AGENDA FOR

LICENSING HEARING PANEL

Contact: Michael Cunliffe
Direct Line:0161 2535399
E-mail: m.cunliffe@bury.gov.uk
Web Site: www.bury.gov.uk

To: **Members of Licensing Hearing Panel**

Councillors: S Walmsley (Chair), T Holt & I Schofield

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:	Thursday, 1 April 2021
Place:	Virtual Meeting via Microsoft Teams
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:	**The meeting will be live streamed here:** **https://councilstream.com/burycouncil**

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

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

3 MINUTES OF THE LAST MEETING *(Pages 3 - 10)*

The Minutes of the last Meeting held on the 6th October 2020 are attached.

4 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF PRESTWICH SOCIAL CLUB, UNIT 3, RADIUS SCHEME, SOUTH EAST SIDE, FAIRFAX ROAD, PRESTWICH, M25 1AS *(Pages 11 - 52)*

Report from the Executive Director (Operations) is attached

Application Form attached

Plan attached

Minutes of: **LICENSING HEARING PANEL**

Date of Meeting: 6 October 2020

Present: Councillor T Holt (in the Chair)
Councillors J Grimshaw and I Schofield

Also in attendance:
Public Attendance: No members of the public were present at the meeting.

Apologies for Absence:

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1 DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

2 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF EAT NEW YORK, 24 BURY NEW ROAD, PRESTWICH, M25 0LD

The applicant for the licence in respect of the above premises is New York Limited, 82 The Greenhouse, MediaCityUK, Salford, M50 2EQ. Mr Jonathan Malcom David Leathley, 55 Clifton Road, Prestwich, M25 3HG is the proposed Designated Premises Supervisor (DPS).

The application is for the grant of a Premises Licence under Part 3 of the Licensing Act 2003:

The Applicant had complied with all the necessary procedural requirements laid down by the Act.

Representations in respect of the application were received within the appropriate period from the Licensing Authority in its capacity as a Responsible Authority.

All written representations were contained within the written submissions provided in the report to the Panel.

All documentary evidence comprising the application, the report provided with the agenda and representations were served on all parties in advance of the hearing.

The operating schedule shows the following:

a. Supply of alcohol – For consumption On/Off the Premises.
Monday to Sunday 08.00 until 01.00
b. Provision of Live Music (Indoors)
Monday to Sunday 08.00 until 01.00
c. Provision of Late Night Refreshment (Indoors)
Monday to Sunday 23.00 until 01.30
d. Opening Times.
Monday to Sunday 07.00 until 01.30

It was reported that since the application had been submitted the applicant, Mr Leathley and his legal representative, Ms Ingram had contacted local residents and PC Greg Scott to discuss the application and following this the operating schedule and the attached conditions had been reviewed and updated;

The updated operating schedule was reported as showing the following:

a. Supply of alcohol – For consumption On/Off the Premises.
   Monday to Sunday 12.00 until 01.00
b. Provision of Late Night Refreshment (Indoors)
   Monday to Sunday 23.00 until 01.30
c. Opening Times.
   Monday to Sunday 10.00 until 01.30

The Panel heard oral representations from Ms Rebecca Ingram, the solicitor representing the Applicant. She confirmed that agreement had been reached as stated by GMP. Ms Ingram reported that one condition that the Police had requested was in relation to the number of people on site at the premises at any one time – including staff as being 20. Ms Ingram had requested that this be increased to 25 and PC Scott had agreed to this increase.

Ms Ingram explained that Mr Leathley, the applicant had asked that his apologies be expressed to the local residents in relation to the initial application and the concerns and worries that it had raised. Mr Leathley had never intended for the premises to be used as a bar or late night drinking establishment and had included the live music part of the application in error.

It was explained that the premises would be mainly a takeaway with delivery service and with the option to purchase alcohol to drink while awaiting an order or to be delivered with a takeaway.

Ms Ingram referred to the objections that had been raised by local residents relating to anti-semitic abuse, anti-social behaviour and dispersal times and the protection of children. It was explained that Mr Leathley would not tolerate any form of anti-semitic or anti-social behaviour on or near his premises. It was not anticipated that something like this would arise as the premises would not be a drinking destination. Ms Ingram also explained that condition 29 of the updated conditions stated no person under the age of 18 shall be permitted to remain on the premises after 22.00 hours except when present with a responsible adult.

PC Scott representing GM Police confirmed that he had discussed the updated operating schedule and conditions with Mr Leathley and Ms Ingram and he stated that there were no longer any GM Police concerns in respect of the application and the increase from 20 to 25 people on site had been confirmed.

Local residents, Mr and Mrs Salzer were in attendance at the meeting and raised their concerns in relation to the application. Mr Salzer explained that there had been a number of concerns raised by local residents in relation to the application.

Mr Salzer asked what would happen if the licence were transferred to another owner and whether they could extend the operating schedule if this was to happen.

Mr Salzer also reported that his main concerns were in relation to noise being produced by the premises at unsociable times.

Mr Bridge explained what would happen in relation to the licence if the premises were to be taken over by a different owner. Mr Bridge also explained about the Licence Review process that could be followed if a resident felt that a premises was not adhering to the conditions of its licence.

Ms Ingram explained that the condition 27 stated that no refuse shall be disposed of or collected from the premises between the hours of 00.00 and 0700 where such disposal or collection is likely to cause disturbance to local residents.

All parties were offered the opportunity to sum up their case.

The Panel then duly retired to consider the application and all of the information provided.

The Members of the Panel were advised by the Legal Officer as to their duties under Section 4 of the Licensing Act 2003 to at all times consider the promotion of the Licensing Objectives, these being:

a) the prevention of crime and disorder
b) public safety
c) the prevention of public nuisance
d) the protection of children from harm

The Members were also advised of their duties in carrying out those functions in relation to:

a) the Council's published Statement of Licensing Policy
b) the Guidance issued by the Secretary of State as contained in section 182 of the Licensing Act 2003, which was updated in April 2018

In addition Members were advised to give appropriate weight to the steps that are appropriate to promote the licensing objectives and the representations presented by all parties.

The Panel also had regard to the European Convention on Human Rights and in particular that everyone has the right to peaceful enjoyment of his possessions, respect for his private and family life, his home and his correspondence. A fair balance between competing interests must be considered.

FINDINGS

The following facts were found:

The applicant and his legal representative had liaised with local residents, local Councillors and the Responsible Authority to review and update both the operating schedule and the conditions to be attached to the licence so that all concerned were satisfied.

The applicant had apologised for any upset and worry that had been caused by the incorrect application in relation to live music.

The applicant would be happy for local residents to have his mobile telephone number should they have any concerns.

Delegated decision

1. That the premises licence be granted as set out in the updated operating schedule:

    a. Supply of alcohol – For consumption On/Off the Premises.
    Monday to Sunday 12.00 until 01.00
    b. Provision of Late Night Refreshment (Indoors)
    Monday to Sunday 23.00 until 01.30
    c. Opening Times.
    Monday to Sunday 10.00 until 01.30

2. That the following conditions are attached to the licence:

    1. The premises are to operate an effective CCTV system which is to be maintained in good working order at all times the premises is open for business. The recording medium (e.g. disks / tapes / hard drive, etc.) and associated images are to be retained and securely stored for a minimum period of 28 days and are to be made available to the police / authorised officers of the Licensing Authority upon request. The premises licence holder or designated premises supervisor is to provide the police with the contact details of members of staff (or other person(s)) who are trained and familiar with the operation of the equipment so that, at the expense of the premises licence holder, they are able to check that the equipment is operating properly and that they are able to provide copies of recorded data upon request and within no more than 12 hours from the time of the request. The premises licence holder or the Designated Premises Supervisor must notify the licensing office or the Police in the event of CCTV breakdown as soon as is reasonably practicable and in any event within 24 hours.

    2. Staff training shall take place on the Licensing Act and Licensing objectives upon commencement of employment and every six months thereafter, a written record of this training is to be maintained and made available to the police and any authorised officer of the Council for inspection on request.

    3. A personal licence holder must be contactable when the premise is open to the public.

    4. SIA registered door staff shall be employed at the premises, in accordance with a risk assessment to be carried out by the DPS. When employed, door staff will wear high visibility armbands.

5. Door staff employed at the premises must be SIA registered and a log must be maintained at the premises showing the full name, date of birth, contact telephone number and SIA badge number of the Door Security Staff on duty, the time when they started and ended their shift and the details of any incidents that take place to include incidents when a member of the public is refused entry to the premises. The log is to be made available to the police, to SIA inspectors and to Authorised Officers of the Licensing Authority on request.

6. Any Door security staff employed to use their best endeavours to prevent persons loitering outside the premises.

7. The licence holder and/or the designated premises supervisor or a person nominated by them shall be a member of and attend at the meetings of the Pub and Club watch scheme for the area.

8. No person in possession of a drink in a sealed or unsealed container shall be allowed to enter the premises except for the purposes of delivery or from moving from one part of the premises to another.

9. Customers are to be prevented from leaving the premises with glasses or open bottles. No drink shall be removed from the premises in an unsealed container save for consumption in any delineated area.

10. The premises should operate at a maximum capacity of 25 persons including staff members.

11. The DPS/ Licence holder must ensure members of staff are adequately trained with regard to First Aid.

12. There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials.

13. Regular safety checks shall be carried out by staff.

14. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.

15. The premises shall maintain public liability insurance.

16. Clientele must not be admitted to the premises after 00.00 (midnight). After that time the service of alcohol will only take place with food deliveries off the premises.

17. Prominent clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.

18. Music and associated other noise sources (e.g. DJs and amplified voices) shall not be generally audible inside noise sensitive property at any time.

The DPS or a member of staff is to carry out noise level checks of the surrounding outside area whenever entertainment is being provided taking action to reduce noise levels where there is a potential for nuisance to be caused.

19. All external doors and windows are to be kept closed when live entertainment or recorded music is in progress.

20. The exterior of the building shall be cleared of litter at regular intervals.

21. A Dispersal and Smoking Policy will be implemented and adhered to (see attached).

22. On occasions when the premises are used/hired to hold a party, At least one SIA registered security staff is to be employed at the premises for the duration of the function.
23. On such occasions, the sale of alcohol and the provision of regulated entertainment is to cease no later than 23.00hrs.

24. No refuse shall be disposed of or collected from the premises between the hours of 00.00 and 0700 where such disposal or collection is likely to cause disturbance to local residents.

25. The premises will operate a "Challenge 25" proof of age policy, and signage to this effect is to be prominently displayed within the premises. Persons who appear to be under the age of 25 must produce for thorough scrutiny by staff, proof of identity/age before being sold/supplied alcohol. Only a passport or photo-card driving licence or a proof of age card bearing the official 'PASS' accreditation hologram should be accepted as proof of age.

26. The premises is to maintain a refusals / incident book to record the details of incidents / descriptions of individuals whenever a member of staff has refused to sell alcohol to a person suspected of being under the age of 18 and record the circumstances of any incident. The book must be made available to the police / authorised officers of the Licensing Authority on request.

27. Staff training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months.

28. All alcohol must be displayed/stored behind the counter.

29. No person under the age of 18 shall be permitted to remain on the premises after 22.00 hours except when present with a responsible adult.

30. Greater Manchester Police and the applicant have agreed the following with regard to opening hours of the Premises

Agreed hours

a. Supply of alcohol – For consumption On/Off the Premises.
Monday to Sunday 12noon until 01.00

From midnight, the sale would only be permitted for off-sales via delivery. Sale of alcohol for consumption on the premises would cease at midnight

b. Provision of Late Night Refreshment (Indoors)
Monday to Sunday 23.00 until 01.30

c. Opening Times.
Monday to Sunday 10.00 until 01.30

COUNCILLOR T HOLT
Chair

(Note: The meeting started at 1.06 pm and ended at 2.25 pm)

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Classification Open / Closed	Item No.

Meeting:	LICENSING HEARINGS PANEL
Meeting date:	1st APRIL 2021
Title of report:	APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF PRESTWICH SOCIAL CLUB, UNIT 3, RADIUS SCHEME, SOUTH EAST SIDE, FAIRFAX ROAD, PRESTWICH, M25 1AS
Report by:	EXECUTIVE DIRECTOR (OPERATIONS)
Decision Type:	Council
Ward(s) to which report relates	St Marys

Executive Summary:

Recommendation(s)

This report relates to an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Prestwich Social, Unit 3, Radius Scheme, South East Side, Fairfax Road, Prestwich, M25 1AS

OPTIONS & RECOMMENDED OPTION Options

- To grant the application in the terms requested
- To grant the application subject to conditions
- To amend or modify existing or proposed conditions
- To refuse the application

Key considerations

This is a Council Function that is delegated to the Licensing and Safety Panel by the Council's Constitution.

Community impact / Contribution to the Bury 2030 Strategy

Not Applicable

Equality Impact and considerations:

24. *Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:*

    A public authority must, in the exercise of its functions, have due regard to the need to -

    (a) *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*

    (b) *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*

    (c) *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

25. *The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services*.

    The Licensing Service have considered the Equality Act 2010 and due to each application being dealt with on its own merits there is no positive or negative on any of the protected characteristics

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Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	**Mitigation**
Not Applicable	.

Consultation:

Not applicable

Legal Implications:

Under the legislation the Council is required to determine representations. The report is in accordance with the appropriate legislation.

Financial Implications:

There are no specific issues from the report other than potential costs/risks associated with legal appeals

Report Author and Contact Details:

Mr M Bridge
Licensing Office
3 Knowsley Place
Duke Street
Bury
Telephone No: 0161 253 5208
Email: m.bridge@bury.gov.uk

Background papers:

Application form
Representation received
Plan

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
DPS	Designated Premises Supervisor

1.0 BACKGROUND

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 INTRODUCTION

2.1 The applicant for the licence in respect of the above premises is TLS2 Bars Limited, Manor House, 35 St Thomas's Road, Chorley, PR7 1HP. The proposed Designated Premises Supervisor (DPS) is Mr Douglas Waldron, Apple Barn, Draklow Gorse Farm, Yatehouse lane, Byley, Middlewich, CW10 9NS.

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 grant of a licence. Where representations are made and not withdrawn Members are required to determine them.

2.4 Representations must be relevant to the licensing objectives defined within the Act. The objectives are:-

- the prevention of crime and disorder
- public safety
- prevention of public nuisance and
- protection of children from harm

3.0 THE APPLICATION

3.1 The application is for the grant of a Premises Licence under Part 3 of the Licensing Act 2003:

The operating schedule shows the following:

a. Supply of alcohol – For consumption On and Off the Premises.

Monday to Thursday	11.00 until 00.00
Friday to Saturday	10.00 until 01.00
Sunday	10.00 until 00.00
New Year's Day	00.01 until 03.00

b. Playing of Recorded Music (Indoors)

Sunday to Thursday	10.00 until 00.00
Friday to Saturday	10.00 until 01.00
New Year's Day	00.01 until 03.00

c. Provision of Late Night Refreshment (Indoors and Outdoors)

Friday to Saturday	23.00 until 00.30
Sunday	23.00 until 00.00

New Year Eve	23.00 until 00.00
New Year's Day	00.01 until 02.00

d. Opening Times

Sunday to Thursday	08.00 until 00.30
Friday to Saturday	08.00 until 01.30
New Year's Day	00.01 until 03.30

4.0 REPRESENTATIONS FROM GEATER MANCHESTER POLICE

4.1 Greater Manchester Police submitted a representation in relation to this application which they request the Panel to not grant the application in it's current form. Greater Manchester Police have requested conditions are attached at Appendix 1.

4.2 Greater Manchester Police have mediated with the applicant prior to today's hearing and they have accepted the proposal.

5.0 REPRESENTATIONS FROM INTERESTED PARTIES

5.1 10 interested parties have made a relevant representations to this application are detailed below:-

- Litter – cleaning up late at night or early morning
- Tables outside premises
- Noise Nuisance
- Smoking outside premises
- Alcohol related anti-social behaviour
- Hours of operation
- People waiting for Taxis

5.2 These representations are attached at Appendix 2.

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.

Appendix One

1. The premises are to operate an effective CCTV system which is to be maintained in good working order at all times the premises is open for business. The recording medium (e.g. disks / tapes / hard drive, etc.) and associated images are to be retained and securely stored for a minimum period of 28 days and are to be made available to the police / authorised officers of the Licensing Authority upon request. The premises licence holder or designated premises supervisor is to provide the police with the contact details of members of staff (or other person(s)) who are trained and familiar with the operation of the equipment so that, at the expense of the premises licence holder, they are able to check that the equipment is operating properly and that they are able to provide copies of recorded data upon request and within no more than 12 hours from the time of the request. The premises licence holder or the Designated Premises Supervisor must notify the licensing office or the Police in the event of CCTV breakdown as soon as is reasonably practicable and in any event within 24 hours.
2. Staff training shall take place on the Licensing Act and Licensing objectives upon commencement of employment and every six months thereafter, a written record of this training is to be maintained and made available to the police and any authorised officer of the Council for inspection on request.
3. A personal licence holder must be contactable when the premise is open to the public.
4. Door staff employed at the premises must be SIA registered and a log must be maintained at the premises showing the full name, date of birth, contact telephone number and SIA badge number of the Door Security Staff on duty, the time when they started and ended their shift and the details of any incidents that take place to include incidents when a member of the public is refused entry to the premises. The log is to be made available to the police, to SIA inspectors and to Authorised Officers of the Licensing Authority on request.
5. Any Door security staff employed to use their best endeavours to prevent persons loitering outside the premises.
6. The licence holder and/or the designated premises supervisor or a person nominated by them shall be a member of and attend at the meetings of the Pub and Club watch scheme for the area.
7. No person in possession of a drink in a sealed or unsealed container shall be allowed to enter the premises except for the purposes of delivery or from moving from one part of the premises to another.
8. Customers are to be prevented from leaving the premises with glasses or open bottles. No drink shall be removed from the premises in an unsealed container save for consumption in any delineated area
9. Clientele must not be admitted to the premises within 30 minutes of the end of licensable activity.
10. The DPS/ Licence holder must ensure members of staff are adequately trained with regard to First Aid.

11. There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials.
12. The DPS or premises licence holder must develop and operate a dispersal Policy for clientele leaving the premises this may include links to taxis and other transport providers.
13. Prominent clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.
14. Music and associated other noise sources (e.g., DJs and amplified voices) shall not be generally audible inside noise sensitive property at any time. The DPS or a member of staff is to carry out noise level checks of the surrounding outside area whenever entertainment is being provided taking action to reduce noise levels where there is a potential for nuisance to be caused.
15. All external doors and windows are to be kept closed when live entertainment or recorded music is in progress.
16. On occasions when the premises are used/hired to hold a 18th/21st Birthday party, At least one SIA registered security staff is to be employed at the premises for the duration of the function.
17. On such occasions, the sale of alcohol and the provision of regulated entertainment is to cease no later than 23.00hrs.
18. No refuse shall be disposed of or collected from the premises between the hours of 00.00 and 0700 where such disposal or collection is likely to cause disturbance to local residents.
19. The premises will operate a "Challenge 21" proof of age policy, and signage to this effect is to be prominently displayed within the premises. Persons who appear to be under the age of 21 must produce for thorough scrutiny by staff, proof of identity/age before being sold/supplied alcohol. Only a passport or photo-card driving licence or a proof of age card bearing the official 'PASS' accreditation hologram should be accepted as proof of age.
20. The premises is to maintain a refusals / incident book to record the details of incidents / descriptions of individuals whenever a member of staff has refused to sell alcohol to a person suspected of being under the age of 18 and record the circumstances of any incident. The book must be made available to the police / authorised officers of the Licensing Authority on request.
21. All alcohol must be displayed/stored behind the counter.
22. No person under the age of 18 shall be permitted to remain on the premises after 22.00 hours except when present with a responsible adult.

Appendix 2

Service: Bury Licensing Service

Date submitted: 18:39 17/02/2021

Article the customer came from: 11029

Customer name: [redacted]

Customer email address: [redacted]

Customer phone number: [redacted]

Customer message: I would like to write objecting to licensing application 067344, which is for a new premises at Unit 3, Radius, in the centre of Prestwich. My family live in the block of flats above the premises and have serious concerns regarding the noise that will come from offering drinks until 12:30am (1:30am Friday-Saturday). This appears to include allowing tables outside of the premises, immediately below apartments.These concerns extend beyond the actions of patrons, to include the disposal of bottles and clean-up necessary after closure or early in the morning, as they are due to open at 8am. The request for recorded music until 12am (1am Friday-Saturday) is an additional concern for the same reasons.

Dear Sirs

Re: Application by Prestwich Social

Having had many unfortunate years coping with the extra late licensing hours given to the now deceased Orange Tree, I should like to raise an objection to the application for a very late license by Prestwich Social.

The Radius apartments have had to put up with abusive behaviour, swearing, drunkenness, men urinating in pint pots, women crouching to urinate at the front entrance to the apartments, hoards of noisy revellers waiting for taxis in the early hours, with much screaming and shouting and sometimes fighting; with police very often in attendance.

It was an absolute nightmare for the residents as you will appreciate; this establishment is not on the main road nor in the country but in a residential block of flats ,where many older people and families live.

I have no objection to the company itself, as it sounds decent enough, in fact I would look forward to having a nice restaurant and bar, which I would intend to frequent but, extra late night drinking and the accompanying noise when leaving the premises, isn't confined to one type of clientele, unfortunately.

Another important point is that, because of the lack of smoking facility, the clientele congregate outside the apartments, making noise, and also in front of the building entrance when it is raining, causing obstruction to residents and stress to the concierge who had to try to control the crowd and allow access to the building.

Perhaps you would be kind enough to consider my views and that of the other residents.

Yours sincerely

I wish to formally object to the proposed opening hours of the proposed development at the sight of the orange tree in Prestwich.

I live 4 floors above the development and work shifts, I appreciate at the weekend further noise is expected but a 3am licence adjacent to a residential development is unacceptable.

Technically we could have noise until 3am and then have to suffer noise when the bar reopens at 10am.

The only area to smoke is outside the front door, right underneath my flat, so unless there is zero smoking after midnight it will be an absolute nuisance.

Regards,

Dear sir, madam,

This is my second representation re Prestwich Social and their application for a licence to serve alcohol at Unit 3, Radius, Prestwich.

My sentiments have not changed. Having spoken to Mr Waldron, he suggested that he was open to changing the opening hours to midnight but has done nothing to confirm this. Indeed Mr Waldron implied that he did not think the bar would be busy after 11pm. In which case, I find it strange that he has not requested an amendment to the proposed opening hours.

I note that the above premises (unit 3, Radius, Prestwich) have applied for a licence for the sale/supply of alcohol from 11am to midnight on Monday to Thursday/ Sunday and 11am to 01:00am on Fridays and Saturdays.

I would like to register my strong objection to a licence being granted on these terms. Radius has approx 150 apartments and residents in the direct vicinity of unit 3 and previous businesses have caused nothing but trouble and disruption to residents - namely by the playing of loud music until after midnight, shouting, swearing and fighting by patrons of the establishment and patrons congregating and obstructing, urinating in the entrance to the apartments at Radius.

I have made my objections clear to Laura Jones in your department on several occasions.

Whilst I'm not objecting to a bar opening at the aforementioned premises, I am objecting to opening hours past 11.30pm and the playing of music.

I trust you will take note of my objection to this matter and look forward to hearing your observations.

I understand the above premises have put a application with Bury Council to sell/ supply alcohol from 11am to 1 am Monday to Thursday and including Sunday and from 11am to 1.00am Friday and Saturday.
I object to ths late opening hours as I live in Radius a apartment block of 150 apartments which is above the unit 3.
I live and own [redacted]
For the last eleven years I have found that with late opening hours causes a lot of noise when closing ie people waiting to get home ie taxis and as there is no shelter to wait people at the apartment cant sleep because of disturbances outside note alot of residents work there and even go to work at weekends.
Also the alcohol is spilt on to the main pavement and is stained because of this.
It would be acceptable to have opening hours of 11.00 to 11.00pm Monday to Thursday including Sunday and also have a half hour extension for Friday Saturday only.
I wait for your reply with reference to my objection .From
[redacted]

> I [redacted] live and own my apartment which I have owned since MARCH 2006.
> The proposed opening times are for which the new proprietary are completely unfair and I would like TO make an application to BURY COUNCIL to OBJECT the Supply of alcohol opening times ie from Sunday to Thursday 11.00 TO 00.00 FRIDAY/SATURDAY 10.00 to 01.00am and inclusive off New Years Day 00.01 to 03.00 am.
> The UNIT 3 is under a very large APARTMENT block of 150 apartments which are all occupied.
> There has been approx 3 different Tenants /owners since I moved in to my property in MARCH 2006 and is above the UNIT 3 in CEDAR COURT Therefore there is noise people shouting from the UNIT 3 and becomes worse the later the UNIT 3 is open .
> The unit brings in a lot of people from outside the PRESTWICH area I feel the extremely late opening times to serve and supply alcohol is unacceptable.
> I would recommend opening times SUNDAY TO THURSDAY 10.00 TO 11.00 Pm FRIDAY/ SATURDAY 11.00am to 11.30.pm and New YEARS DAY 12.00 am to sell ,supply alcohol.
> This would be a-fair schedule to trade.
> Please note there is nothing worse then not getting a good nights sleep because of the late nite opening and for people to hang around and make noises .
> I wish the new tenant / owners success but Hope Bury Council makes sure the supply and sale of alcohol times are given understanding there is a large apartment communal block above unit 3.
> I look forward from your reply,
> Yours sincerely

—Original Message—
From: Cllr Powell, Michael <M.Powell@bury.gov.uk>
Sent: 04 March 2021 06:28
To: Stansfield, David <D.Stansfield@bury.gov.uk>
Subject: Prestwich Social Unit 3, Radius Scheme, SE side Fairfax road, Prestwich Licence Application

Hi David,

Hope you are well, sorry for the delay but I wanted to get in touch with a representation about the above application (I believe the 28 day period ends tomorrow). I did previously send this last month during the consultation period for the original application and I was unsure whether it needed to be sent it across again. If you could please make sure this reaches where it needs to for consideration, that would be really appreciated.

"I recently held an online meeting with some residents of the Radius (the name given to the flats located above the concerned premises). A number of residents have reservations around the proposed closing time of 1am on Friday and Saturday evenings. There were a number of reasons for this, particularly concerns around noise disturbing young families and shift workers residing in the flats. There were also issues around noise and anti-social behaviour under the last licensee and I think this is contributing towards some anxiety amongst residents. These residents wondered if there was any possibility for the closing time on these days to be brought forward by one hour to 12am (inline with the rest of the week)."

Many thanks,
Michael

Cllr Michael Powell
Liberal Democrat Councillor for St Mary's, Bury Council Liberal Democrat Group Leader, Bury Council

Subject: Notice of application for a premises licence for TLS2 Bars Ltd for Unit 3, the Radius scheme. Fairfax Road, Prestwich, M25 1AS to permit the sale of alchol and to allow the holding of regulated entertainment to include the following: Music, playing of recorded sound, Late night refreshment.

I trust this letter finds you well.

I hope that this letter may still be considered as I have only just found out about the application.

I am currently a tenant of [redacted] which is located above the premises in question I have resided here for just over 2 years and have experienced first hand the difficulties we as residents of this building have had with previous tenants in terms of noise and anti-social behaviour from the below premises.

I appreciate that these are new tenants and we may not experience the same issues that we have previously and they need to operate a business but I think this should be done in a fair manner that does not disturb the residents living here.

My observations based on previous experience and concern regarding the new lease are the following

- Due to the hours requested for the premises to be open at closing time there is often a lot of noise from patrons leaving the bar
- The music played has been extremely loud and resulted in numerous complaints and requests to play at an acceptable volume.
- The patrons stand outside and smoke and the noise travels to the above residential flats.
- There have been altercations and fights outside the bar which have also resulted in the police having to attend.

I would request that consideration in providing the licencing for the premises reduce the operating hours during the week for alcohol to stop being sold at 11pm and the bar close at 12pm on weekdays and not allow music/regulated entertainment or sale of alcohol past 12pm on weekends.

Please may there also be consideration to noise from patrons outside the premises and make it the lessees responsibility to manage and disperse crowds and not allow patrons to congregate outside our building to smoke (the shelter is often used as a smoking area when it is raining).

If there are further noise complaints the lessee will be required to install sound proofing to the bar or cease music/ entertainment.

As a resident the responsibility has previously fallen on us to try and resolve issues with the previous lessees which has resulted in a lot of frustration and spanned over months as we are making you aware of the issues ahead of granting the lease and from what I understand to be true there are records of previous issues with previous tenants. I believe that if this lease is granted the onus should be on the licensing department to ensure compliance and if any issues are raised to resolve these.

In the instance that any of these issues occur please may you advise how you will resolve these in detail:

- Anti-social behaviour
- Noise complaints
- Operating outside of the licensing terms
- Smoking

In the instance that your commentary in the above does not meet your actions in future please may you explain in detail how this will be resolved.

Thank you in advance for considering my observations

Kind regards

An application has been made for a premesis licence for Unit 3, Radius & I would like to express my concerns about the above application.

I am disabled, suffering with Multiple Sclerosis & do not want music being played load & late & as i can hear it from my apartment. I find myself fatigued due to MS & have enough trouble sleeping as it is. This would DIRECTLY affect my sleep & have a detrimental affect on my health.

I also work from home & it would be a problem as i work on the phones in a call centre environment.

I would like to reject the application due to health concerns & a conflict with my work.

Please take my concerns seriously.

Many thanks

To whom it may concern,

I believe a premise licence application have been submitted to Bury Council for Unit 3 Radius, Prestwich, Longfield Centre for the sale/supply of alcohol from 11am to midnight on Monday to Thursday/ Sunday and 11am to 01:30am on Fridays and Saturdays.

I have concerns with the application's opening hours due to noise nuisance and serving alcohol during late hours. I live at [redacted], and have been living here for the past 5 years. When the previous pub, Orange Tree was open there have been anti social issues, alcohol related issues and the noise nuisance. I believe should there be another alcohol related establishment open, there will the possibility of repeated issues as mentioned above.

I would like to express my rejection of the application as due to COVID, I'm working from home permanently and do not want the prospect of an establishment serving alcohol at late hours that can potentially be injurious to my health.

Kind regards

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Bury COUNCIL

Bury
Application for a premises licence
Licensing Act 2003

For help contact
licensing@bury.gov.uk
Telephone: 0161 253 5208

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	Prestwich Social	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

○ Yes ◉ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name	Douglas
* Family name	Waldron
* E-mail	dougwaldron@prestwichsocial.co.uk
Main telephone number	07971660274
Other telephone number	

Include country code.

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

◉ Applying as a business or organisation, including as a sole trader

○ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? ◉ Yes ○ No

Note: completing the Applicant Business section is optional in this form.

Registration number		12821005
Business name		TLS2 Bars Limited
VAT number	-	none
Legal status		Private Limited Company

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

Continued from previous page...

Your position in the business	Director
Home country	United Kingdom

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name	Manor House
Street	35 St Thomas's Road
District	
City or town	Chorley
County or administrative area	Lancashire
Postcode	PR7 1HP
Country	United Kingdom

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

(•) Address ( ) OS map reference ( ) Description

Postal Address Of Premises

Building number or name	Unit 3, Radius Scheme
Street	South East Side Fairfax Road
District	Prestwich
City or town	Manchester
County or administrative area	
Postcode	M25 1AS
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	81,750

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21

NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name	TLS2 Bars Limited

Details

Registered number (where applicable)	12821005

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private Limited Company

Address

Building number or name	Manor House
Street	35 St Thomas's Road
District	
City or town	Chorley
County or administrative area	Lancashire
Postcode	PR7 1HP
Country	United Kingdom

Contact Details

E-mail	dougwaldron@prestwichsocial.co.uk
Telephone number	07971660274
Other telephone number	
* Date of birth	22 / 05 / 1980 (dd mm yyyy)
* Nationality	British

Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? 01 / 03 / 2021 (dd mm yyyy)

If you wish the licence to be valid only for a limited period, when do you want it to end ___ / ___ / ___ (dd mm yyyy)

Provide a general description of 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.

Prestwich Social will be a restaurant operation specializing in great brunches, coffee, lunches and after work cocktails and wine. The layout will remain as it is currently with a complete overhaul in decor to a bright, clean, crisp interior of exciting colours. We will welcome families and dogs and provide a great hub for the local Prestwich people. We will use ethically sourced ingredients from local suppliers where possible. We would like to apply for a pavement license directly outside the

Continued from previous page...

front of the premises.

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

○ Yes ◉ No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

○ Yes ◉ No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

○ Yes ◉ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

○ Yes ◉ No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

○ Yes ◉ No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

◉ Yes ○ No

Standard Days And Timings

Continued from previous page...

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.

MONDAY	Start	10:00	End	00:00
	Start		End	
TUESDAY	Start	10:00	End	00:00
	Start		End	
WEDNESDAY	Start	10:00	End	00:00
	Start		End	
THURSDAY	Start	10:00	End	00:00
	Start		End	
FRIDAY	Start	10:00	End	01:00
	Start		End	
SATURDAY	Start	10:00	End	01:00
	Start		End	
SUNDAY	Start	10:00	End	00:00
	Start		End	

Will the playing of recorded music take place indoors or outdoors or both?

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

- (●) Indoors
- ( ) Outdoors
- ( ) Both

State 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.

Background music from a central system

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve recorded music to be allowed till 3am on 1st January

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

○ Yes ◉ No

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

○ Yes ◉ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

◉ Yes ○ No

Standard Days And Timings

MONDAY

Start End

Start End

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.

TUESDAY

Start End

Start End

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

Continued from previous page...

FRIDAY

Start	23:00	End	00:30
Start		End	

SATURDAY

Start	23:00	End	00:30
Start		End	

SUNDAY

Start	23:00	End	00:00
Start		End	

Will the provision of late night refreshment take place indoors or outdoors or both?

○ Indoors ○ Outdoors ◉ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

Hot food and hot drinks will be provided

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve late night refreshments to be allowed till 2am on 1st January

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

◉ Yes ○ No

Continued from previous page...

Standard Days And Timings

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.

MONDAY	Start	11:00	End	00:00
	Start		End	
TUESDAY	Start	11:00	End	00:00
	Start		End	
WEDNESDAY	Start	11:00	End	00:00
	Start		End	
THURSDAY	Start	11:00	End	00:00
	Start		End	
FRIDAY	Start	10:00	End	01:00
	Start		End	
SATURDAY	Start	10:00	End	01:00
	Start		End	
SUNDAY	Start	10:00	End	00:00
	Start		End	

Will the sale of alcohol be for consumption:

○ On the premises ○ Off the premises ◉ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve alcohol to be allowed till 3am on 1st January

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name	Douglas
Family name	Waldron
Date of birth	22 / 05 / 1980 (dd mm yyyy)

Enter the contact's address

Building number or name	Apple Barn, Drakelow Gorse Farm
Street	Yatehouse Lane
District	Byley
City or town	Middlewich
County or administrative area	
Postcode	cw10 9ns
Country	United Kingdom
Personal Licence number (if known)	011083
Issuing licensing authority (if known)	York City Council

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ○ Electronically, by the proposed designated premises supervisor
- ◉ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Continued from previous page...

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

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.

MONDAY	Start	08:00	End	00:30
	Start		End	
TUESDAY	Start	08:00	End	00:30
	Start		End	
WEDNESDAY	Start	08:00	End	00:30
	Start		End	
THURSDAY	Start	08:00	End	00:30
	Start		End	
FRIDAY	Start	08:00	End	01:30
	Start		End	
SATURDAY	Start	08:00	End	01:30
	Start		End	
SUNDAY	Start	08:00	End	00:30
	Start		End	

State any seasonal variations

Continued from previous page...

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve opening hours to be allowed till 3.30am on 1st January

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LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

- Staff to complete full licensing training induction before commencement of employment
- Regular 6 monthly Licensing retraining to be completed and signed off by all staff
- A Personal License holder to be on site during trading hours

b) The prevention of crime and disorder

- CCTV system installed to cover all key areas
- All incidents, ejections and refusals to be recorded.
- Monthly security meeting
- Pubwatch scheme to be joined and attended

c) Public safety

- Capacity levels monitored and recorded to ensure safety and comfort ability of customers
- Great transport links for dispersal. Security and management to guide customers safely to their transport home.
- First Aider to be on site during peak times

d) The prevention of public nuisance

- People to be dispersed quickly and quietly as per the dispersal plan
- Windows and Doors to be closed after 12am
- Monitoring of smokers by management

e) The protection of children from harm

- Challenge 21 policy in place at all times
- Bar staff to enforce Challenge 21 scheme as well
- Only Driving License or Passport with valid photo will be excepted as ID

Continued from previous page...

- No under 18's post 10pm

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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 birth or adoption certificate issued 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 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.

Continued from previous page...

- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

Continued from previous page...

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.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at https://www.gov.uk/prove-right-to-work) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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.

Continued from previous page...

- 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.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.
To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm
Band A - No RV to £4300 £100.00
Band B - £4301 to £33000 £190.00
Band C - £33001 to £87000 £315.00
Band D - £87001 to £12500 £450.00*
Band E - £125001 and over £635.00*
*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee
Band D - £87001 to £12500 £900.00
Band E - £125001 and over £1,905.00
There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.
Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.
If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time
Capacity 5000-9999 £1,000.00
Capacity 10000 -14999 £2,000.00
Capacity 15000-19999 £4,000.00
Capacity 20000-29999 £8,000.00
Capacity 30000-39000 £16,000.00
Capacity 40000-49999 £24,000.00
Capacity 50000-59999 £32,000.00
Capacity 60000-69999 £40,000.00
Capacity 70000-79999 £48,000.00
Capacity 80000-89999 £56,000.00
Capacity 90000 and over £64,000.00

* Fee amount (£) 315.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	
Street	
District	
City or town	
County or administrative area	
Postcode	
Country	United Kingdom

DECLARATION

* Please visit www.bury.gov.uk/privacy to read our recently updated Privacy Policy which explains how Bury Council uses and shares your personal data to give you the best possible experience across our services.

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application. (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)

☐ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	
* Capacity	
Date (dd/mm/yyyy)	

Add another signatory

Once you're finished you need to do the following:
1. Save this form to your computer by clicking file/save as...
2. Go back to https://www.gov.uk/apply-for-a-licence/premises-licence/bury/apply-1 to upload this file and continue with your application.
Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

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

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

Consent of individual to being specified as premises supervisor

I Douglas Waldron

[full name of prospective premises supervisor]

of

Apple Barn, Drakelow Gorse Farm, Byley, Middlewich, Cheshire CW10 9NS

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Premises License

[type of application]

by

TLS2 Bars LTD

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

Prestwich Social, Unit 3, The Radius Scheme, Fairfax Road, Prestwich, M25 1AS

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

TLS2 Bars LTD

[name of applicant]

concerning the supply of alcohol at

Prestwich Social, Unit 3, The Radius Scheme, Fairfax Road, Prestwich, M25 1AS

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

CYC- 011083

[insert personal licence number, if any]

Personal licence issuing authority

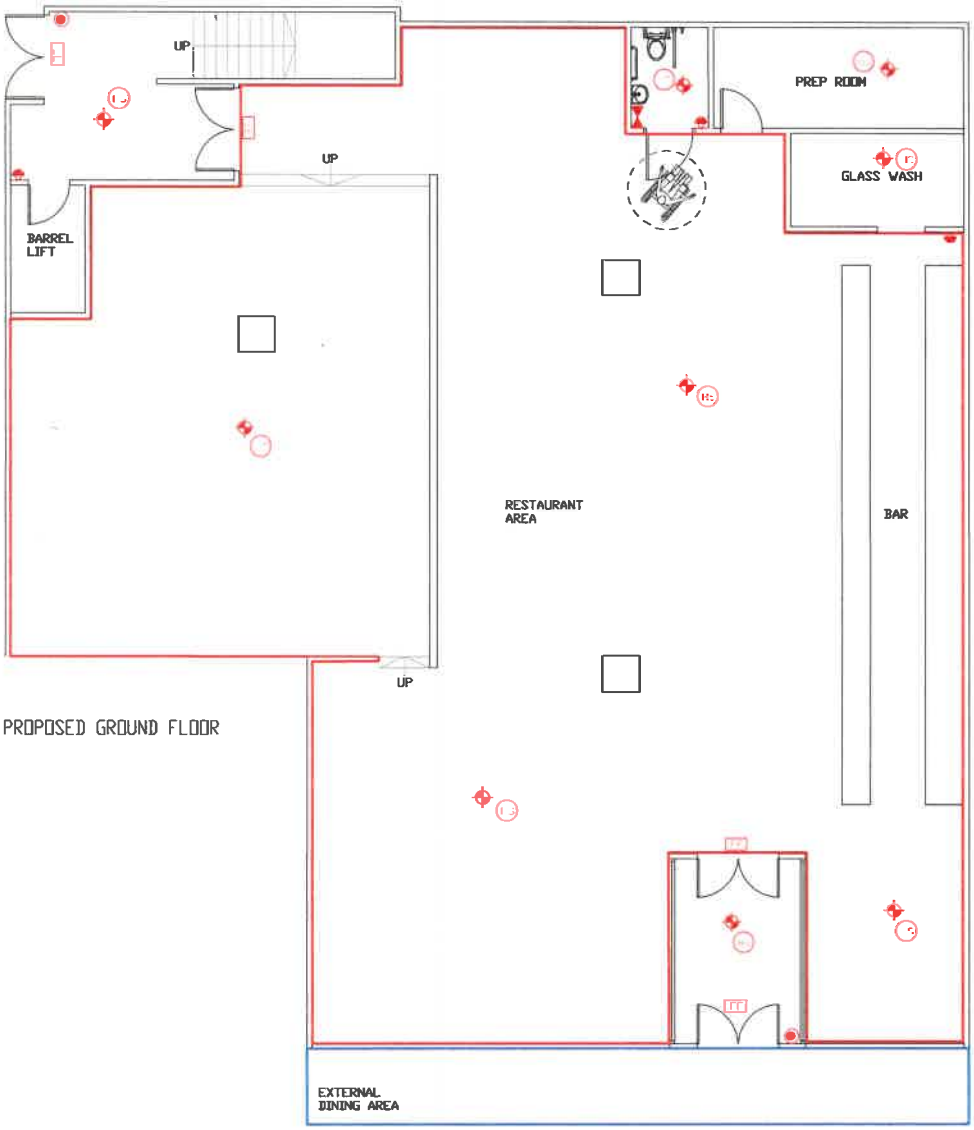
York City Council

[insert name and address and telephone number of personal licence issuing authority, if any]

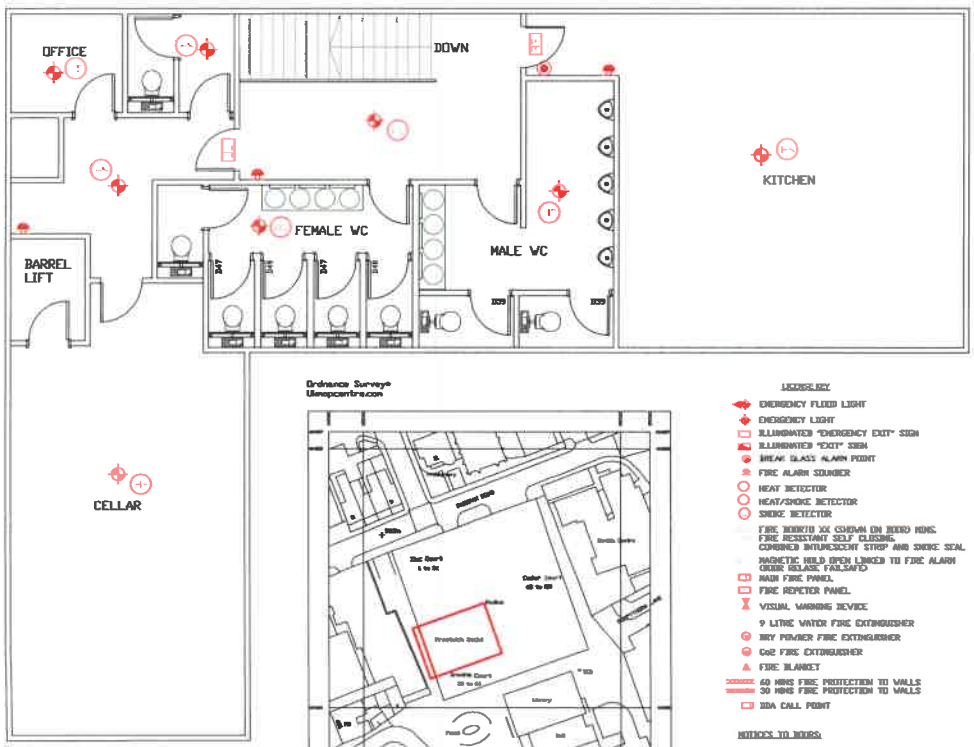
Signed

Name (please print) DJB Waldron

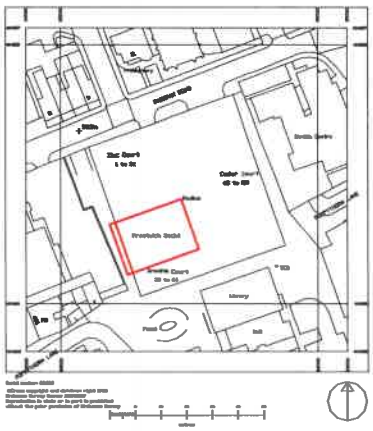
Date 05/02/21



PROPOSED GROUND FLOOR



PROPOSED FIRST FLOOR



LICENCE KEY

- EMERGENCY FLOOD LIGHT
- EMERGENCY LIGHT
- ILLUMINATED "EMERGENCY EXIT" SIGN
- ILLUMINATED "EXIT" SIGN
- BREAK GLASS ALARM POINT
- FIRE ALARM SOUNDER
- HEAT DETECTOR
- HEAT/SMOKE DETECTOR
- SMOKE DETECTOR
- FIRE DOOR TO XX (SHOWN ON DOOR NOTE. FIRE RESISTANT SELF CLOSING. COMBINED INTUMESCENT STRIP AND SMOKE SEAL.
- MAGNETIC HOLD OPEN LINKED TO FIRE ALARM DOOR RELEASE FAILSAFE
- MAIN FIRE PANEL
- FIRE REPEATER PANEL
- VISUAL WARNING DEVICE
- 9 LITRE WATER FIRE EXTINGUISHER
- DRY POWDER FIRE EXTINGUISHER
- Co2 FIRE EXTINGUISHER
- FIRE BLANKET
- 60 MINS FIRE PROTECTION TO WALLS
- 30 MINS FIRE PROTECTION TO WALLS
- BDA CALL POINT

NOTICES TO DOORS:

- FIRE DOOR KEEP CLEAR.
- PUSH BAR TO OPEN.
- KEEP CLOSED LOCKED.
- GENERAL FIRE NOTICE.
- STAFF FIRE NOTICE.

- LICENCED AREA (INCL. BARS)
- LICENCED AREA (EXTERIOR)

DRAWING REVISION / ISSUE STATUS

Issue	Details	By	Date
A	PROPOSED GA	NW	29.12.20

DO NOT SCALE FROM DRAWING. ALL DIMENSIONS TO BE TAKEN & VERIFIED ON SITE BY CONTRACTOR, SUPPLIER OR FABRICATOR. ANY DISCREPANCIES TO BE NOTIFIED TO THE CONTRACT ADMINISTRATOR IMMEDIATELY. THIS DRAWING IS THE PROPERTY OF NATALIE WALDRON DESIGN LTD

PRESTWICH SOCIAL
PRESTWICH, LANCASHIRE

REVISION / ISSUE: A

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PSC 2020 01

29.12.2020

PROPOSED GROUND & FIRST FLOOR LICENSE LAYOUT

PRESTWICH SOCIAL
THE RADIUS SCHEME,
FAIRFAX ROAD,
PRESTWICH,
M25 1AS

Bury Times 18/2/2021

APPLICATION FOR A PREMISES LICENCE
LICENSING ACT 2003

Notice is hereby given that TLS2 Bars LTD have applied on 5th February 2021 to Bury Council for a Premises Licence for Unit 3, The Radius Scheme, Fairfax Road, Prestwich, M25 1AS

to allow the sale / supply of alcohol between the following hours:

Monday – Thursday 11:00 – 00:00

Friday & Saturday 10:00 – 01:00

Sunday 10:00 – 00:00

New Years Day 00:00 – 03:00

and to allow the holding of Regulated Entertainment to include: - Music, Playing of recorded sound and Provision of Late Night Refreshment between the following hours:

Sunday to Thursday 23:00 – 0:00

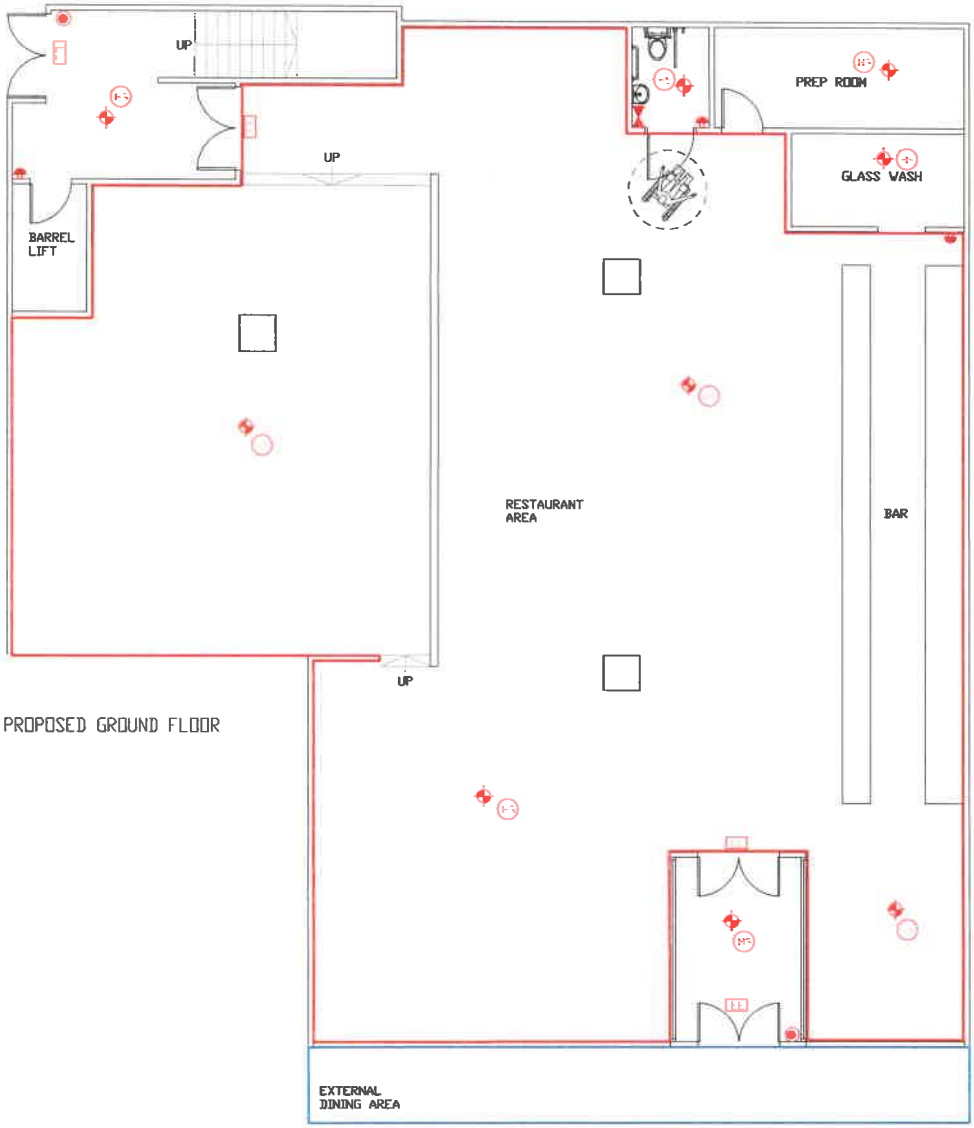
Friday & Saturday 23:00 – 01:00

New Years Day 0:00 – 03:00

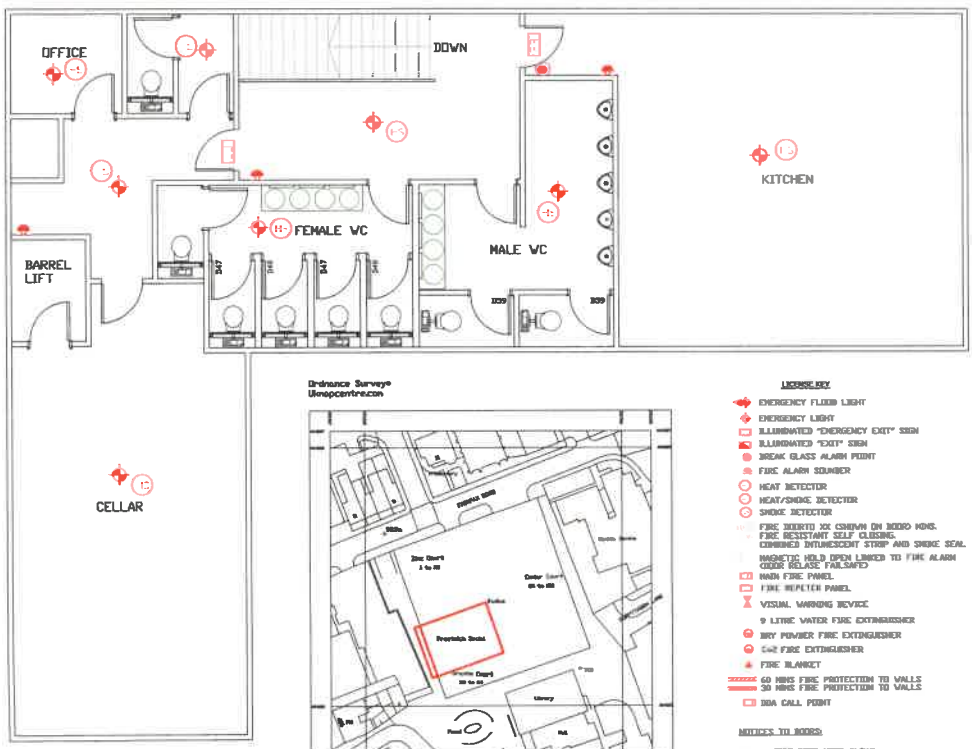
Any person wishing to make representations in relation to this application may do so by writing to the Licensing Unit Manager, Level 2, 3 Knowsley Place, Duke Street, Bury, BL9 0EJ. For any representation to be considered it must be received within 28 days from the date of the application.

A full copy of this application may be viewed at the above offices between 10am and 4.00pm Monday to Friday.

IT IS AN OFFENCE, knowingly or recklessly to make a false statement in connection with an application for which you may be liable to a fine of up to £5000 on summary conviction.

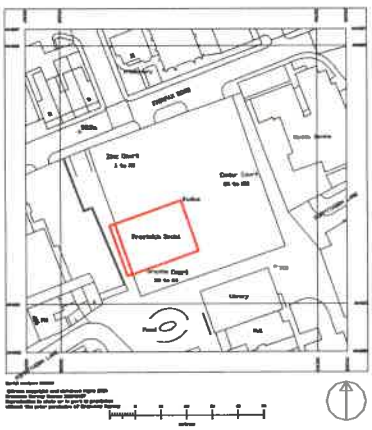


PROPOSED GROUND FLOOR



PROPOSED FIRST FLOOR

Ordnance Survey
Ukmapcentre.com



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FOR PLANNING INFORMATION PLEASE CONTACT:

PRESTWICH SOCIAL
PRESTWICH, LANCASHIRE

REVISION / ISSUE: A

SCALE: 1:50 @ A3
PAPER: [illegible]

DRAWN BY: PSC 2021 01

DATE: 29.12.2020

TITLE: PROPOSED GROUND & FIRST FLOOR LICENSE LAYOUT

PRESTWICH SOCIAL
THE RADIUS SCHEME,
FAIRFAX ROAD,
PRESTWICH,
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