700 – 0000

Thursday 0700 – 0100

Friday & Saturday 0700 - 0200

Sunday 0700-01:00

Any person wishing to make representations in relation to this application may do so by writing to the The Licensing Section,
Tameside Metropolitan Borough Council, Tame Street Depot, Tame Street
Stalybridge, SK15 1ST

Representation may be made for 28 consecutive days from the date of this notice.

A copy of the application for the grant of the above licence is kept by
The Licensing Section, Tameside Metropolitan Borough Council
Tame Street Depot, Tame Street, Stalybridge, SK15 1ST. The application
can be viewed Monday to Friday - 10:00am – 12:00pm & 14:00pm – 16:00pm
except bank holidays

It is an offence knowingly or recklessly to make a false statement in connection with an application the maximum fine for which a person is liable on summary conviction for making a false statement is a Level 5 fine on the standard scale.

Dated: 11th May 2021

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28 MAY 2021

TO the Licensing at Lameside.

This is my objection of the Proposal for a late night license at Summer's Quay armillieres square Staly. Having not been informed by Jig Saw and found out on Face book I would like to put my objection in.

- noise from the music - which will increase when the door opens and closes
- people talking in groups and on their phone which will be under my bedroom window
- Also the vibration will carry through the buildings.
- taxi's pulling up to collect and drop people of the noise of the taxi's running their engines whilst waiting
- Arguing, shouting and screaming will increase as this already happens from other premises
- further away disturbing sleep and preventing the windows being opened which we can still hear due to lack of sound proofing
- noise from the delivery vans which will happen early morning ready for the day
- the noise early in the morning and late evening will disturb even stop my sleep as I'm a very light sleeper and this will be all under my window, and I do go to bed by 10.00pm.
- The smell of smoke when people go outside to smoke and they will leave their cigarette ends at the entrance of Summer's Quay this will also cause an obstruction on the pavement for people passing
- it is very intimidating when there are groups of people hanging round which will be near the front door of Summer's Quay and when I am leaving the building or returning on my own I would feel very unsafe

leaving litter and broken bottles which with the glass I may not see as I'm partially sighted and use a stick. So I could trip over bottles left outside the front of Summers Quay. Also the obstruction if people decide to drink outside or tables are put outside that would cause an obstruction.

The smell of the food/grease from the ventilation will come in through my window. People using the building as a toilet which will smell as is disgusting.

How are they going to ensure that nobody underage is served alcohol.

There is insufficient parking for people who are driving.

People may try to use the underground parking of Summers Quay by following people in which would block people in or stop them parking in spots they have paid for.

The taxis could cause an obstruction for the buses especially when they turn round in the middle of the road.

People trying to get into Summers Quay building by following people in the condition would round the building sit on the chairs in the foyer area. This would make me feel very unsafe.

Pressing the buttons of the keypad to gain access to the building which they will disturb my sleep and make me feel unsafe. I moved in here thinking it would be my home and I would feel safe. This proposal makes me feel unsafe.

Yours Sincerely

[Redacted Signature]

Rebecca Birch

From: [REDACTED]
Sent: 23 May 2021 19:18
To: Licensing
Attachments: 20210522_192336.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern

Good evening

My name is [REDACTED] and I reside at [REDACTED]. I was absolutely shocked to read the proposal for a late licence being applied for in the retail units in the bottom floor of my building. My husband and I moved here from a very quiet part of Mossley knowing the 'Stalyvegas' days were over. Yes we moved here with full knowledge that there would be noise from existing bars but they're only licensed till 12. This building is unsuitable for loud music. I feel the vibrations from other residents washing machines. I hear my downstairs neighbour's music but they play at normal hours and at a fair volume level. Playing music till 2am would be just too much and totally impact on our sleep. I have a very mentally demanding job and need to get a good night's sleep. It's also the sound of revellers leaving. After being allowed to drink till 2 am it goes without saying there will be in the establishment till 2.30 -3 then all the fighting, arguing whilst waiting for taxis. We will be lucky if all the noise finishes by 3.30. Next morning 4 hours later it will be delivery trucks.

I am also concerned about the area in front of the proposed bar. A beautiful area with very little traffic. Will now have numerous taxis and other vehicles dropping off and picking up flying through. Our quiet little square with the canal that already has its share of littering will be doubled.

I'm worried for our doorway. I have already caught men in broad daylight using it as a toilet. Not nice at all. I don't want to be subject to having to tell men to put it away! I have attached the photo which clearly shows how the way it is built is going to attract this kind of behaviour.

I worry about safety as the front door magnetic locking system doesn't always lock and the comfy seating area would be a draw to drunks awaiting their taxis.

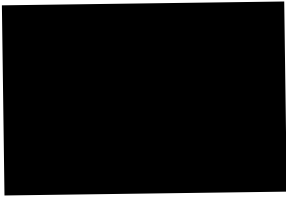
We have already had our foyer door smashed. And with all the glass it's only time before it happens again.

Late licensing leads to drunkenness and we know the local nightclubs have an issue with drug use and dealing. I am against encouraging this. Pubs local to us are licensed till 12am. It's long enough to meet friends and have a good evening. Why is a licence till 2am even needed?

I like to go shopping at the local tesco later when it's quiet and if there is someone near the door I panic thinking they may try to follow in behind me. It happened to another resident and someone got into the building and were trying doors. So I would not be able to go shopping at my normal time as it would worry me too much.

Also if I were to go out for the evening it will be very uncomfortable for me on return if there were people hanging around I would have to walk around to the back building to enter from the rear. I don't think I should have to have these anxieties about leaving and returning to my own home.

In summary I am totally opposed to the application of the proposed late licence for the bar in the units at Summers Quay.



Rebecca Birch

From: [REDACTED]
Sent: 27 May 2021 13:11
To: Licensing
Subject: Planned night club at Summers Quay Staylbridge

I am putting my objections to the plan to granting a licence to open a night club, under the apartment block where I have lived, since the opening.

. The noise coming from a night club would make it impossible to sleep in my apartment [REDACTED]

. It would impinge on my safety.

At 70 years old I wouldn't feel safe.

Which was one of my reasons for living at Summers Quay. The safety is very good at present.

. We pay £700.00 a month for secure, safe living.

. When people are drunk at 2.00am, our life's could be but in danger.

Thanks

[REDACTED]

[REDACTED]

[Sent from Yahoo Mail on Android](#)

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Rebecca Birch

From: Andrea Winterbottom
Sent: 21 June 2021 11:14
To: Nicola Healey
Subject: FW: objections

Andrea Winterbottom
 Regulatory Services Officer
 Environmental Services (Public Protection) Operations and Neighbourhoods Operations and Neighbourhoods

Tameside
 Tame Street Depot | Tame Street | Stalybridge | Tameside | SK15 1ST

Tel. 0161 342 2452
 Mobile. 07783656232

Email Disclaimer <http://www.tameside.gov.uk/disclaimer>

-----Original Message-----

From: [REDACTED]
Sent: 07 June 2021 21:07
To: Licensing <licensing@tameside.gov.uk>
Subject: objections



As a resident of the above address I would like to express my concerns an application for a licence serve alcohol and play music at Summersquay.

My concerns as a single lady 66 years old is my safety, i feel arriving homier the evening using the main entrance I would feel very intimidated at the prospect of drunken people hanging around .

The reason I moved into theses apartments was for the safety aspect, this is my forever home and I have invested my savings into my home, when I signed the rental agreement I was assured the units below would be for retail and not a bar.

The hours of opening I feel are not acceptable for a residential building, i.e. the noise, endless cars and taxis pulling up, people hanging around near the entrance fills me with fear.

Also the litter, smashed glasses, cigarette ends.

Would be grateful if all these concerns would be taken into consideration.

Kind Regards

[REDACTED]

STALYBRIDGE

TOWN TEAM

Working together for Stalybridge

Mr Robinson
Licensing Office
Tame Street Depot
Tame Street
Stalybridge
Tameside
SK15 1ST

4th June 2021

Dear Mr Robinson

Re: Licence Application Number Unknown
Tina Harrison/ Ohana FL Ltd
Summers Quay Units 1-3
Armentieres Square, Stalybridge, SK15 2AR

With reference to the above application for a licence, Stalybridge Town Team have no objections to a café/wine bar and are pleased to see the potential let of the commercial units however we do have strong objections to the suggested licensing hours and music licence.

Our objections are listed below regarding the licensing hours and music licence.

Cumulative Impact Policy

Stalybridge and Armentieres Square are within the zone of this policy with the excessive existing licenced premises in the town centre. In particular these commercial units are directly underneath a newly built block of 67 luxury apartments. The applicant is applying for the licences for a café/wine bar, but we are sceptical that this could be under the pretence with these extensive licensing hours of these premises being turned into a night club until the early hours of the morning and not used for social drinking.

Site Plan

The site plan attached to the application seems mis-leading as there is no etching in colour to the units 1-3 of the commercial premises to be let, the site plan looks larger than the actual units 1-3 as it shows summers quay offices, bin store, and private carparking for the use only of the residents of the apartments. Tesco's car park cannot be considered as an option for parking due to restrictive time periods.

Acoustics

With reference to noise coming from the units with the customers and recorded music - has the applicant forwarded a sound proofing test for the units? these units would have no sound proofing fitted in general. With music and customer noise at a high decibel level this will transfer through cavities, floors, and masonry walls, to all the apartments above.

Conservation Area and Public Nuisance

Armentieres Square and surrounding areas are linked to the upkeep of the conservation area. A late-night licence of 1.30am on the weekend nights will have a profound effect within Armentieres Square to the conservation of the area.

The absence of public toilets can lead to users of late night drinking outlets urinating and defecating in the streets.

General Assessment

These proposed late hours of licence 1.30am will mean with drinking up time and leaving the premises will be around 2.30am, which will create noise from the customers leaving who may loiter around Armentieres Square.

Taxis picking up customers will also have a disruptive effect with banging of car doors and loud noises from customers which will affect the occupiers of Summers Quay apartments and other residents in the community.

With reference to the comments within the body of the application (will put Stalybridge back on the map) having a late-night licence will have no good impact on local businesses who close at normal business hours and will not bring no more foot fall for the local business into the town centre at these late hours and will only be detrimental to the closed business of the town centre.

The applicant is not applying for an alcohol licence for a restaurant which would normally close at a reasonable time of 11.00pm when customers would leave the premises.

If the applicant is genuine about opening a wine bar and not under disguise for a night club which may bring disruptive noise into Armentieres Square, they should have no objection to the earlier closing time of 11pm or 11.30pm. The light food which is being served finishes at 9.00pm, so only drinks are available after this time. Two hours is a reasonable length of time, after the serving of light food has ended, to socially drink after a light meal.

The applicant has suggested 'putting Salybridge back on the map' and whilst we are all in favour of this it must be for the right reasons! We are mindful of the 'Saly Vegas' connotation connected with Salybridge from many years ago and we are keen that this reference is not re-established. Much work has been done by volunteer groups and the local businesses of Salybridge to put 'Salybridge back on the map' for the right reasons to make the town a thriving, viable community throughout the day.

We are trying to discourage any anti-social behaviour by customers leaving the premises by 2.30am in the morning. The micro pubs and other licenced premises in and around Armentieres Square close at 11.00pm in consideration to the residents of the town.

We ask for the licensing committee to consider our points listed above and would like to put forward a drinks licence recommendation, Monday to Wednesday 11.00pm Thursday to Sunday 11.30pm. With a twelve months probationary period of 11.00pm Thursday to Sunday.

We have no objections to 7.00am opening time.

There are many more residential apartments within in Armentieres Square and within walking distance of these commercial units to be considered.

[REDACTED]

Kind regards

[REDACTED]

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