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AGENDA FOR

LICENSING HEARING PANEL

Contact:: Nicole Tilly
Direct Line: 0161 253 5398
E-mail: n.l.tilly@bury.gov.uk
Web Site: www.bury.gov.uk

To: All Members of Licensing Hearing Panel

Councillors: D Cassidy, D Jones (Chair) and B Vincent

Dear Member/Colleague

Licensing Hearing Panel

You are invited to attend a meeting of the Licensing Hearing Panel which will be held as follows:-

Date:	Monday 20 January, 2014
Place:	Council Chamber, Town Hall, Knowsley Street, Bury
Time:	1.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members Of Licensing and Safety are asked to consider whether they have an interest in any of the matters on the Agenda, and if so, to formally declare that interest.

3 APPLICATION TO VARY THE PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT OF THE LONGSIGHT SERVICE STATION, LONGSIGHT ROAD, GREENMOUNT, BURY, BL8 4DB (Pages 1 - 4)

A report by the Assistant Director (Localities) is attached.

Document Pack Pagenda Item 3

REPORT FOR DECISION



DECISION OF:	LICENSIN	NG HEARINGS PANEL			
DATE:	20th JANUARY 2013				
SUBJECT:	THIS REPORT RELATES TO AN APPLICATION TO VARY THE PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT OF THE LONGSIGHT SERVICE STATION, LONGSIGHT ROAD, GREENMOUNT, BURY, BL8 4DB				
REPORT FROM:	ASSISTA	ANT DIRECTOR (LOCALITIES)			
CONTACT OFFICER:	MR M BRIDGE				
TYPE OF DECISION:	COUNCIL				
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain				
SUMMARY:	Licence un respect of Road, Gree	t relates to an application to vary a Premises oder section 34 of the Licensing Act 2003 in the Longsight Service Station, Longsight enmount, Bury, BL8 4DB of which ations have been made.			
RECOMMENDED OPTION • To g • To g • To g		refuse the application grant the application in the terms requested grant the application subject to conditions amend or modify existing or proposed ditions			
IMPLICATIONS:					
Corporate Aims/Policy Framework:		Do the proposals accord with the Policy Framework? Yes No			
Statement by the S151 OF Financial Implications an Considerations:	d Risk	There are no specific issues from the report other than potential costs/risks associated with legal appeals.			
Statement by Executive Dof Resources:	Director	The cost of the licensing function are funded through the fees and charges levied by the Council. There may be additional costs if appeals are lodged with the Magistrates and Crown Courts.			

Document Pack Page 2

Equality/Diversity implications:	Yes No		
	(see paragraph below)		
Considered by Monitoring Officer:	Yes Under the legislation the Council is required to determine representations. The report is in accordance with the appropriate legislation.		
Wards Affected:	North Manor		
Scrutiny Interest:	Internal Scrutiny Panel		

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 INTRODUCTION

- 1.1 The Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations is the relevant legislation.
- 1.2 The Panel will make a decision on the day of the hearing and the parties will be notified subsequently of the decision and the reasons for it by letter from the Licensing Office.

2.0 BACKGROUND

- 2.1 The premises licence holder in respect of these premises is Rontec Watford Limited, 13-14 Esplanade, St Helier, Jersey, JE1 1BD. Mr Sajjad Ahmad, 28 Melling Road, Clarksfield, Oldham is the Designated Premises Supervisor.
- 2.2 The applicant has complied with all the necessary procedural requirements laid down by the Act.
- 2.3 As part of the statutory process the Responsible Authorities and interested parties are entitled to make representations in relation to the variation of a premises licence. Where representations are made and not withdrawn Members are required to determine them. Representations have been received from two councillors.
- 2.2 Representations must be relevant to the licensing objectives defined within the Act. The objectives are:
 - a) the prevention of crime and disorder
 - b) public safety
 - c) prevention of public nuisance and

Document Pack Page 3

d) protection of children from harm

3.0 THE APPLICATION

3.1 The application is for a variation to the current Premises Licence under Part 3 of the Licensing Act 2003 to extend the hours for the retail sale of alcohol and to add the provision of Late Night Refreshment to the licence.

The current Premises Licence authorises the following licensable activities.

a. The Supply of Alcohol – For consumption Off the Premises.

Monday - Sunday

06.00 to 23.00

b. Hours the premises are open to the public:

Monday - Sunday

00.01 to midnight

- 3.2 This application is to increase the hours for the retail sale of Alcohol and to add the following licensable activity to the Premises Licence:
 - c. <u>The Supply of alcohol For consumption Off the Premises.</u>

Monday - Sunday

00.00 to midnight

d. The Provision of Late Night Refreshment:

Monday - Sunday

23.00 to 05.00

4.0 REPRESENTATIONS

- 4.1 Representations in respect of the application have been received from two ward councillors. The issues that they raise are as follows:
 - a. Invitation to have persons travelling from all parts of the borough.
 - b. Opportunity for anti social behaviour and unruly behaviour.
 - c. Extra Traffic.
 - d. Increase in noise for motor vehicles.
 - e. Pollution in the early hours of the morning.
- 4.2 The representations were received before the end of the objection period.

5.0 REPRESENTATIONS FROM A RESPONSIBLE AUTHORITY

5.1 A representation was received from Greater Manchester Police, however following discussions with the premises licence holder concerning the application the representation was subsequently withdrawn due an agreement being reached provided the following condition is attached to the premises licence:-

Document Pack Page 4

"The entrance door to the shop will be closed to customers between 24.00 and 06.00. Any sales between these hours will be made through to night pay window".

6.0 **OBSERVATIONS**

6.1 After hearing the representations made and the evidence presented Members are obliged to determine the application with a view to promoting the licensing objectives and having regard to the Authority's Licensing Policy and National Guidance.

List of Background Papers:-

Application form Representations received Plan

For further information on the details of this report, please contact:

Mr M Bridge Licensing Office 3 Knowsley Place **Duke Street** Bury

Telephone No: 0161 253 5209

Email: m.bridge@bury.gov.uk