

AGENDA FOR

LICENSING HEARING PANEL

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To: All Members of Licensing Hearing Panel

Councillors : R Caserta, D Cassidy and D Jones

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:	Friday, 11 December 2015
Place:	Committee Room A, Bury Town Hall, Knowsley Street, Bury BL9 0SW
Time:	1.30 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

2 DECLARATIONS OF INTEREST

Members of the Licensing Hearings Panel are asked to consider whether they have an interest in any matters on the agenda and, if so, to formally declare that interest

3 AN APPLICATION TO VARY THE PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT OF MORRISONS, 5 STANLEY ROAD, WHITEFIELD *(Pages 1 - 4)*

A report from the Assistant Director Localities is attached.

REPORT FOR DECISION

Agenda Item	
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DECISION OF:	LICENSING HEARINGS PANEL
DATE:	11th DECEMBER 2015
SUBJECT:	THIS REPORT RELATES TO AN APPLICATION TO VARY THE PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT OF MORRISONS, 5 STANLEY ROAD, WHITEFIELD
REPORT FROM:	ASSISTANT DIRECTOR (LOCALITIES)
CONTACT OFFICER:	MR M BRIDGE
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	This report relates to an application to vary a Premises Licence under section 34 of the Licensing Act 2003 in respect of Wm Morrison Supermarket, 5 Stanley Road, Whitefield, M45 8QH of which representations have been made.
OPTIONS & RECOMMENDED OPTION	<ul style="list-style-type: none"> • To refuse the application • To grant the application in the terms requested • To grant the application subject to conditions • To amend or modify existing or proposed conditions
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes No
Statement by the S151 Officer: Financial Implications and Risk Considerations:	There are no specific issues from the report other than potential costs/risks associated with legal appeals.
Statement by Executive Director of Resources:	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.
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:	Unsworth
Scrutiny Interest:	Overview and 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 Wm Morrison Supermarkets Plc, Hilmore House, Gain Lane, Bradford, BD3 7DL. Mr Daniel Christopher Welch 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. A representation has been received from a local resident.
- 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
 - d) protection of children from harm

3.0 THE APPLICATION

- 3.1 The application is to vary the current Premises Licence under Part 3 of the Licensing Act 2003 for the purpose of varying the hours for the supply of alcohol and opening times.

The current operating schedule shows the following:

- a. Supply of alcohol – For consumption Off the Premises.

Monday to Sunday 06:00 to 23:00

- b. Hours the premises are open to the public:

Monday to Sunday 06:00 to 23:00

- 3.2 The proposed operating schedule is as follows:

- a. Supply of alcohol – For consumption Off the Premises.

Monday to Sunday 06:00 to 00:00

- b. Hours the premises are open to the public:

Monday to Sunday 06:00 to 00:00

4.0 REPRESENTATIONS

- 4.1 A representation has been received from a local resident in respect of the application. The nature of the representation received from the local resident is summarised as follows:-

- Noise
- Light pollution
- Footfall
- Increased Traffic

- 4.2 The representation was received before the end of the objection period.

5.0 OBSERVATIONS

- 5.1 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
Representation received

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

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