

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

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25 MAY 2021

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Environmental Services
Tameside MBC

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Dear Sir/Madam

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

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

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

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

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

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

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

This applies only to:

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

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

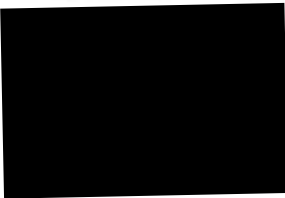
• The first of these is that the entertainment or entertainment facilities must be provided: (a) to any extent for the public or a section of the public or (b) exclusively for members and their guests of a club which is a qualifying club in relation to the provision of regulated entertainment or (c)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

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

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

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

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



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

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

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

Monday, Tuesday, Wednesday 0700 – 0000

Thursday 0700 – 0100

Friday & Saturday 0700 - 0200

Sunday 0700-01:00

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

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

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

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

Dated: 11th May 2021

