

Public Document Pack



ASHTON-UNDER-LYNE · AUDENSHAW · DENTON · DROYLSDEN · DUKINFIELD · HYDE · LONGDENDALE · MOSSLEY · STALYBRIDGE

SPEAKERS PANEL (LIQUOR LICENSING)

Day: Tuesday
Date: 17 January 2023
Time: 1.00 pm
Place: Tameside One, Market Square, Ashton-Under-Lyne, OL6 6BH

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 meeting of Speakers Panel (Liquor Licensing) held on 6 December 2022.	1 - 4
4.	APPLICATION FOR A PREMISES LICENCE - DROYLSDEN CRICKET CLUB, GARDENFOLD WAY, DROYLSDEN, M43 7XU To consider the attached report of the Assistant Director, Operations and Neighbourhoods.	5 - 84

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Carolyn Eaton, Principal Democratic Services Officer, 0161 342 3050 or carolyn.eaton@tameside.gov.uk, to whom any apologies for absence should be notified.

This page is intentionally left blank

SPEAKERS PANEL (LIQUOR LICENSING)

6 December 2022

Commenced: 10.25am

Terminated: 1.25pm

Present: Councillors Drennan (Chair), Bowden and Quinn

In Attendance:

Mike Robinson	Regulatory Services Manager, TMBC
Rebecca Birch	Regulatory Compliance Officer, TMBC
Lauren O'Toole	Regulatory Compliance Officer, TMBC
Ashleigh Melia	Solicitor, TMBC
Rifat Iqbal	Senior Solicitor, TMBC
PC Foley	Greater Manchester Police
Tracy Jones-Lacy	Trading Standards Officer
Ibrahim Abdi	Premises Licence Holder
Hussein Faizi	Friend of Premises Licence Holder

10. DECLARATIONS OF INTEREST

Councillor Bowden declared, on the grounds of public interest, that she was acquainted with PC Foley through a mutual family acquaintance. She further declared that this did not prejudice her professional integrity in hearing the Review and reaching a decision with panel members.

11. MINUTES

That the Minutes of the meetings of the Speakers' Panel (Liquor Licensing) held on 25 October 2022 be approved as a correct record.

12. REVIEW OF A PREMISES LICENCE – SAVE MORE CONVENIENCE STORE, 75-77 MARKET STREET, DROYLSDEN. M43 6DD

Mr Robinson, Regulatory Services Manager, presented the report to the Panel and outlined the key legislation and policy guidance under Section 51(1) of the Licensing Act 2003, which set out the procedure for an application to the Licensing Authority for the review of a premises licence.

Mr Robinson identified the steps available to the Panel in determining the application. He informed the Panel of the brief background to the application as set out in the report and summarised the representations received from: Tameside MBC Licensing Authority, Greater Manchester Police, Trading Standards and Public Health in relation to their concerns regarding the following licensing objectives:

1. Prevention of crime and disorder
2. Public safety
3. Protection of children from harm

Mr Robinson informed the Panel that James Mallion from Public Health was unable to attend and that his statement had been submitted.

Rebecca Birch then read out the statement submitted by Lauren O'Toole as Lauren had laryngitis. PC Foley, Greater Manchester Police and Tracey Jones-Lacy, Trading Standards Officer also read from their statements as submitted, in turn and answered questions thereon.

The Premises Licence Holder, then addressed the Panel and made the following submissions:

- In September when the Licensing team and the police and Council came to the shop, they were trying to take a picture of the shop door so he invited them inside the shop and they started searching the shop.
- At this time he did not have experience running this type of business.
- He didn't do the licensing and the licence and the premises, nor did the DPS and he didn't have enough experience.
- After that, licensing came to the shop a few times and because he wasn't running it properly they asked him to stop selling alcohol until he did it properly.
- The Officers left a phone number with a list of the tobacco and cigarettes they found inside the shop and he questioned if they found these products inside the shop.
- He was speaking to Mr Robinson the day before the hearing and didn't want to attend the hearing as he had nothing else to lose because he didn't have enough experience and was just about to close the shop.
- His best friend said he would help him to run the business properly and Mr Robinson advised him to attend the hearing to explain how everything was done legally to which he agreed.

Mr Faizi, friend of the Premises Licence Holder made the following submissions to the Panel:

- They had never been in this situation before and are interested in the situation
- They came to the UK from a different country.
- He didn't know anything about this case until they heard something from Licensing and GMP.
- He was in the shop the day prior to the hearing and Mr Robinson attended looking for the Premises Licence Holder.
- He told Mr Robinson he would speak to him and would attend the hearing because the case should be clear.
- They did not know anything about running this type of business as they came from a different country and didn't know anything about the law.
- The business was going down badly and he was trying to help build up the business because last week the Premises Licence Holder wanted to close the shop.
- He appreciated the Panel taking the time for them and stated this situation was interesting because they have never been in that situation before.
- They are not ready and was thinking this is a simple meeting, nothing else.

The Premises Licence Holder and his friend (Mr Faizi) then answered questions from the Regulatory Services Manager, Greater Manchester Police Officer, Trading Standards Officer and the Panel, following their submissions.

The Panel then heard brief closing submissions on behalf of the, Licensing Authority, Greater Manchester Police, Trading Standards, TMBC and the Premises Licence Holder.

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.

DECISION/REASONS

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

- the report to Panel
- the application and representations received
- 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 section 52 of the Act having regard to the relevant representations and the requirement to take such steps as it considered appropriate to promote the licensing objectives.

The key points identified by the Panel were as follows:

1. The Premises Licence Holder purchased the business with a joint business partner and he never made the Licensing Authority aware of this.
2. The Premises Licence Holder had never run a business before, having previously worked as a barber.
3. The Premises Licence Holder confirmed he ignored the advice from the Licensing Authority on numerous occasions.
4. The Premises Licence Holder stated there were no members of staff working in the shop who had a personal licence.
5. The Premises Licence Holder was unable to identify the licensing objectives when asked by the Panel members, and how these were implemented.
6. The Premises Licence Holder stated the coat containing illicit tobacco on 13 October 2022 belonged to a member of staff and that he had no control over their behaviour.
7. The Panel noted on recent visits, the premises had passed regular compliance checks.

STEPS TAKEN PURSUANT TO S18(4) LICENSING ACT 2003

On balance, having carefully considered all of the available information and having regard for the premises licence holder's lack of knowledge on the licensing objectives and retailing of age restrict products, the Panel concluded that the licence be suspended for a period of 3 months and that conditions be added or modified on the current licence.

The Panel noted the submissions made by the Premises Licence Holder in relation to members of staff employed at the premises. The Panel reminded him that it was his responsibility to ensure all staff received appropriate training in the sale of alcohol and tobacco related products and adhered to the law during their employment within the premises.

The Panel felt that the Premises Licence Holder had wilful disregard for the law, guidance and support provided to him by the licensing authority in operating the premises since the involvement of the licensing authority and other regulatory departments/bodies. However, the Panel noted the recent steps taken by him and with further guidance and training, the Panel felt confident that the premises could be run in accordance with the licensing objectives.

The conditions to be added/modified were as follows:

Annex 2 (b) (vii) which briefly states all staff to receive 6 month refresher training on the sale of alcohol related products, be permanently modified to include training on age restricted products stocked on the premises for example tobacco related products.

Annex 2 (b) (viii) which states 'at any time where there is no personal licence holder on the premises there must be at least one member of staff on duty inside the premise who has been authorised by the DPS.'

BE PERMANENTLY MODIFIED TO NOW READ:

'there must be at all times a personal licence holder on the premises when licensable activities take place'

The Panel would like to thank those attending the hearing for their contribution and assisting the Panel in reaching its decision.

RESOLVED

That the licence be suspended for a period of 3 months and that conditions be added or modified on the current licence as follows:

- **Annex 2 (b) (vii) which briefly states all staff to receive 6 month refresher training on the sale of alcohol related products, be PERMANENTLY MODIFIED to include training on age restricted products stocked on the premises for example tobacco related products.**
- **Annex 2 (b) (viii) which states 'at any time where there is no personal licence holder on the premises there must be at least one member of staff on duty inside the premise who has been authorised by the DPS.'**

BE PERMANENTLY MODIFIED TO NOW READ:

'there must be at all times a personal licence holder on the premises when licensable activities take place'

CHAIR

Agenda Item 4

Report to:	SPEAKERS PANEL (LIQUOR LICENSING)
Date:	17 January 2023
Reporting Officer:	Emma Varnam– Assistant Director, Operations & Neighbourhoods
Subject:	APPLICATION FOR A PREMISES LICENCE - DROYLSDEN CRICKET CLUB, GARDENFOLD WAY, DROYLSDEN, M43 7XU
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>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.</p> <p>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 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</p>

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 Droylsden Cricket Club, Gardenfold Way, Droylsden, M43 7XU, is a licensed premises. A location map, including a photograph of the premises, is attached at **Appendix 1**.
- 2.2 Droylsden Cricket Club has held a Club Premises Certificate since 7 March 2006. A copy of this Club Premises Certificate is attached at **Appendix 2**.
- 2.3 The Club Premises Certificate allows the supply of alcohol by, or on behalf of a club, to a member of the club and the sale of alcohol by, or on behalf of a club, to a guest of a member.
- 2.4 The current licensable activities and timings are detailed below:-

Performance of a Play:

Sunday – 12:00 - 22:30

Monday - Saturday – 11:00 - 23:00

Good Friday – 11:00 - 23:00

Performance of Live Music (Indoors):

Sunday – 12:00 - 22:30

Monday - Saturday: 11:00 - 23:00

Good Friday – 11:00 - 23:00

Playing of Recorded Music (Indoors):

Sunday – 12:00 - 22:30

Monday - Saturday – 11:00 - 23:00

Good Friday – 11:00 - 23:00

The supply of alcohol by, or on behalf of a club, or to the order of a member of the club, for consumption ON the premises only (Indoors):

Sunday – 12:00 - 22:30

Monday - Saturday – 11:00 - 23:00

Good Friday – 11:00 - 23:00

The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption ON the premises where the sale takes place (Indoors):

Sunday – 12:00 - 22:30

Monday - Saturday – 11:00 - 23:00

Good Friday – 11:00 - 23:00

Provision of Regulated Entertainment (Indoors):

Sunday – 12:00 - 22:30

Monday - Saturday – 11:00 - 23:00

Good Friday – 11:00 - 23:00

- 2.5 The Licensing Department received a complaint on 20 June 2022, in relation to noise, and allegations that the premises had been operating outside the hours of the club premises certificate. The complaint which was received by email is attached at **Appendix 3**.
- 2.6 The complainant (Resident A) provided videos to the Council taken from a bedroom within their property, these videos showed that the noise from Droylsden Cricket Club could be heard inside their property. The videos were sent to Gemma Lee, Regulatory Compliance Officer on 27 June, 18 July and 7 October. Resident A has requested for these videos to be played at the Panel hearing and a list of the files received is attached at **Appendix 4**.
- 2.7 On 18 July 2022, a meeting took place between committee members from the club and officers from the Licensing Department to discuss the allegations. It became apparent that the club was not operating solely as a club, as on occasions the premises was hired out for private functions. The committee of the club were advised that a premises licence would be required and in the interim, if licensable activities were to take place outside the permitted hours on the Club Premises Certificate, then a Temporary Event Notice (TEN) would be required.

Following this meeting, the club subsequently applied for a number of Temporary Event Notices (TEN). TEN's were in force on the following dates:

6/8/2022

1/10/2022

3/12/2022

4/12/2022

- 2.8 On 1 November 2022, the Licensing Office received a premises licence application from David Pickles in relation to Droylsden Cricket Club. A copy of this application is attached at **Appendix 5**.
- 2.9 The licensable activities and timings that have been applied for are as follows:-

Live Music (Indoors and Outdoors*):

Monday - Thursday – 12:00 - 22:00

Friday - Saturday – 12:00 – 22:30

Sunday – 12:00 – 22:00

Recorded Music (Indoors and Outdoors*):

Monday - Thursday – 12:00 - 23:00

Friday - Saturday – 12:00 – 00:00

Sunday – 12:00 – 23:30

Anything of a similar description to live music and recorded music

Monday – Thursday – 12:00 – 23:00

Friday – Saturday - 12:00 – 00:00

Sunday – 12:00 – 23:30

Late Night Refreshment (Indoors and Outdoors*):

Monday – Thursday – 12:00 - 00:00

Friday – Saturday – 12:00 – 02:00

Sunday – 12:00 – 00:00

Supply of Alcohol:

Monday – Thursday – 12:00 - 00:00

Friday – Saturday – 12:00 – 02:00

Sunday – 12:00 – 00:30

*Note that the above licensable activities stating outdoors may only be permissible indoors as the outdoor area is not covered on the plan submitted with the application.

- 2.10 In accordance with the Live Music Act 2012 and Deregulation Act 2015, performances of live music and recorded music, for audiences of no more than 500 people, between the hours of 0800 and 2300 hours, have been deregulated and so should not be regarded as licensable activities for the purposes of this application.
- 2.11 On 9 November, a visit to the premises was conducted by Gemma Lee, Regulatory Compliance Officer. Ms Lee observed that the notice was not displayed, therefore, the consultation was stopped immediately. Ms Lee re-visited the following day and the notice was displayed and the advertisement requirements contained in Regulations 25 and 26 of the Licensing Act (Premises licences and club premises certificates) Regulations 2005 had been correctly followed. The consultation restarted on 10 November and concluded on 7 December.
- 2.12 On 1 December and prior to the end of the consultation, discussions took place between Ms Lee and the applicant and proposed conditions were agreed which the Licensing Authority felt were reasonable and proportionate to promote the licensing objectives. These conditions are attached at **Appendix 6**.
- 2.13 On 6 December, a representation was received from the member of the public. On 19 December, the videos which were previously sent to Ms Lee were sent to Mike Robinson, Regulatory Services Manager (Licensing). Due to the member of the public's concerns regarding the premises licence application, a mediation meeting was arranged to take place on 10 January 2023 to consider whether any further proposed conditions could be agreed.

3 REPRESENTATION & EVIDENCE SUBMITTED

3.1 Member of the Public

On 6 December, a representation was received from a member of the public (Resident A). The representation is attached at **Appendix 7**.

- 3.2 In advance of the mediation meeting proposed conditions that would be acceptable to Resident A, were submitted to the Licensing Authority on 9 January 2023. These conditions and relevant amendments following mediation are attached at **Appendix 8**.

4 HOME OFFICE GUIDANCE

In determining this application the Panel must have regard to the Council's Statement of Licensing Policy and the statutory guidance issued pursuant to s182 of the Licensing Act 2003. The statutory guidance includes the following:

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. While 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 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

5 CONCLUSION AND OPTIONS FOR THE PANEL

5.1 Panel are 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;

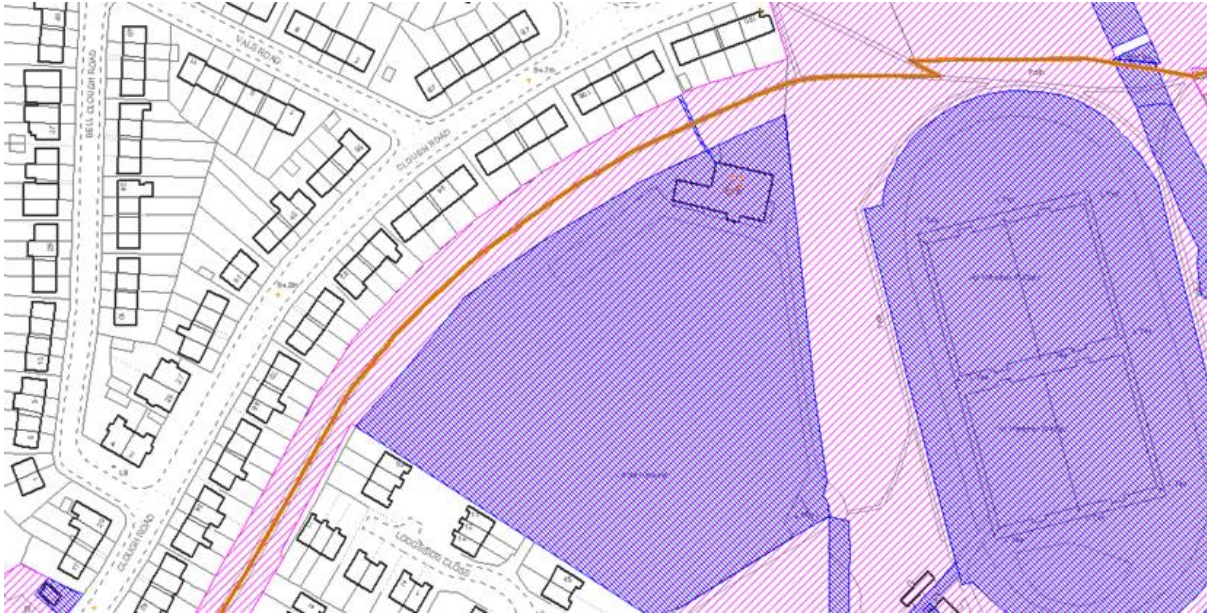
(c) to refuse to specify a person in the licence as the premises supervisor;

(d) to reject the application.

6. RECOMMENDATIONS

6.1 As set out at the front of the report.

APPENDIX 1



This page is intentionally left blank

Premises Licence

Licensing Act 2003

CP0039

THIS LICENCE IS ISSUED BY



Tameside MBC
Licensing Department
Tame Street Depot
Tame Street
Stalybridge
Tameside
SK15 1ST
web: www.tameside.gov.uk
Tel: 0161 342 4262

Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

PREMISES	Droylsden Cricket Club	TELEPHONE:
ADDRESS	Droylsden Cricket Ground, Fold Avenue, Droylsden, Tameside, Tameside, M43 7XA	

WHERE THE LICENCE IS TIME LIMITED THE DATES:

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE:

A E F G K M N	<ul style="list-style-type: none"> - Performance of A Play; - Performance Of Live Music; - Playing Of Recorded Music; - Performance Of Dance; - The supply of alcohol by or on behalf of a club, or to the order of, a member of the club for consumption; - The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption ON the premises where the sale takes place; - Provision of Regulated Entertainment;
---------------------------------	--

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES:

Activity (and Area if applicable)	Description	Times
A - Performance of A Play	Sunday	12:00 - 22:30
	Monday - Saturday	11:00 - 23:00
	Good Friday	11:00 - 23:00
E - Performance Of Live Music (Indoors)	Sunday	12:00 - 22:30
	Monday - Saturday	11:00 - 23:00
	Good Friday	11:00 - 23:00
F - Playing Of Recorded Music (Indoors)	Sunday	12:00 - 22:30
	Monday - Saturday	11:00 - 23:00
	Good Friday	11:00 - 23:00
G - Performance Of Dance (Indoors)	Sunday	12:00 - 22:30
	Monday - Saturday	11:00 - 23:00
	Good Friday	11:00 - 23:00
K - The supply of alcohol by or on behalf of a club, or to the order of, a member of the club for consumption (Indoors)	Sunday	12:00 - 22:30
	Monday - Saturday	11:00 - 23:00
	Good Friday	11:00 - 23:00
M - The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption ON the premises where the sale takes place (Indoors)	Sunday	12:00 - 22:30
	Monday - Saturday	11:00 - 23:00
	Good Friday	11:00 - 23:00
N - Provision of Regulated Entertainment (Indoors)	Sunday	12:00 - 22:30
	Monday - Saturday	11:00 - 23:00
	Good Friday	11:00 - 23:00

Premises Licence

Licensing Act 2003

CP0039

THIS LICENCE IS ISSUED BY



Tameside MBC
Licensing Department
Tame Street Depot
Tame Street
Stalybridge
Tameside
SK15 1ST
web: www.tameside.gov.uk
Tel: 0161 342 4262

Sunday	12:00 - 22:30
Monday - Saturday	11:00 - 23:00
Good Friday	11:00 - 23:00

THE OPENING HOURS OF THE PREMISES:

Description	Times
Good Friday	11:00 23:00
Monday-Saturday	11:00 23:00
Sunday	12:00 22:30

Where the licence authorises supplies of alcohol whether these are on and /or off supplies:

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Mr D Pickles
[REDACTED]

Tel:
Email:

Registered number of holder, for example company number, charity number (where applicable)

Business Reg No:

Name address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Tel:

Personal licence number and issuing authority of personal licence held by designated premises supervisor (where the premises authorises for the supply of alcohol):

SIGNED ON BEHALF OF THE ISSUING LICENCE AUTHORITY

 Sharon Smith

Head of Public Protection - Operations & Neighbourhoods

Date on which this licence takes effect:

7th March 2006

ANNEXES

Annex 1 – Mandatory conditions

The General Conditions

The general conditions that a club must satisfy if it is to be a qualifying club in relation to a qualifying club are the following.

Condition 1 is that the rules of the club persons may not-

- (a) be admitted to membership, or
- (b) be admitted, as candidates for membership, to any of the privileges of membership, without an interval of at least two days between their nomination or application for membership and their admission.

Condition 2 is that under the rules of the club persons becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission.

Condition 3 is that the club is established and conducted in good faith as a club (see section 63).

Condition 4 is that the club has at least 25 members.

Condition 5 is that alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club.

The additional conditions for the supply of alcohol

The additional conditions that a club must satisfy if it is to be a qualifying club in relation to the supply of alcohol to members or guests are the following.

Additional condition 1 is that (so far as not managed by the club in general meeting or otherwise by the general body of members) the purchase of alcohol for the club, and the supply of alcohol by the club, are managed by a committee whose members-

- (a) are members of the club;
- (b) have attained the age of 18 years; and
- (c) are elected by the members of the club.

This section is subject to section 65 (which makes special provision for industrial and provident societies, friendly societies etc).

Additional condition 2 is that no arrangements are, or are intended to be, made for any person to receive at the expense of the club any commission, percentage or similar payment on, or with reference to, purchases of alcohol by the club.

Additional condition 3 is that no arrangements are, or are intended to be, made for any person directly or indirectly to derive any pecuniary benefit from the supply of alcohol by or on behalf of the club to members or guests, apart from-

- (a) any benefit accruing to the club as a whole, or
- (b) any benefit which a person derives indirectly by reason of the supply giving rise or contributing to a general gain from the carrying on of the club.

Certificate authorising supply of alcohol for consumption off the premises

The first condition is that the supply must be made at a time when the premises are open for the purposes of

supplying alcohol, in accordance with the club premises certificate, to members of the club for the consumption on the premises.

The second condition is that any alcohol supplied for consumption off the premises must be in a sealed container.

The third condition is that any supply of alcohol for consumption off the premises must be made to a member of the club in person.

Industrial and Provident Societies, Friendly Societies etc.

(1) Subsection (2) applies in relation to any club which is -

- (a) a registered society, within the meaning of the Industrial and Provident Societies Act 1965 (c.12) (see section 74(1) of the Act),
- (b) a registered society, within the meaning of the Friendly Societies Act 1974 (c.46) (see section 111(1) of the Act),
- (c) a registered friendly society, within the meaning of the Friendly Societies Act 1992 (c.40) (see section 116 of the Act).

(2) Any such club is to be taken for the purposes of this Act to satisfy additional condition 1 in subsection (2) of section 64 if and to the extent that -

- (a) the purpose of alcohol for the club, and
 - (b) the supply of alcohol by the club,
- are under the control of the members or a committee appointed by the members.

(3) References in this Act, other than this section, to-

- (a) Subsection (2) of section 64, or
- (b) additional condition 1 in this section.

(4) Subject to subsection (5), this Act applies in relation to an incorporated friendly society as it happens in relation to a club, and accordingly -

- (a) the premises of the society are to be treated as the premises of a club,
- (b) the members of the society are to be treated as the members of the club, and
- (c) anything done by or on behalf of the society is to be treated as done by or on behalf of the club.

(5) In determining for the purposes of section 61 whether an incorporated friendly society is a qualifying club in relation to a qualifying club activity, the society is to be taken to satisfy the following conditions -

- (a) condition 3 in subsection (4) if section 62,
- (b) condition 5 in subsection (6) of that section,
- (c) the additional conditions in section 64.

(6) In this section "incorporated friendly society" has the same meaning as in the Friendly Societies Act 1992 (see section 116 of the Act).

Annex 2 – Conditions consistent with the Operating Schedule

Annex 3 – Conditions attached after a hearing by the licensing authority

Annex 4 – Authorised Plans

Premises Licence Summary

Licensing Act 2003

CP0039

THIS LICENCE IS ISSUED BY



Tameside MBC
Licensing Department
Tame Street Depot
Tame Street
Stalybridge
Tameside
SK15 1ST
web: www.tameside.gov.uk
Tel: 0161 342 4262

Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

PREMISES	Droylsden Cricket Club	TELEPHONE:
ADDRESS	Droylsden Cricket Ground, Fold Avenue, Droylsden, Tameside, Tameside, M43 7XA	

WHERE THE LICENCE IS TIME LIMITED THE DATES:

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE:

- A** - Performance of A Play;
- E** - Performance Of Live Music;
- F** - Playing Of Recorded Music;
- G** - Performance Of Dance;
- K** - The supply of alcohol by or on behalf of a club, or to the order of, a member of the club for consumption;
- M** - The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption ON the premises where the sale takes place;
- N** - Provision of Regulated Entertainment;

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES:

Activity (and Area if applicable)	Description	Times
A - Performance of A Play	Sunday	12:00 - 22:30
	Monday - Saturday	11:00 - 23:00
	Good Friday	11:00 - 23:00
E - Performance Of Live Music (Indoors)	Sunday	12:00 - 22:30
	Monday - Saturday	11:00 - 23:00
	Good Friday	11:00 - 23:00
F - Playing Of Recorded Music (Indoors)	Sunday	12:00 - 22:30
	Monday - Saturday	11:00 - 23:00
	Good Friday	11:00 - 23:00
G - Performance Of Dance (Indoors)	Sunday	12:00 - 22:30
	Monday - Saturday	11:00 - 23:00
	Good Friday	11:00 - 23:00
K - The supply of alcohol by or on behalf of a club, or to the order of, a member of the club for consumption (Indoors)	Sunday	12:00 - 22:30
	Monday - Saturday	11:00 - 23:00
	Good Friday	11:00 - 23:00
M - The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption ON the premises where the sale takes place (Indoors)	Sunday	12:00 - 22:30
	Monday - Saturday	11:00 - 23:00
	Good Friday	11:00 - 23:00
N - Provision of Regulated Entertainment (Indoors)	Sunday	12:00 - 22:30
	Monday - Saturday	11:00 - 23:00
	Good Friday	11:00 - 23:00

Premises Licence Summary

Licensing Act 2003

CP0039

THIS LICENCE IS ISSUED BY



Tameside MBC
Licensing Department
Tame Street Depot
Tame Street
Stalybridge
Tameside
SK15 1ST
web: www.tameside.gov.uk
Tel: 0161 342 4262

Sunday	12:00 - 22:30
Monday - Saturday	11:00 - 23:00
Good Friday	11:00 - 23:00

THE OPENING HOURS OF THE PREMISES:

Description	Times	
Good Friday	11:00	23:00
Monday-Saturday	11:00	23:00
Sunday	12:00	22:30

Where the licence authorises supplies of alcohol whether these are on and /or off supplies:

Premises Licence Summary

Licensing Act 2003

CP0039

THIS LICENCE IS ISSUED BY



Tameside MBC
Licensing Department
Tame Street Depot
Tame Street
Stalybridge
Tameside
SK15 1ST
web: www.tameside.gov.uk
Tel: 0161 342 4262

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Mr D Pickles

[Redacted address]

Tel:
Email:

Registered number of holder, for example company number, charity number (where applicable):

Business Reg No:

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

Tel:

State whether access to the premises by children is restricted or prohibited:

Access to the premises by children is prohibited

SIGNED ON BEHALF OF THE ISSUING LICENCE AUTHORITY

A handwritten signature in black ink, appearing to read 'S. Smith'.

Sharon Smith

Head of Public Protection - Operations & Neighbourhoods

Date on which this licence takes effect:

7th March 2006

Mike Robinson

Subject: FW: FW: SIGNIFICANT BREACH OF LICENCE BY DROYLSDEN CRICKET CLUB

From: Mike Robinson <mike.robinson@tameside.gov.uk>
Sent: 21 June 2022 11:10
To: Gary Mongan <gary.mongan@tameside.gov.uk>
Cc: Gemma Lee <gemma.lee@tameside.gov.uk>
Subject: Fwd: FW: SIGNIFICANT BREACH OF LICENCE BY DROYLSDEN CRICKET CLUB

Gary

FYI - could you also log to a noise officer?

Thanks

Mike Robinson
Regulatory Services Manager (Licensing)
Environmental Services (Public Protection)
Operations and Neighbourhoods
Tameside MBC
Tame Street Depot | Tame Street | Stalybridge | Tameside | SK15 1ST
Tel. 0161 342 4122
Mobile. 07971285294

Sent from [Workspace ONE Boxer](#)

----- Forwarded message -----

From: Alison Briddon <alison.bridдон@tameside.gov.uk>
Date: 20 June 2022 at 16:42:57 BST
Subject: FW: SIGNIFICANT BREACH OF LICENCE BY DROYLSDEN CRICKET CLUB
To: Mike Robinson <mike.robinson@tameside.gov.uk>

Allocated to Gemma Lee
Ref No : 22/05331/LICGEN

Thanks Ali 😊

Alison Briddon
Clerical Officer
Environmental Services (Public Protection)
Operations and Neighbourhoods
Place

[Tameside MBC](#) | [Twitter](#) | [Facebook](#) | [Instagram](#) | [TikTok](#) | [LinkedIn](#)
Tame Street Depot | Tame Street | Stalybridge | Tameside | SK15 1ST

Tel. 0161 342 3506

This email was sent at a time & date convenient to the sender; please do not feel under any pressure to respond immediately if this is outside your normal working hours.

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



From: [REDACTED]

Sent: 20 June 2022 12:54

To: Licensing <licensing@tameside.gov.uk>
[REDACTED]

Subject: SIGNIFICANT BREACH OF LICENCE BY DROYLSDEN CRICKET CLUB

Dear Sirs

My name is [REDACTED]

I reside at [REDACTED]

I wish to make a complaint about anti-social behaviour, noise and significant breach of licence by Droylsden cricket club.

I am grateful for your confirmation that they have a licence only until 11PM(unfortunately the call was cut off).

The club are showing a total disregard for the residents by significantly and deliberately breaching this licence and creating significant noise and sleep disruption to the inhabitants at [REDACTED]. The pavilion/social club backs onto houses on [REDACTED] (a quiet residential street). This means that the noise level is the equivalent of this happening in our back gardens.

On the early hours of Sun 19/6 the loud music and shouting/singing continued until at least 1.30 am . I have recorded videos of the music/crowd noise at various times. This was also recorded as Police log 116 of 19th June.

I also have similar videos on 22/5 at 00.23.

If you view these videos you will get a proper picture of the level of disruption.

This has happened on other dates where unfortunately I did not record this.

I would be grateful if you could please acknowledge safe receipt of this mail and confirm how you intend to act.

Regards,



This page is intentionally left blank

FILE REF	DATE RECEIVED	DATE TAKEN
IMG_0668.MOV NO IMG	27.06.2022	19.06.2022
IMG_0667.MOV IMG_0667	27.06.2022 18.07.2022	19.06.2022 19.06.2022
IMG_0666.MOV IMG_0666	27.06.2022 18.07.2022	19.06.2022 19.06.2022
IMG_0665.MOV IMG_0665	27.06.2022 18.07.2022	19.06.2022 19.06.2022
IMG_0664.MOV IMG_0664	27.06.2022 18.07.2022	18.06.2022 18.06.2022
IMG_0269.MOV IMG_0269	27.06.2022 18.07.2022	22.05.2022 22.05.2022
IMG_0268.MOV (DUPLICATE) IMG_0268.MOV	18.07.2022 27.06.2022	22.05.2022 22.05.2022
IMG_0774.MOV IMG_0774	18.07.2022 18.07.2022	03.07.2022 03.07.2022
IMG_0776	18.07.2022	03.07.2022
IMG_0665.MOV (DUPLICATE)	07.10.2022	19.06.2022



Add a Caption

Sunday • 19 Jun 2022 • 00:57

[Adjust](#)

 IMG_0667

Apple iPhone 6s

H.264



No lens information

1080p • 1080 × 1920 • 825 KB

29.98 FPS

00:14

[Add a location...](#)






Add a Caption

Sunday • 19 Jun 2022 • 00:37

[Adjust](#)

 IMG_0666

Apple iPhone 6s

H.264



No lens information

1080p • 1080 × 1920 • 761 KB

29.98 FPS

00:13

[Add a location...](#)



Page 29






Add a Caption

Sunday • 19 Jun 2022 • 00:17

Adjust

 IMG_0665

Apple iPhone 6s

H.264



No lens information

1080p • 1080 × 1920 • 1.5 MB

29.98 FPS

00:18

Add a location...






Add a Caption

Saturday • 18 Jun 2022 • 23:12

[Adjust](#)

 IMG_0664

Apple iPhone 6s

H.264



No lens information

1080p • 1080 × 1920 • 1.4 MB

29.98 FPS

00:13

[Add a location...](#)



Page 31






Add a Caption

Sunday • 22 May 2022 • 00:23

[Adjust](#)

 IMG_0269

Apple iPhone 6s

H.264



No lens information

1080p • 1080 × 1920 • 973 KB

29.98 FPS

00:17

[Add a location...](#)



Page 32






Add a Caption

Sunday • 3 Jul 2022 • 00:14

Adjust

 IMG_0774

Apple iPhone 6s

H.264



No lens information

1080p • 1080 × 1920 • 1.3 MB

29.98 FPS

00:14

Add a location...



Page 33





Add a Caption

Saturday • 18 Jun 2022 • 23:12

[Adjust](#)

 IMG_0664

Apple iPhone 6s

H.264



No lens information

1080p • 1080 × 1920 • 1.4 MB

29.98 FPS

00:13

[Add a location...](#)



**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/We David Pickles
(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			
Droylsden Cricket Club Gardenfold Avenue Droylsden			
Post town	Manchester	Postcode	M43 7XU

Telephone number at premises (if any)	N/A
Non-domestic rateable value of premises	£7600

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club X
 please complete section (B)
- d) a charity 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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Pickles			First names David		
Date of birth old or over Yes		I am 18 years <input type="checkbox"/> Please tick yes			
Nationality British					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]			Postcode	[REDACTED]
Daytime contact telephone number			[REDACTED]		
E-mail address (optional)		[REDACTED]			

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)	
-----------------------------	------------------------------	-------------------------------	-----------------------------	--------------------------------	--

Surname		First names	
Date of birth		I am 18 years old or over <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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
26	11	2022

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)
We are a community Cricket club with a small bar currently holding a club premises licence and need a premises licence

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)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E) X
- f) recorded music (if ticking yes, fill in box F) X
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) X

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

X

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

X

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	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films 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	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Wed					
Thur			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

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			<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)
Fri			
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)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	X
Mon	12.00	22.00	<u>Please give further details here</u> (please read guidance note 4) This would not be a regular event but sometimes on charity fun days we would like to be able to have live music and this may include bank holidays so the Mondays would be very few occasions		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) Mainly Summer as the club is closed most of the time from Oct-March		
Thur					
Fri	17.00	22.30	<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)		
Sat	12.00	22.30			
Sun	12.00	22.00			

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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	X
Mon	12.00	23.00	Please give further details here (please read guidance note 4) Obviously outdoor would stop earlier and we would not play outdoor past 23.00 on any night		
Tue	12.00	23.00			
Wed	12.00	23.00		State any seasonal variations for the playing of recorded music (please read guidance note 5)	
Thur	12.00	23.00			
Fri	12.00	0.00 Midnight	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)		
Sat	12.00	Midnight			
Sun	12.00	23.30			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
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	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon	12.00	23.00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	12.00	23.00	Please give further details here (please read guidance note 4)		
Wed	12.00	23.00			
Thur	12.00	23.00			
Fri	12.00	midnight	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Sat	12.00	midnight			
Sun	12.00	11.30	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 (please read guidance note 6)		

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	X
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	12. 00	12.0 0	<u>Please give further details here</u> (please read guidance note 4)		
Tue	12	12			
Wed	12	12	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	12	12			
Fri	12	02.00	<u>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</u> (please read guidance note 6)		
Sat	12	02.00			
Sun	2.00 ¹	mid night			

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 checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) The club does not open the majority of the time from October to Match as no Cricket is played, unless there are matches or functions we also are rarely open Monday to Thursday 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)		
Mon	12.00	12.00			
Tue	12.00	12.00			
Wed	12.00	12.00			
Thur	12.00	12.00			
Fri	12.00	02.00			
Sat	12.00	02.00			
Sun	12.00	12.30			

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 David Pickles	
Date of birth [REDACTED]	
[REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	

Issuing licensing authority (if known)
Tameside MBC

□□□□

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)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	1 2.00	01.00	<p><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)</p>
Tue	12.00	01.00	
Wed	12.00	01.00	
Thur	12.00	01.00	
Fri	12. 00	02.30	

Sat	09.00		
		03.00	
Sun	09.00		
		01:00	

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, that is the person in whose name the premises licence is issued, shall ensure that at all times when the premises are 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 regular training in their responsibilities in relation to the sale of alcohol. Particularly with regard to drunkenness and underage problems which will include the implementation of the “Challenge 25” scheme. Records will be kept of training and refresher training

b) The prevention of crime and disorder

Any incidents of a criminal nature will be reported to the police. We have comprehensive CCTV of the premises and it is operated and maintained in the premises. We have a zero tolerance policy to illegal substances and antisocial behaviour and any incidents will be reported to the Police and any perpetrators will receive a lifetime ban from the club. Records will be kept of any instances of crime and disorder.

c) Public safety

We will not allow the club to overfill the club to its capacity. We have a fire exit at the back of the club which is easily accessible. We have two trained first aider who are regularly onsite with the use of fully stocked first aid boxes and the use of a defibrillator. We also have an accident reporting book

d) The prevention of public nuisance

We encourage all our members to be respectful of the surroundings and leave the premises quietly respecting our neighbours, Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.

e) The protection of children from harm

As we are a family club with junior members playing cricket we take this very seriously. We have a child welfare officer in place and all children and adult members know who to contact with any issues.

The licensee and the staff will ask persons who appear to be under the age of 25 for photographic proof of age. All staff will be trained for underage sales prevention. A register of refused sales shall be kept and maintained on the premises.

Checklist:

Please tick to indicate agreement


- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- 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	31/Oct/2022
Capacity	Club Treasurer

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)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

- 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.
- 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.

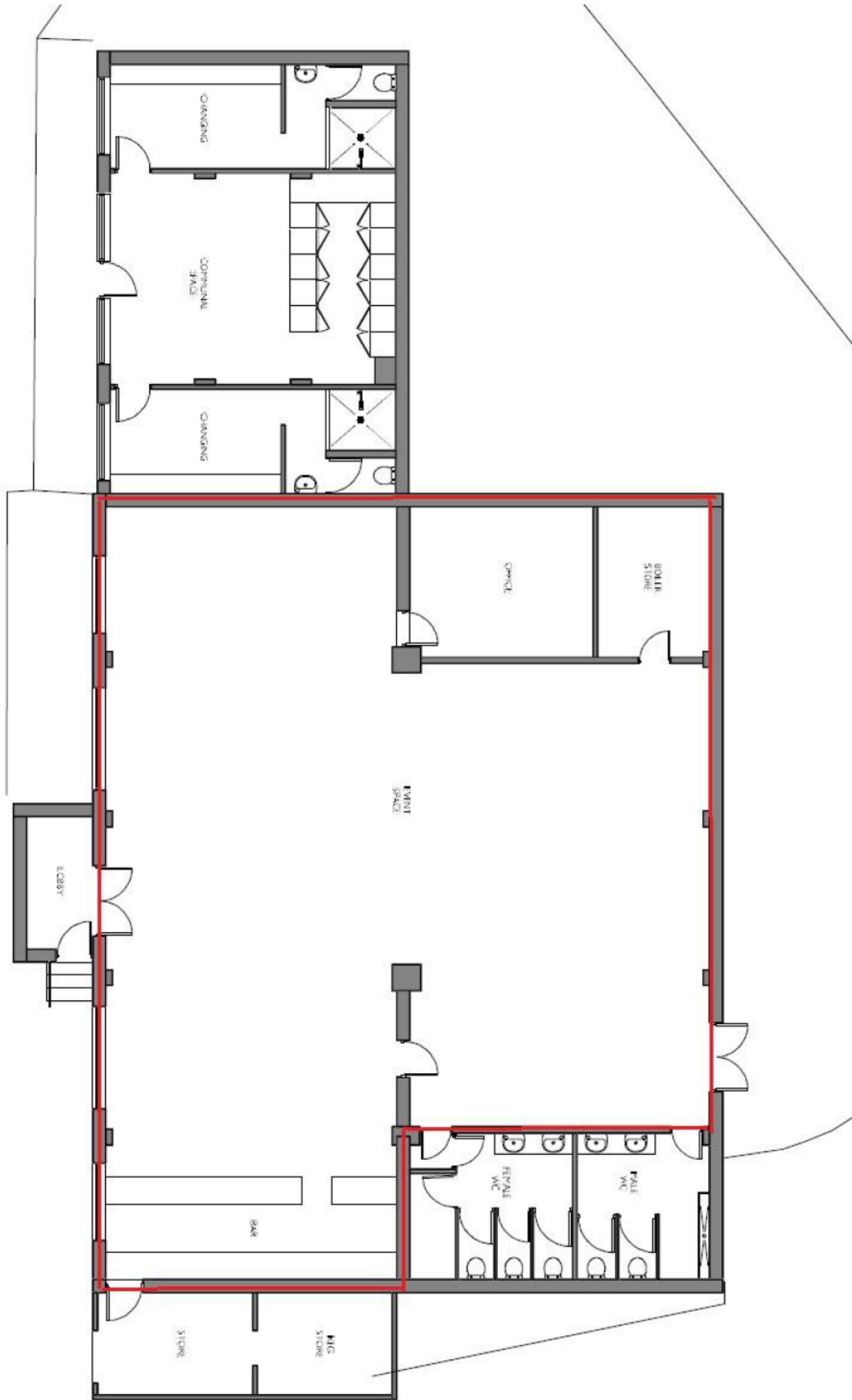
Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (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.



This page is intentionally left blank

APPENDIX 6

Conditions agreed between applicant and Licensing Authority on 1 December 2022

CCTV

A tamper-proof digital colour CCTV system must 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 must provide a clear head and shoulders view to an evidential quality on every entry/exit route, the outside area at the front of the premises and within any other vulnerable areas as identified by Greater Manchester Police.

Recorded footage must be provided to a representative of any responsible authority on request. Such footage must be provided in an immediately viewable format and must include any software etc. which is required to view the footage. Any discs, portable drives or other storage media onto which footage is transferred must be provided by the premises and sufficient stock of such storage media must be kept on the premises at all times.

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

The Designated Premises Supervisor must 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 must be kept, including a signature of the person carrying out the check. This written record must 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 must be placed in prominent positions within the premises, including information on the Data Protection Act and the Human Rights act.

Incident Book

An incident book (with the pages numbered sequentially) must be kept on the premises and be made available for inspection by responsible authorities. The incident book must 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

Drug Policy

The management of the premises must 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.

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.

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.

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.

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.

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.

All children to be accompanied by a responsible adult.

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.

List of Authorised Persons

The Designated Premises Supervisor must maintain a written record of all members of staff who are authorised to sell alcohol. This record must include a photograph of the relevant members of staff to be kept on the premises at all times and be made available to a representative of any responsible authority on request.

Pubwatch

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

Last Entry to Premises

There shall be no new entries to the premises by members of the public between 23:30 and 9am daily.

This page is intentionally left blank

OPPOSITION OF CHANGES TO LICENCE FOR DROYSLDEN CRICKET CLUB

To Licensing Department,

Dear Sir / Madam,

I write in the strongest terms to confirm my opposition to the appeal of DCC to amend their licensing hours.

I write to request your urgent help.

I am a resident of a street nearby Droylsden Cricket club.

I would be grateful if the matter goes to panel if my identity could be anonymised and if I have to give evidence I would expect the usual mitigations that we are offered in court to be available as I am not prepared to further risk the safety of my family by appearing without a screen etc.

If I give evidence at the panel I would expect to be treated as a vulnerable witness in accordance with the provisions of the Equal Treatment Bench Book and to give evidence from behind a screen. A failure to give me this option would be grossly unfair.

Kindly acknowledge safe receipt of this mail and confirm this will be taken into account.

This year complaints were made about noise and breaches of licensing due to their anti-social disregard for the wellbeing of neighbours. Despite only having an 11pm drinks license they carried on with loud music at weekend until 1AM plus on numerous occasions. I understand a noise complaint was sent to Tameside. Nothing was done. The support from Gemma Lee of the Licensing department was exemplary, who called them in for meetings etc but this did not resolve the problem.

Apparently, as a consequence of the complaints, a neighbour sustained criminal damage to her vehicle and abuse. I have suffered unpleasant comments in the street. I have also suffered considerable stress, lack of sleep and loss of time in documenting the problem. Such comments are contrary to the Protection from harassment act.

This is also Victimisation/Harassment which has the effect of violating the dignity of the complainant

I have only recently discovered that despite this dreadful behaviour they were actually granted several temporary events notices allowing them to serve alcohol again until 12 am. (which surprise surprise resulted in more disturbance!) Can you please explain how on earth in the light of the clear evidence previously provided this was considered to have been appropriate? Was this evidence reviewed in making the decision? If not why not?

I have now discovered that without the knowledge of most residents an application has been made for hugely extended licencing hours. Despite the council having undisputable evidence of deliberate public nuisance and anti-social behaviour individual residents have not been (adequately) notified about this or given adequate notice of the need to make representations meaning that this application could sneak through unnoticed to further blight our lives. I understand the council are happy with the Consultation. For reasons I shall set out below. I believe this to be contrary to the duties of the council under the Public Sector Equality duty/ Licensing Act / Guidance to licencing Act / Human Rights Act.

The club seeks vastly extended serving and opening hours along the lines of those it carried out deliberately and wilfully breaching it licence illegally without punishment throughout the summer.

I consider this decision very surprising and in the light of the existing evidence to have been entirely negligent and contrary to the principles of the Licensing act 2003 and contrary to Article 8 of the Human Rights act which sets out the Right to respect for private and family life.

Is Tameside on the side of the Law breakers or the lawful citizens?

You will be aware of the Public Sector Equality Duty set out in S149 of the Equality Act 2010. The decision to allow licences to be extended/changed for a licensee which shows little or no regard for the wellbeing of disabled neighbours is entirely inappropriate and should urgently be reviewed.

The lack of proper consultation is shocking and shows no regard for the law-abiding citizens of this area.

If you look at the map provided you will see that consultation has been given to a car park 45 metres away from the building that creates the noise, and to a childrens playground approx 40 metres away from the building that creates the noise, and a hidden sign next to a muddy path which is approx 5 metres away from the building that creates the noise.

What has not been consulted are the houses and the law abiding residents which have already been subject to noise and licencing complaints some 15-20 metres away from the building that creates the noise. In the absence of a leaflet or sign on Clough road how are these residents who can hear the music in their bedrooms at 1am (despite a closing time of 11Pm) in the morning to raise any objections? How are people who do not use the children's playground to know? How are people with a disability to know?

This is irrational. Licencing authorities have a duty to consult with those who may have an interest in the matter. Clearly those affected by the noise have an interest and should have been consulted from the first instance. If they are not consulted then the objectives of the Licencing act cannot be said to have been met.

Having eventually found the sign this says the application can be viewed...in Stalybridge (at limited hours during the working day!) and invites only written applications to a postal address. This is entirely contrary to the Equality Act Public Sector Equality Duty and means that any resident not lucky enough to spot the tiny sign is significantly disadvantaged, presumably it will be hard for any disabled or aged person to see the sign let alone travel to Stalybridge to view this. This also discriminates against working adults and those with children who are unlikely to have the time to get to Stalybridge and puts a travel and postage cost on participation in local decision making. This means that in effect Tameside has failed in its fundamental duty to promote equality and have policies that do not adversely affect various groups in society. Similarly, the failure to give a relevant email address (when postage strikes are on the horizon) provides a further discriminatory barrier to participation.

The above guidance suggests that the council should consider whether other methods should be used to inform residents who may be affected. This does not appear to have happened. So presumably this application has a large chance of sneaking through.

I will now set out in detail the adverse effects that granting such a licence would create and the factors which I believe you should consider in refusing this request. I ask that when you consider this you please put yourselves in the shoes of the residents who for no fault of our own find our peace and rest frequently disturbed by the cricket club. You will no doubt be aware that noise from bars & clubs which adversely affects an applicant's home may breach Article 8 of the Human Rights Act where this is permitted by a Local Authority over a period (Moreno-Gomez V Spain {2004} ECHR633.

Please view and ensure you have all the videos previously sent to Gemma Lee and please note that due to their activities I made sure I was away for many Saturdays. Had I stayed I would have had many more videos to show you.

1)The area

This is a quiet residential area. There has never been a (legally) open late-night venue in this area. The venue has got away with causing significant public nuisance. Their previous lack of respect for quiet residential area has illustrated the likely problems. ie Loud music, Shouting, loud singing, drunkenness plus inevitable taxis, slamming of doors and other disturbances etc . Their actions provide damning evidence of the unsuitability of the venue itself (not at all noise insulated) and the management (wilful and repeated breaches of the law)

There are many school aged children in the area and working parents etc all of whom have the right under Article 8 of the Human Rights act to respect to their family life. The people accept the normal noise of a sports club in its normal activities ie during the day. Since when was it normal for a sports club to be open until 3am? Is this a cricket club or a night club?

2) Our House/health /harassment/victimisation/antisocial behaviour

Please refer to videos previously submitted and the attached photographs.

After Covid there have been serial breaches of this licence which have to adversely affect our ordinary day to day activities by virtue of the Public nuisance created. Very loud amplified music is audible very loudly throughout the house. Loud shouting/swearing and other idiotic behaviour has had a serious effect.

It would be very obvious to any reasonable licensee that loud music very late at night this would adversely affect the neighbours. I assume that is why their previous licence was granted with an 11 pm finish. I must assume they had no such regard/ care for the neighbours as it would be obvious to any licensee/ reasonable individual that there was a considerable risk of disturbance to anybody in the surrounding area.

A house is meant to be a place of sanctuary.

3) Work and rest

The proposed late hours will prevent families from having relevant rest

4) Blight

A loud/ late bar will inevitably adversely affect property prices and quality of life. We have a right to rest and peace and quiet. How can we sell our house to move away if there is a nightclub outside? They have already caused significant unlawful public nuisance at 1am onwards when they should shut at 11pm, do we have to put up with this until 3/4/5 am? Would you like this?

5) Effect upon established bars.

Droylsden has an established nightlife area. A late-night bar here will result in transit of people under the influence of alcohol creating additional nuisance to anyone on the route from the town centre to the club

6) Lack of consultation / contrition / regard

It is perhaps telling of the approach of the cricket club to its neighbours that no consultation or discussion has been entered into at all with its neighbours at all. Nor were any apologies or explanations ever issued. When cricket nets were put up we were consulted, by letter, when there is work on the railway we were informed.

The requirements for consultation are set out in the REVISED GUIDANCE ISSUED UNDER S182 OF THE LICENCING ACT S182

these say at page 61 onwards;

Advertising applications 8.80 The requirements governing the advertisement of applications for the grant, variation or review of premises licences and club premises certificates are contained in Regulations 25 and 26 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 which are published on the Government's legislation website. 8.80 Applicants are required to: • publish a notice in a local newspaper or, if there is none, in a local newsletter, circular or similar document circulating in the area in which the premises are situated; and • display a brief summary of the application on an A4 (or larger) size notice, **on pale blue paper in a prominent position immediately** on or outside the premises for at least 28 consecutive days (starting on the day after the day on which the application was given to the relevant licensing authority). The notice must be **printed legibly in black ink or typed in black in size 16 font or larger**. • ensure that the above notices contain the name of the applicant, postal addresses of the premises (or if there is no postal address a description of the premises sufficient to enable the location to be

identified), relevant licensing authority and the date by which any representations in relation to the application need to be made to the licensing authority. They should also contain a statement of the relevant licensable activities or relevant qualifying club activities that it is proposed will be carried on at the premises, or in the case of an application to vary a premises licence or a club premises certificate the notices shall briefly describe the proposed variation.

8.81 It is the responsibility of the applicant for putting the notice up, however licensing authorities should consider where the signs should be placed and advise the applicant where appropriate, to ensure people will see them, in particular if an application is likely to be of interest to the public. As prescribed in regulations, licensing authorities must also place a notice on their website outlining key details of the application as set out in regulations, including: • the name of the applicant or club; • the postal address of the premises or club premises; • the postal address and, where applicable, the internet address where the relevant licensing authority's register is kept and where and when the record of the application may be inspected; • the date by which representations from responsible authorities or other persons should be received and how these representations should be made; and • that it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence. 8.82 The summary of the application should set out matters such as the proposed licensable activities and the proposed hours of opening and should be clearly displayed for the period during which representations may be made, together with information about where the details of the application may be viewed.

8.87 Arrangements should be put in place by the licensing authority for other parties to view a record of the application in the licensing register as described in Schedule 3 to the 2003 Act. Charges made for copies of the register should not exceed the cost of preparing such copies. Licensing authorities may wish to conduct random and unannounced visits to premises to confirm that notices have been clearly displayed and include relevant and accurate information.

It is not clear if the council have actually visited the premises to confirm the positioning of the notices. If they do, they will note that one is placed on the gate in the wrong colour, one is placed approximately 8 feet high on a fence behind a wall, facing a sports centre where nobody lives. And one is positioned on a gate illegible from the path and inaccessible by mud. I would argue that the 'Vicinity' should include the houses that back onto the club ie Clough road, Indeed we were consulted by letter about the placing of new cricket nets a few years ago as such it is irrational not to consult about a major change such as this.

Given the history of public nuisance the council appears to have failed in its duty to consider where the signs should be placed. As a consequence, those likely to be affected ie residents of Clough road have not been consulted or informed.

If the council has given advice as to positioning of the signs can this be released as this would appear to be negligent and not taking into account the public sector equality duty.

The incorrect colour used and poor placement would also appear to render the notices invalid.

I reserve the right to complaint about the way in which this matter has been dealt with and ultimately to pursue the matter by way of Judicial Review in the light of the frankly irrational and discriminatory procedure followed.

In particular, it is irrational and discriminatory to:

a) not ask the club to provide information to the residents of Clough Road (My way of comparison we were consulted about the provision of cricket nets on the outfield but not by this change which could result in a significant detriment to living standards

b) for the council not to allow replies by email

c) Not to display the full information to be displayed in Droylsden

d) To expect resident to find the application 'hidden' on the web site

e) To allow the club to consult by placing notices illegible to the naked eye in 2 places

f) To not carry out a random visit to check compliance with the notice process due to the history of non-compliance

g) To fail to apply Public sector equality duty to the Licensing function

h) By doing so risk further harm to the rights of Family life under the Equality act.

7) Ignore the risk of further crime

The area outside of Medlock sports centre is already a magnet for consumption and sale of drugs and anti-social behaviour. A late opening bar is likely to add more "trade." The applicants have been subject to crime reference numbers as a consequence of their own breaches of licencing laws, these are retained by the Council.

The approach to the venue is dark and across a field, this will be a muggers alley and pose a security danger to anybody returning on their own

8) The inadequate venue

The venue has very poor acoustic shielding, whenever it is hot, they open the doors increasing the noise still further. There is a large cricket field which is often filled with drunken idiots shouting and talking loudly and smokers stood outside talking loudly at all hours. NO acoustic shielding is likely to work as the noise comes through the walls. And indeed if doors are opened will be rendered absolutely pointless. NO acoustic shielding will halt the noise of patrons outside nor Taxis etc etc

9) Equivalent venues/Licences.

I note that similar clubs actually only have 11pm licences.

10) Reasonable expectations

It is reasonable to expect occasional use of a venue of this kind but not for the venue to be turned into a 7 day per week venue with a late licence. This is what they have applied for. They may claim that they would open occasionally but if that is their intention then why apply in this fashion?

I understand the club have applied for temporary events notices in the past. If the licence is extended as applied for, then they could in theory open late nights 7 days a week and there is nothing we can do to stop this, allowing this runs the risk of this being a trojan jorse for extended hours.

If they want a licence for temporary events then they should continue down the route of temporary events notices and these should bear in mind their previous conduct and the noise nuisance posed to residents and study carefully the effects of these notices being given.

If 11pm licences are disregarded and the wellbeing of residents ignored then I respectfully submit that once you have reviewed the video evidence the only rational act would be to restrict them to their existing licence and /or take action against them for their egregious breaches.

Furthermore, their lack of acoustic shielding and the noise generated by patrons means that later licences for recorded/live music are also entirely inappropriate.

10) Behaviour and lack of contrition versus conditions

The history of non-compliance with the previous license laws surely means there can be no confidence whatsoever with the leadership/membership of the club. Indeed, if their solution to opening illegally is to try to open even later with a licence "7 days a week!" then it **must** be inferred that there is a lack of insight and understanding to the issues they cause for their neighbours.

There should be 'no benefit of the doubt' given to institutions with a lengthy history of non-compliance and public nuisance. It was their choice to breach their licence repeatedly (presumably for profit) and after warnings. They did so willingly and without regards to those who would be affected. It was not OUR choice to have this disturbance. It was theirs made wilfully and ignorantly.

11) Abuse and criminal damage followed to some local residents

They may seek to obtain further conditions if conditions such as CCTV restricted entry after 11pm are proffered. These should be refused on the grounds of a lengthy history of non-compliance and non-mitigation. If a drunk is refused entry at 12 will they be expected to go quietly? If the music is audible in a adjacent house what difference can really be expected to the noise levels? Will they turn of the music every time the door is opened, will they stop loud behaviour on the field and loud drunken conversations...of course not. The only way to mitigate hours is to restrict them to their existing licence.

Having caused this disturbance and public nuisance they seem to believe that the solution to this is to open even later 7 days a week? How does this eliminate public nuisance? This shows a stunning lack of insight and empathy for their neighbours.

Indeed, I understand that when called in to discuss their breaches they feigned ignorance as to their hours and sought to identify the complainant. The only action that followed after the initial complaint was a turning off of the lights in order for matters to be less obvious.... of course, if you are still serving and the disco is still on this really doesn't appear to make a difference but does illustrate a contempt for the rules.

Having somehow escaped prosecution/sanction despite clear evidence surely the appropriate action is to revise their licensing hours downwards to 10pm and prevent the playing of recorded music to limit the public nuisance rather than upwards to reward the illegal behaviour and public nuisance.

Finally, I do think the previous decision to grant individual event type licences should be reviewed together with the failure to take proper enforcement action. All I want to do is have the ability to rest without abuse or disturbance. Thank you for reading this document.

If this goes to a panel, I would be willing to speak if my identity can be protected.

I have structured my response in accordance with the Home Office guidance revised in April 2018 and note

NO document has been circulated in the local area, there is now no regular and available published local newspaper, no local newsletter is in existence and the positioning of the document outside the premises is unlikely to attract the attention of those most likely to be affected.

The home office guidance says the licensing objectives are:

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

Each objective is of equal importance

The legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include: • protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises; ... encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them. This will not happen if the public are not aware!

Under separate cover I enclose a series of questions which I believe the Panel ought to raise with the Cricket Club.

Yours sincerely,



David Pickles is applying for the Grant of a Premises Licence for **Droylsden Cricket Club**

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

Sale of alcohol on the premises

Provision of late night refreshment

Monday - Thursday	12:00	24:00
Friday/Saturday	12:00	02:00
Sunday	12:00	00:30

Hours premises are open to the public

Monday - Thursday	12:00	01:00
Friday/Saturday	12:00	03:00
Sunday	12:00	01:00

Provision of regulated entertainment

Monday - Sunday	12:00	24:00
-----------------	-------	-------

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 may 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 09/Nov/2022









APPENDIX 8

Proposed conditions received from Resident A on 9 January 2022 and amended following mediation on 10 January 2022

CCTV

A tamper-proof digital colour CCTV system must 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 must 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 must be provided to a representative of any responsible authority on request. Such footage must be provided in an immediately viewable format and must include any software etc. which is required to view the footage. Any discs, portable drives or other storage media onto which footage is transferred must be provided by the premises and sufficient stock of such storage media must be kept on the premises at all times.

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

The Designated Premises Supervisor must 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 must be kept, including a signature of the person carrying out the check. This written record must 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 must be placed in prominent positions within the premises, including information on the Data Protection Act and the Human Rights act.

Door Staff

A minimum of 2 SIA registered door supervisors shall be employed at the premises on Friday and Saturday nights and also New Years Eve from 9.00 pm until 20 minutes after the premises closes. Door supervisors will wear high visibility armbands.

Door Staff Policy

The management shall produce and implement a Door Supervisor Policy which includes details of disciplinary procedures, and the management's expectations as to the behaviour and professionalism of the door staff. This policy will be submitted to GMP and the Licensing Manager on first implementation and following any subsequent changes to the policy.

Door Staff Log

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

1. The door staff names, dates of birth and home addresses;
2. Full details, name, address and contact number of employment agency used
And for each individual period of trading:
3. The name of the individual member of door staff
4. His/Her Security Industry Authority licence number
5. The time and date He/She starts and finishes duty
6. The time of any breaks taken whilst on duty
7. Each entry shall be signed by the door supervisor, DPS or nominated person

Following mediation, above conditions not agreeable. Applicant considers they are not required as there have never been any previous issues.

Incident Book

An incident book (with the pages numbered sequentially) must be kept on the premises and be made available for inspection by responsible authorities. The incident book must 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

1. Any other crime or criminal activity on the premises
2. Any refusal to serve alcohol to persons who are drunk (On sale and off sale premises only)
3. Any refusal to serve alcohol to under 18's or anyone who appears to be under 18
4. Any call for police assistance to the premises
5. Any ejection from the premises
6. Any first aid/other care given to a customer

Drug Policy

The management of the premises must 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.

Last Entry to Premise

There shall be no new entries to the premises by members of the public **between 10.30 and 11am daily.**

Following mediation, above condition to be amended to prohibit new entries after 23:00hrs.

Noise Limiter

A noise limiting device must be installed, fitted and maintained in such a manner as to control all sources of amplified music at the premises. The noise limiting device must be set and maintained at a level to be agreed with Tameside MBC.

Following mediation, this condition was not agreeable as this would require investment and would need to be agreed by the committee.

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.

Following mediation, additional condition agreed.

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 locations namely the rear boundaries of the residential dwellings known as 80-124 Clough Road Droylsden.

Following mediation, additional condition agreed.

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.

Notices to Customers

Notices requesting customers **to enter** and 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 **entering and** leaving the premise.

Following mediation, condition amended to state 'enter'.

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.

No Drinks Outside /Smoking/the cricket pitch

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. The Designated Premises Supervisor must ensure there is no disruption to neighbouring premises if they leave the premises to smoke/vape etc

Following mediation, additional condition agreed however amended to restrict glasses/bottles outside after 22:00hrs

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.

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:

1. Time, day & date of refusal
2. Item refused
3. Name & address of customer (if given)
4. Description of customer
5. Details of i.d. offered (if shown)

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

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.

Following mediation, proposed condition withdrawn by Resident A.

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.

Following mediation, additional condition agreed.

Door Age Policy

No persons under the age of 18/21/25 (TBA) to be allowed entry to the premises at any time when it is open and operating/after 19.00hrs.

Following mediation, proposed condition withdrawn by Resident A.

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.

Personal Licence Holder to be on Premise at All Times

~~A Personal Licence Holder must 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.~~

Following mediation, proposed condition withdrawn by Resident A on the basis that the applicant has committed to training additional members of staff to become personal licence holders.

List of Authorised Persons

The Designated Premises Supervisor must maintain a written record of all members of staff who are authorised to sell alcohol. This record must include a photograph of the relevant members of staff to be kept on the premises at all times and be made available to a representative of any responsible authority on request.

Pubwatch

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

Purchasing policy

~~A purchasing of alcohol and tobacco policy must be implemented at the premises by the designated premises supervisor.~~

Purchasing records to be kept.

~~All purchases of alcohol and tobacco products must be made from reputable wholesalers and all purchases must be recorded. These records must be made available on request to the police or authorised officer.~~

Following mediation, above proposed conditions withdrawn by Resident A.

This page is intentionally left blank