

**AGENDA FOR
LICENSING HEARING SUB COMMITTEE**



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To: All Members of Licensing Hearing Sub Committee

Councillors : G McGill (Chair), G Marsden and D Quinn

Dear Member/Colleague

Licensing Hearing Sub Committee

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

Date:	Wednesday, 17 July 2024
Place:	Virtual meeting via Microsoft Teams
Time:	1.30 pm
Notes:	To view the virtual meeting online, please email m.cunliffe@bury.gov.uk or phone 0161 2535399 who will provide you with a link to view the meeting via MS Teams or telephone you into meeting with the option of audio only.

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of the Licensing Hearing Sub Committee 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(S) *(Pages 3 - 14)*

The Minutes of the last Licensing Hearing Sub Committee meetings held at 1.00pm on the 25th June 2024 and at 1.00pm on the 2nd July 2024 are attached.

4 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF MOONBEAM COFFEE HOUSE, 82 BURY OLD ROAD, WHITEFIELD, PRESTWICH, M45 6TQ *(Pages 15 - 62)*

A report from the Executive Director (Operations) is attached:-

Minutes of:	LICENSING HEARING SUB COMMITTEE
Date of Meeting:	25 June 2024
Present:	Councillor I Rizvi (in the Chair) Councillors G Marsden and G McGill L. Jones (Licensing Unit) M. Cunliffe (Democratic Services) C Riley (Legal Services)
Also in attendance:	PC P. Eccleston (Greater Manchester Police) M. Wood (Premises Licence Holder) M. Ireland (Legal representative for the Premises Licence Holder) A. Clark (Press) C. Gee (Press)
Public Attendance:	The Hearing was held virtually and interested members of the public were provided with a link to access the hearing online via Microsoft Teams or could be telephoned into the meeting via audio only. No members of the public were in virtual attendance.

1 APOLOGIES FOR ABSENCE

Apologies were submitted by M. Bridge (Licensing Unit Manager) and C. Smith, (Head of Public Protection).

2 DECLARATIONS OF INTEREST

There were no declarations of interest submitted although one Member of the Committee placed on record that they were a Councillor in the ward the premises was located within.

3 AN APPLICATION FROM GREATER MANCHESTER POLICE FOR A SUMMARY REVIEW OF THE PREMISES LICENCE IN RESPECT OF SKY BAR, UNIT 4, KAY GARDENS, BURY, BL9 0BL

The Licensing Authority received an application by the Chief Constable of Greater Manchester Police in respect of the licensed premises, Sky Bar, Unit 4, Kay Gardens, Bury, BL9 0BL. This was for a Summary Review of the Premises Licence and for interim steps to be taken in advance of that review in accordance with Sections 53A to 53C of the Licensing Act. The reason for the application is because the police believe that the premises are associated with serious crime and serious disorder.

The nature of the application and consideration of options was detailed in the report which was presented to the Members of the Sub-Committee by the Licensing Unit Officer, Ms L. Jones.

The options available were to consider whether to impose interim steps, which are as follows:-

- To modify the conditions of the licence
- To exclude the retail sale of alcohol from the licence
- To remove the Designated Premises Supervisor from the licence
- To suspend the licence.

Attention was drawn to background papers which included:-
Current Premises Licence
Section 53A application, Certificate and supporting evidence
Bury Council's Licensing Policy
Guidance issued under Section 182 of the Licensing Act 2003
Licensing Act (Hearings) Regulations 2005

On the 24th June 2024, Greater Manchester Police submitted an application to the Licensing Authority for a Summary Review in respect of the Sky Bar, Unit 4, Kay Gardens, Bury, BL9 0BL, because they believed that the premises was associated with Serious Crime and/or Disorder. The Licensing Authority must consider whether interim steps are required pending a full summary review hearing.

Summary reviews can be undertaken when the police consider that the premises concerned are associated with serious crime or serious disorder (or both). The summary review process allows interim conditions to be quickly attached to a licence and a fast-track licence review.

A 10 working-day public consultation exercise will be undertaken in accordance with Licensing Act 2003 regulations; requiring the application to be advertised by the displaying of a blue notice at or on the premises and details of the application published on the Council's website.

Under section 53C of the Licensing Act 2003, the licensing authority must hold a full review of the premises licence and determine the review within 28 days after the day of receipt of the application

Following the review under section 53C, the licensing authority must then review any interim steps in place and determine whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.

The premises licence in respect of Sky Bar has been held by Sky Bar (Bury) Ltd since the 9th December 2019. Michael Wood and Kieley Neill are Directors of the limited company. Michael Wood is also the Designated Premises Supervisor and has been since the 21st September 2021.

The Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) and the Licensing Act (Hearings Regulations) is the relevant legislation.

Within 48 hours of receiving a summary review application, under s53B of the Licensing Act 2003 the licensing authority must consider whether it is necessary to take interim steps pending the review of the licence for the promotion of the licensing objectives.

The Local Authority is required to consider what interim steps should be imposed for the promotion of the licensing objectives and what the steps should be. Any such measures and the reasons for them must be immediately notified to the premises licence holder.

The Panel will make a decision in relation to interim steps on the day of the hearing and the parties will be verbally notified of that decision. That decision will have immediate effect unless otherwise provided for by the Panel. The parties will also receive written notification of that decision, together with the reasons for it, by letter from the Licensing Office as soon as reasonably practicable following the hearing.

The Chief Superintendent had issued a certificate under section 53A (1)(b) of the

Licensing Act 2003 in which he stated the following:-
The premises are associated with serious crime and serious disorder.

Attached to the agenda packs at Appendix 1 was the Application by Greater Manchester Police for the Summary Review. Appendix 2 was the Certificate issued by the Chief Superintendent respectively.

The Premises Licence attached to the agenda pack at Appendix 3 showed the current licensable activities and conditions.

Circulated to the panel prior to the hearing were a number of support letters and emails from customers of the premises.

In determining whether or not to impose interim steps, pending the summary review of the premises licence which must be held within 28 days from the date of the application being received, members must consider the information presented in relation to serious crime and or serious disorder. If members decide to impose interim steps, the following options are available to the Licensing Authority:

- a. To modify the Conditions attached to the licence
- b. The exclusion of the sale of alcohol from the scope of the licence.
- c. The removal of the Designated Premises Supervisor from the licence.
- d. Suspension of the premises licence

For the purposes of option a, the conditions of a premises licence are modified if any of them are altered or omitted or any new condition is added.

The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

PC P. Eccleston from Greater Manchester Police provided a summary of the application for a review at the meeting.

At 00:14 hours on the morning of Friday the 21st of June 2024 an incident of serious disorder occurred at the above premises resulting in a customer being struck by an advertising board and seemingly being knocked unconscious and a female member of staff being punched to the face which knocked off her feet resulting in her colliding with a lamp post.

The offenders in this case have then fled the scene after being approached by another customer and threatened with a large adjustable spanner which was taken from behind the bar at the venue. A few minutes later, several customers from Sky Bar (one which was still carrying the adjustable spanner), and two members of staff have pursued the two males onto Bury Interchange. A brief exchange has taken place before both males are attacked. The male from the initial assault outside Sky Bar has attempted to flee, however he trips and is then beaten 7 to 8 times in the head by one of the pursuing customers, with the adjustable spanner causing significant injuries to his head and face resulting in a complete loss of consciousness and a substantial loss of blood.

Whilst on the floor unconscious, the same offender kicks the male in the torso and one of the staff members hits the customer with what appears to be a bag. All parties then flee the scene leaving the male in a serious condition and the second member of staff, flees with the customer responsible for the assault. During the investigation, it transpires that this second member of staff is responsible for discarding the weapon in a bin at the far side of the interchange before returning to the premises and continuing with his duties.

It is my opinion that an expedited review of the premises licence is necessary to allow the licence authority to review/amend the licence conditions and prevent a reoccurrence of such serious crime and disorder.

A number of CCTV footage was played by Greater Manchester Police to those in attendance and this was from:-

- Inside the premises
- Outside the premise from the Town Centre CCTV system
- Bury interchange CCTV
- Members of the public mobile phone footage

PC Eccleston highlighted key points of interest from all the clips and there was no audio with the footage.

A Member of the panel enquired about the health of the member of staff that was punched and the person was who had been hit with an A-Board outside the premises. It was reported that the member of staff went back to work later that night and the customer went to hospital but was discharged and had no long-lasting injuries.

A Member asked about when the emergency services were contacted and it was reported that the initial call came from Sky Bar after the customer was hit by the A Board.

A Member enquired about the 2 arrests that had been made and it was reported that this involved the male carrying the spanner and the person who commits the assault. The victim once better would be approached in relation to the original assaults outside the premises.

PC Eccleston and GMP were of the opinion that the licensing objectives had not been met and door staff on duty could have stopped the incidents occurring. Whilst the venue have door staff on a Friday and Saturday, this was a Thursday and with the England football game having taken place in the evening, all town centre bars had been sent a letter of advice to review and update their security arrangements in advance of the tournament.

The legal representative for the premises licence holder, Mr M. Ireland provided background information about the type of venue Sky Bar operated for the last 4 years. It had a focus on the local community with fund raising events for charity and the letters of support from customers circulated, demonstrated this.

The bar would continue to work with the police and their investigations with witness statements in relation to the horrific incident.

The premises licence holder had left the premises after the football finished and the bar was not busy then but with people drinking before a 5.00pm kick off having no door staff was a decision the bar got wrong.

The premises licence holder's daughter who was not on duty along with her partner had approached 2 individuals outside saying you can't drink there and took away their refreshments. This had created a situation with the 2 people requesting a free drink as a result of her actions and other customers telling them to go away.

She is embarrassed by her actions and this has led to one of the individuals to hit another customer with an A Board. Her partner then located a spanner behind the bar area to wield as a threat after the individuals had alleged said they had a knife.

Following the individuals into the interchange a scuffle had taken place with one individual running away and the other falling over and being assaulted with the spanner causing significant injuries. One person was responsible for the assault but as part of that group, this included one off duty member of staff, one on duty member of staff, the partner of the premises licence holder's daughter and a customer.

The on-duty member of staff is seen on CCTV collecting the spanner and disposing it in a nearby waste bin but this was done so it was away from the scene and not used again.

The off-duty member of staff had struck the assault victim with his cap when he was laid on the ground.

The premises licence holder had found out about the incidents at 1.00am and had offered to come into the bar and provide the CCTV but was informed it could wait until the morning.

The staff involved had been suspended from work duties as they had shown disregard for the welfare of the victim and other staff would be trained on how to access the CCTV from the bar. Gaps in staff training would also be looked at so the request would be to consider modifying the conditions of the licence rather than excluding alcohol sales or a suspension of the licence.

This was a one-off incident and no re-occurring problems have been reported at the bar with them scoring highly in the Best Bar None scheme.

An internal risk assessment at the venue had indicated that a minimum of one door staff should be on duty at the premises from 8.00pm each day.

A Member questioned the hiring process of staff and the premises licence holder, Mr M. Wood stated previous bar experience and good character references are taken into account. He wanted families to come to the bar and had attended all the pub watch meetings in the past. On Friday, Saturday and Sunday nights the venue had door staff who used entry wands. Any staff guilty of offences would be released from employment.

A Member asked about staff training records and Mr Wood reported there are regular staff meetings and first aid training was renewed.

A Member had serious concerns on the location of the spanner and where it was stored in the bar and added that de-escalation training could be undertaken for staff.

The Sub-Committee then duly retired to consider the matter and all of the information provided.

The Members of the Sub-Committee were advised by the Legal Adviser 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:

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

The Members were also advised of their duties in carrying out those functions in relation to relevant provisions of national guidance and the Council's licensing policy statement.

In addition, Members were advised to give appropriate weight to the steps that are appropriate to promote the licensing objectives and consider the representations presented at the meeting.

DELEGATED DECISION

The Sub-Committee carefully considered the representations and evidence provided which demonstrated serious crime and disorder. It was therefore unanimously **resolved to modify the conditions of the licence** in order to promote the licensing objectives.

The Sub-Committee was therefore satisfied that there was sufficient evidence to mean interim steps were necessary for amendments to the current premises licence under the licensing objectives:-

- That at least one SIA registered door staff must be on duty at the premises from 8.00pm every night.

The evidence presented at the meeting had demonstrated the following licensing objectives had not been met:-

- The prevention of crime and disorder
- Public Safety

The reasons by the sub-committee, included:-

- The interim steps were required to effectively address the problem and that no alternative power would adequately address the situation and to protect the public and meet the licensing objectives.
- The violence used throughout the prolonged incident was considered to meet the criteria of serious disorder.

COUNCILLOR IRIZVI
Chair

(Note: The meeting started at 1.00pm and ended at 2.45pm)

- Minutes of:** LICENSING HEARING SUB COMMITTEE
- Date of Meeting:** 2nd July 2024
- Present:** Councillor I Rizvi (in the Chair)
Councillors G Marsden and G McGill

M. Bridge (Licensing Unit Manager)
M. Cunliffe (Democratic Services)
C. Riley (Legal Services)
C. Smith (Head of Public Protection)
- Also in attendance:** Mr A Gregson (Applicant's Legal Representative)
Mr R Bhatia (Applicant)
- Public Attendance:** The Hearing was held virtually and interested members of the public were provided with a link to access the hearing online via Microsoft Teams or could be telephoned into the meeting via audio only. No members of the press or public were in virtual attendance.
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1 APOLOGIES FOR ABSENCE

No apologies for absence were submitted.

2 DECLARATIONS OF INTEREST

There were no declarations of interest made.

3 MINUTES OF THE LAST MEETING(S)

The minutes of the last Licensing Hearing Sub Committee meetings held at 10.00am on the 11th April, 1.00pm on the 17th April 2024 and 1.30pm on the 19th April 2024 were attached to the agenda.

Resolved:- That the minutes of the Licensing Hearing Sub Committee held at 10.00am on the 11th April, 1.00pm on the 17th April 2024 and 1.30pm on the 19th April 2024 be approved as a correct record.

4 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF WINDSOR LOCAL, 89 WINDSOR ROAD, PRESTWICH, M25 0DE

The Licensing Authority received an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Windsor Local, 89 Windsor Road, Prestwich, M25 0DE.

The applicant for the licence is Sahiba Trading Limited, 56 Windsor Road, Prestwich, M25 0DE and since publication of the report within the agenda pack Mr R Bhatia will be the Designated Premises Supervisor (DPS), in respect of the above premises.

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

The Licensing Unit Manager presented the report and 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

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

The application is for the grant of a Premises Licence under Part 3 of the Licensing Act 2003 which was attached at Appendix 1 in the agenda packs. The Licensing Unit Manager commented that the incorrect premises had been listed on the title page of appendix 1 but the report was correct.

Opening Times:

Monday to Sunday – 07:00 till 22:00

Supply of Alcohol (off the premises):

Monday to Sunday– 07:00 till 22:00

The conditions contained in the operating schedule submitted by the applicant were contained at Appendix 2 in the agenda packs.

Three relevant representations from interested parties had been made against this application and none of the representors would be in attendance.

The representations were attached at Appendix 3 in the agenda packs and a summary is detailed below:-

- Located on residential street
- Increase in public nuisance & anti-social behaviour
- Litter
- Noise outside
- Light pollution
- Crime and disorder
- Public safety and disturbance

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.

The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as

licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.

Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

In making its decision with regard to this application hearing, the steps the Sub-Committee can take are:

- 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

All licensing determinations should be considered on the individual merits of the application.

The Sub-Committee's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.

It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.

The Sub-Committee was asked to determine what steps, as set out above, are appropriate for the promotion of the licensing objectives.

Mr A Gregson, from Hospitality Training Solutions who was representing the applicant, addressed the sub committee and told Members the closing 10.00pm closing time was considered more conservative than 11.00pm for the residential area the store was located. Conditions were listed to promote the licensing objectives which would be met and no representations had been made from other authorities or organisations such as the police. In relation to light pollution and footfall, the store was already open and operating and regardless of a licence for alcohol sales.

The Licensing Unit Manager reminded Members that with no representors present, there was still a process for a review if the licensing objectives were not promoted. GMP had not made any comments about ASB in the area and the issues of need and car parking were not a relevant consideration.

The Sub-Committee then duly retired to consider the application.

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 the relevant provisions of the national guidance and the Council's licensing policy statement.

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

Delegated decision

All of the evidence was considered with care, and it was established that having understood the application and equally noting and understanding the representations, the Sub-Committee found there were no causes for concern so far as the promotion of the licensing objectives were concerned.

It was therefore agreed unanimously that the Sub- Committee **grant the application for a Premises Licence in the terms requested**, subject to the following conditions:-

Operating Schedule

The Prevention of Crime & Disorder

- *The premise is 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 location of cameras will be recorded on the plan attached to the licence. The recording medium (e.g. discs/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 at least two 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 or malfunction as soon as is reasonably practicable and in any event within 24hrs.*
- *A written record shall be kept every time images are recorded by CCTV and shall include details of the recording medium used, the time and date recording commenced and finished. This record shall identify the person responsible for the recording and shall be signed by him/her. Where the recording is on a removable medium (i.e. videotape, compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.*
- *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.*
- *A written delegation of authority record will be kept at the premises whereby non personal licence holders are authorised to make sales on behalf of a personal licence holder.*

- *The Designated Premises supervisor / personal licence holder will be available /contactable at all times that alcohol is on sale.*
- *An incident book/register shall be maintained to record:*
 - All incidents of crime and disorder occurring at the premises.*
 - Details of occasions when the police are called to the premises.*
 - This book/register shall be made available for inspection by a police officer or other authorised officer on request.*
- *No alcoholic drink shall be removed from the premises in an unsealed container.*
- *Alcohol may only be sold in sealed containers.*
- *Alcohol may not be sold to any person who appears to be intoxicated.*

Public Safety

- *All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence.*
- *Written records of this training shall be retained and made available to police and authorised officers of the Licensing Authority on request.*

The Prevention of Public Nuisance

- *The outside of the premises will be monitored regularly for litter.*
- *Management and staff are to use their best endeavours to prevent persons loitering outside the premises and to ensure that persons refused entry or ejected are asked to leave the vicinity of the premises.*
- *No refuse shall be disposed of or collected from the premises between the hours of 2300 - 0700 where such disposal or collection is likely to cause disturbance to local residents.*
- *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.*

The Protection of Children from Harm

- *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.*

- *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.*

COUNCILLOR IRIZVI
Chair

(Note: The meeting started at 1.00pm and ended at 1.25pm)



	Classification	Item No.
	Open / Closed	
Meeting:	Licensing Hearings Sub-Committee	
Meeting date:	17 July 2024	
Title of report:	Application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Moonbeam Coffee House, 82 Bury Old Road, Whitefield, Prestwich, M45 6TQ	
Report by:	Executive Director (Operations)	
Decision Type:	Council	
Ward(s) to which report relates	Holyrood	

Executive Summary:

This report relates to an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Moonbeam Coffee House, 82 Bury Old Road, Whitefield, Prestwich, M45 6TQ.

Recommendation(s)

- 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

1.0 BACKGROUND

- 1.1 The Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations are 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 is Whitefield Brunch Club Limited, 239 Bury New Road, Whitefield, M45 8QP and the proposed Designated Premises Supervisor (DPS), in respect of the above premises, is Mr Aaron Cummins, 41 Ringley Drive, Whitefield, M45 7LA. Application is attached at Appendix 1
- 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:

Opening Times:

Monday to Sunday 08:00 till 00.00

Supply of Alcohol (on and off the premises):

Monday to Sunday 09:00 till 23.30

Recorded Music (on and off the premises):

Monday to Sunday 08:00 till 23.30

Members, please note due to the Live Music Act 2012, recorded music and live music is permitted at licensed premises between the hours of 08.00 to 23.00 with an audience of up to 500 people without it having to be permitted on the premises licence. Therefore, if members are minded to grant the premise licence the hours for recorded music will be 23.00 to 23.30.

The conditions contained in the operating schedule submitted by the applicant are contained at Appendix 2.

4.0 REPRESENTATIONS FROM INTERESTED PARTIES

4.1 Six representations have been received from interested parties against this application. The interested parties have been invited to make their representations at the hearing.

4.2 These representations are attached at Appendix 3.

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.

6.0 THE SECRETARY OF STATES GUIDANCE TO THE LICENSING ACT 2003

6.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.

6.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.

6.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when

considering the lawfulness and merits of any decision taken.

7.0 CONCLUSION

7.1 A licensing authority must carry out its functions under this Act (“licensing functions”) with a view to promoting the licensing objectives:

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

7.2 In reaching the decision, regard must be had to relevant provisions of the national guidance and the Council’s licensing policy statement.

7.3 The Sub-Committee must consider what steps are appropriate for the promotion of the licensing objectives.

7.4 In making its decision with regard to this variation hearing, the steps the Sub-Committee can take are:

- 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

7.5 All licensing determinations should be considered on the individual merits of the application.

7.6 The Sub-Committee’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.

7.7 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.

7.8 The Sub-Committee is asked to determine what steps, as set out in 7.4 above, are appropriate for the promotion of the licensing objectives.

Community impact/links with Community Strategy

Not Applicable

Equality Impact and considerations:

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.*

The public sector equality 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.

Equality Analysis	<i>Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.</i>
<i>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.</i>	

Assessment of Risk:

The following risks apply to the decision:

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

Consultation:

Not Applicable

Legal Implications:

Yes, under the legislation the Council is required to determine representations. The report is in accordance with the appropriate legislation.

Financial Implications:

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.

Report Author and Contact Details:

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

Mr M Bridge
Licensing Office
Town Hall
Bury
Telephone No: 0161 253 5209
Email: m.bridge@bury.gov.uk

Background papers:

List of Background Papers:-
Application form
Representations received

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

Term	Meaning

Appendix One
Grant of Premises Licence for
Moonbeam Coffee House, 82 Bury Old Road, Whitefield, Prestwich, M43 6TQ

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Whitefield Brunch Club
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description 82 Bury Old Rd, Whitefield, Prestwich, Manchester M45 6TQ			
Post town	Whitefield	Postcode	M45 6TQ

Telephone number at premises (if any)	07460694380
Non-domestic rateable value of premises	£6,500

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
-----------------------------	------------------------------	-------------------------------	-----------------------------	--------------------------------	--

Surname		First names	
Date of birth over		I am 18 years old or	<input type="checkbox"/> Please tick yes
Nationality			
Current postal address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

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

Name Whitefield Brunch Club
Address 239 Bury New Road, Whitefield, Manchester, England, M45 8QP
Registered number (where applicable) 15281967
Description of applicant (for example, partnership, company, unincorporated association etc.) Licensed Restaurant & Cafe
Telephone number (if any) 07460 694380
E-mail address (optional) whitefieldbrunchclub@gmail.com

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)
 Breakfast and brunch coffee house.

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

NO

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon	08:00	23:30			
Tue	08:00	23:30	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed	08:00	23:30	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Thur	08:00	23:30			
Fri	08:00	23:30			
Sat	08:00	23:30			
Sun	08:00	23:30			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)	
Mon				
Tue				
Wed				
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)	
Thur			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)	
Fri				
Sat				
Sun				

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	09:00	23:30			
Tue	09:00	23:30			
Wed	09:00	23:30			
Thur	09:00	23:30			
Fri	09:00	23:30			
Sat	09:00	23:30			
Sun	09:00	23:30			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Aaron Cummins	
Date of birth	14 July 1992
Address 41 Ringley Drive, Whitefield	
Postcode	M457LA
Personal licence number (if known) PA2432	

Issuing licensing authority (if known)
ROCHDALE

□□□□

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	24:00	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)</p>
Tue	08:00	24:00	
Wed	08:00	24:00	
Thur	08:00	24:00	
Fri	08:00	24:00	

Sat	08:00	24:00	
Sun	08:00	24:00	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The staff will undertake training which will focus on the 4 objectives - prevention of crime & disorder, public safety, prevention of public nuisance, and protection of children from harm.

Challenge 25 will be used in the venue, CCTV is in use both indoors and outside the venue. Management will be trained to be licensed staff.

All staff shall be trained in:

- Relevant age restrictions in respected products
- Recognising signs of drunkenness and vulnerability
- How to refuse service
- The premises; duty of care policy
- Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
- The conditions in force under this licence

The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to GMP or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

- Seizures of drugs, offensive weapons, fraudulent I.D. or other items

The premises licence holder must ensure that:

- CCTV cameras are located within the premises to cover all public areas including all entrances and exits [The location of cameras could also be specified on the plan attached to the premises licence].
- The system records clear images permitting the identification of individuals.
- The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

- The CCTV system operates at all times while the premises are open for licensable activities.
- All equipment must have a constant and accurate time and date generation.
- The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
- There are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

The dispersal of customers from the premises must be managed in accordance with the following:

- Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.

All external windows and doors must be kept shut at all times when regulated entertainment is being provided. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter.

Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents and use the area quietly.

b) The prevention of crime and disorder

Any incidents of a criminal nature that may occur on the premises will be reported to the police. CCTV is in place operated and maintained at the premises. CCTV will conform to several points that will help and assist the police identify what is needed. Such as sufficient lighting, footage will be kept for at least 31 days, overlooking floor areas, wide angles, premises overview, full frame shots of heads and shoulders, in colour during the day, view of tills.

c) Public safety

Appropriate fire safety procedures are in place, including fire extinguishers, foam, H2) and CO2. Fire blankets, internally illuminated fire exit signs. Numerous smoke detectors and emergency lighting. All appliances inspected annually, all emergency exits kept free from obstructions at all times.

d) The prevention of public nuisance

All customers will be asked to leave quietly. Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.

e) The protection of children from harm

The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as:
Proof of Age card, Connexions card and Citizens Card, Photographic Driving License or Passport.
An official identity card issued by HM forces or by an EU country bearing the photograph and date of birth of the bearer. All staff will be regularly trained for underage sales prevention. A register of refused sales shall be kept.

Checklist:

Please tick to indicate agreement


- I have made or enclosed payment of the fee. - TO BE MADE LATER
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	31 MAY 2024
Capacity	MANAGER

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser

- gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
 15. **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's

permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,

- (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
- (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

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

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Privacy Policy

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.

Appendix 2

Operating Schedule submitted by the applicant

General – All four Licensing Objectives

- The staff will undertake training which will focus on the 4 objectives - prevention of crime & disorder, public safety, prevention of public nuisance, and protection of children from harm.
- Challenge 25 will be used in the venue, CCTV is in use both indoors and outside the venue. Management will be trained to be licensed staff.
- All staff shall be trained in:
 - Relevant age restrictions in respected products
 - Recognising signs of drunkenness and vulnerability
 - How to refuse service
 - The premises; duty of care policy
 - Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
 - The conditions in force under this licence
- The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
- An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to GMP or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:
 - Seizures of drugs, offensive weapons, fraudulent I.D. or other items
 -
- The premises licence holder must ensure that:
 - CCTV cameras are located within the premises to cover all public areas including all entrances and exits [The location of cameras could also be specified on the plan attached to the premises licence].
 - The system records clear images permitting the identification of individuals.
 - The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
 - The CCTV system operates at all times while the premises are open for licensable activities.
 - All equipment must have a constant and accurate time and date generation.
 - The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.

- There are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).
 -
- The dispersal of customers from the premises must be managed in accordance with the following:
 - Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.
- All external windows and doors must be kept shut at all times when regulated entertainment is being provided. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter.
- Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents and use the area quietly.

The prevention of crime and disorder

- Any incidents of a criminal nature that may occur on the premises will be reported to the police. CCTV is in place operated and maintained at the premises. CCTV will conform to several points that will help and assist the police identify what is needed. Such as sufficient lighting, footage will be kept for at least 31 days, overlooking floor areas, wide angles, premises overview, full frame shots of heads and shoulders, in colour during the day, view of tills.

Public safety

- Appropriate fire safety procedures are in place, including fire extinguishers, foam, H2) and CO2. Fire blankets, internally illuminated fire exit signs. Numerous smoke detectors and emergency lighting. All appliances inspected annually, all emergency exits kept free from obstructions at all times.

The prevention of public nuisance

- All customers will be asked to leave quietly. Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.

The protection of children from harm

- The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as:
 - Proof of Age card, Connexions card and Citizens Card, Photographic Driving Licence or Passport.
 - An official identity card issued by HM forces or by an EU country bearing the photograph and date of birth of the bearer. All staff will be regularly

trained for underage sales prevention. A register of refused sales shall be kept.

Appendix 3

Representations from Five Interested Parties

Representation 1

19/062024
Bury council licensing department
3 Knowsley Place
Duke Street
Bury
BL90EJ

Dear Sir/Madam,

Subject: Objection to Proposed Business Licence for Moonbeam Coffee House

Ref no- 077040
82 Bury Old Rd
Whitefield
Manchester
M456TW

I am writing to formally object to the granting of the proposed change in the business licence to Moonbeam Coffee House at the above address. As one of the concerned residents of XX Avenue, Whitefield, Manchester I have several significant concerns that I believe warrant serious consideration.

Firstly, the nature of the proposed change of business to increase business hours until midnight, playing of recorded sound including music, and supply of and subsequent consumption of alcohol. This raises considerable concerns regarding the following specific issues,

1. noise pollution with additional live and recorded music (this would be in addition to the public house opposite)
2. increased traffic impacting further on the current lack of parking for local residents alongside unsafe practices of 'double parking' until late at night.
3. Increase in traffic impacting on the potential risk to the safety of children and pedestrians in the area
4. Potential environmental impact of business operations leading to increased waste disposal requirements and pollution in our largely residential neighborhood.

Secondly, due to the potential for the above concerns that could disrupt the peace and relative quiet that some residents currently enjoy. It is imperative that a thorough environmental impact assessment is conducted before any licence is granted to ensure that our community's health and well-being are not compromised. For specific consideration should be the residents adjacent to the business.

They are already being impacted by littering, lack of space provision for unsightly large refuse bins that are left in the unadopted road behind their properties. This has already been raised with the business owner. As yet there has been no assurance that the current waste disposal requirements are fit for purpose.

Furthermore, I am concerned about the effect on local property values. The presence of this cafe and the proposed extended opening hours, and in close proximity to residential properties has the potential to deter potential buyers and devalue existing homes. This impact on homeowners should be taken into account when considering the application.

Additionally, there has been a lack of adequate consultation with the local community. Many residents, including myself, feel that our voices have not been heard and our concerns have not been addressed. A more transparent and inclusive consultation process is necessary to ensure that we are all fairly represented.

In light of these concerns, I urge Bury licensing authority to reconsider the approval of the business licence for Moonbeam Coffee House. It is essential that our issues on our community are thoroughly examined and addressed before any decision is made. I would also request that a date for a public hearing would be forwarded to us to allow residents to voice their opinions and concerns more comprehensively.

Thank you for your attention to this important matter. I trust that the licensing authority will give due consideration to the points raised and take the necessary steps to protect the interests of our community.

I look forward to a response.

Yours sincerely,

XX

Representation 2

20/06/2024
Bury council licensing department
3 Knowsley Place
Duke Street
Bury
BL90EJ

Dear Sir/Madam,

Subject: Objection to Proposed Business License for Whitefield Brunch Club Limited T/A
Moonbeam Coffee House
Ref no-
82 Bury Old Rd
Whitefield
Manchester
M45 6TQ

I am writing to formally object to the granting of the proposed change in the business license to

Moonbeam Coffee House at the above address. As one of the concerned residents of xx Whitefield, Manchester, I have several significant concerns that I believe warrant serious consideration.

Firstly, the nature of the proposed change of business to increase business hours until midnight,

playing of recorded sound including music, and supply of and subsequent consumption of alcohol. This raises considerable concerns regarding the following specific issues,

1. noise pollution with additional live and recorded music (this would be in addition to the public house opposite)

2. increased traffic impacting further on the current lack of parking for local residents alongside unsafe practices of 'double parking' until late at night.

3. Increase in traffic impacting on the potential risk to the safety of children and pedestrians

in the area

4. Potential environmental impact of business operations leading to increased waste disposal requirements and pollution in our largely residential neighborhood.

Secondly, due to the potential for the above concerns that could disrupt the peace and relative quiet that some residents currently enjoy. It is imperative that a thorough environmental impact assessment is conducted before any license is granted to ensure that our community's health and well-being are not compromised. For specific consideration should be the residents adjacent to the business.

They are already being impacted by littering, lack of space provision for unsightly large refuse bins that are left in the unadopted road behind their properties. This has already been raised with the business owner. As yet there has been no assurance that the current waste disposal requirements are fit for purpose.

Furthermore, I am concerned about the effect on local property values. The presence of this cafe and the proposed extended opening hours, and in close proximity to residential properties has the potential to deter potential buyers and devalue existing homes. This impact on homeowners should be taken into account when considering the application. Additionally, there has been a lack of adequate consultation with the local community. Many residents, including myself, feel that our voices have not been heard and our concerns have not been addressed. A more transparent and inclusive consultation process is necessary to ensure that we are all fairly represented.

In light of these concerns, I urge Bury licensing authority to reconsider the approval of the business license for Moonbeam Coffee House. It is essential that our issues on our community are thoroughly examined and addressed before any decision is made. I would also request that a date for a public hearing would be forwarded to us to allow residents to voice their opinions and concerns more comprehensively.

Thank you for your attention to this important matter. I trust that the licensing authority will give due consideration to the points raised and take the necessary steps to protect the interests of our community.

I look forward to a response

Yours sincerely,

xx

Representation 3

20/06/2024
Bury council licensing department
3 Knowsley Place
Duke Street
Bury
BL90EJ

Dear Sir/Madam,

Subject: Objection to Proposed Business License for Whitefield Brunch Club Limited T/A
Moonbeam Coffee House
Ref no- 077040
82 Bury Old Rd
Whitefield
Manchester
M45 6TQ

As the owner of xx and as a person of interest I am writing to formally object to the granting of the proposed change in the business license to Moonbeam Coffee House at the above address. As one of the concerned residents of xx, Whitefield, Manchester, I have several significant concerns that I believe warrant serious consideration.

Firstly, the nature of the proposed change of business to increase business hours until midnight, playing of recorded sound including music, and supply of and subsequent consumption of alcohol. This raises considerable concerns regarding the following specific issues,

1. noise pollution with additional live and recorded music (this would be in addition to the public house opposite)
2. increased traffic impacting further on the current lack of parking for local residents alongside unsafe practices of 'double parking' until late at night.

3. Increase in traffic impacting on the potential risk to the safety of children and pedestrians in the area

4. Potential environmental impact of business operations leading to increased waste disposal requirements and pollution in our largely residential neighborhood.

Secondly, due to the potential for the above concerns that could disrupt the peace and relative quiet that some residents currently enjoy. It is imperative that a thorough environmental impact assessment is conducted before any license is granted to ensure that our community's health and well-being are not compromised. For specific consideration should be the residents adjacent to the business.

They are already being impacted by littering, lack of space provision for unsightly large refuse bins that are left in the unadopted road behind their properties. This has already been raised with the business owner. As yet there has been no assurance that the current waste disposal requirements are fit for purpose.

Furthermore, I am concerned about the effect on local property values. The presence of this cafe and the proposed extended opening hours, and in close proximity to residential properties has the potential to deter potential buyers and devalue existing homes. This impact on homeowners should be taken into account when considering the application.

Additionally, there has been a lack of adequate consultation with the local community.

Many residents, including myself, feel that our voices have not been heard and our concerns have not been addressed. A more transparent and inclusive consultation process is necessary to ensure that we are all fairly represented.

In light of these concerns, I urge Bury licensing authority to reconsider the approval of the business license for Moonbeam Coffee House. It is essential that our issues on our community are thoroughly examined and addressed before any decision is made. I would also request that a date for a public hearing would be forwarded to us to allow residents to voice their opinions and concerns more comprehensively.

Thank you for your attention to this important matter. I trust that the licensing authority will give due consideration to the points raised and take the necessary steps to protect the interests of our community.

I look forward to a response

Yours sincerely,

XX

Representation 4

From:

Sent: Thursday, June 27, 2024 9:55 AM

To: Licensing <Licensing@bury.gov.uk>

Subject: Licence application: Moonbeam Coffee, Bury Old Road, Prestwich

Dear xx,

As ward councillor I write to you to object to the Licence application for Moonbeam Coffee Shop, 82 Bury Old Road, Whitefield M45 6TP on the grounds of public nuisance.

The outside seating area is very close to homes on Walker Avenue and Kenilworth Avenue, there are also flats above the businesses which have rooms directly overlooking the coffee shop garden. Those residents would be subject to music and customer noise late at night disturbing their peace and sleep.

Extending the opening hours into the night will also bring more traffic flow, taxis dropping off and picking up will create more disturbance to residents in close proximity to the business, parking is already a problem in the small Avenues, Walker and Kenilworth, visiting customers with cars will add to this difficulty for residents.

I hope you will consider the above comments and refuse this application.

Regards,

Cllr

Representation 5

From:

Sent: Thursday, June 27, 2024 8:47 AM

To: Licensing <Licensing@bury.gov.uk>

Subject: Re: New premises licence application - Moonbeam Coffee Shop

I write to you to make representation and object to the application for a new premises licence for Moonbeam Coffee Shop, 82 Bury Old Road, Whitefield, M45 6TP on the grounds of public nuisance.

Their extension to the rear means that their premises are very close to the residences on Walker Avenue and Kenilworth Avenue. The rear outside "garden" extension with its tables is just across a small alley from the garden of 1 Walker Avenue. Noise of music and people will cause considerable nuisance if extended from their current opening hours. There are also residential properties 78a and 80a Bury Old Road, which are residential flats above the shops adjacent to Moonbeam.

There is also the matter of parking as inevitably customers of Moonboom will be parking in the residential streets Walker Avenue and Kenilworth Avenue.

I hope you turn down this application.

Regards

Cllr

Representation 6

Dear Sir/Madam,

Subject: Objection to Proposed Business License for Whitefield Brunch Club Limited T/A

Moonbeam Coffee House

Ref no- 077040

82 Bury Old Rd

Whitefield

Manchester

M45 6TQ

As the owner of XXX Avenue and as a person of interest I am writing to formally object to the granting of the proposed change in the business license to Moonbeam Coffee House at the above address. As one of the concerned residents of XXX Avenue, Whitefield, Manchester, I have several significant concerns that I believe warrant serious consideration.

Firstly, the nature of the proposed change of business to increase business hours until midnight, playing of recorded sound including music, and supply of and subsequent consumption of alcohol. This raises considerable concerns regarding the following specific issues,

1. noise pollution with additional live and recorded music (this would be in addition to the public house opposite)
2. increased traffic impacting further on the current lack of parking for local residents alongside unsafe practices of 'double parking' until late at night.
3. Increase in traffic impacting on the potential risk to the safety of children and pedestrians in the area
4. Potential environmental impact of business operations leading to increased waste disposal requirements and pollution in our largely residential neighborhood.

Secondly, due to the potential for the above concerns that could disrupt the peace and relative quiet that some residents currently enjoy. It is imperative that a thorough environmental impact assessment is conducted before any license is granted to ensure that our community's health and well-being are not compromised. For specific consideration should be the residents adjacent to the business.

They are already being impacted by littering, lack of space provision for unsightly large refuse bins that are left in the unadopted road behind their properties. This has already

been raised with the business owner. As yet there has been no assurance that the current waste disposal requirements are fit for purpose.

Furthermore, I am concerned about the effect on local property values. The presence of this cafe and the proposed extended opening hours, and in close proximity to residential properties has the potential to deter potential buyers and devalue existing homes. This impact on homeowners should be taken into account when considering the application.

Additionally, there has been a lack of adequate consultation with the local community. Many residents, including myself, feel that our voices have not been heard and our concerns have not been addressed. A more transparent and inclusive consultation process is necessary to ensure that we are all fairly represented.

In light of these concerns, I urge Bury licensing authority to reconsider the approval of the business license for Moonbeam Coffee House. It is essential that our issues on our community are thoroughly examined and addressed before any decision is made. I would also request that a date for a public hearing would be forwarded to us to allow residents to voice their opinions and concerns more comprehensively.

Thank you for your attention to this important matter. I trust that the licensing authority will give due consideration to the points raised and take the necessary steps to protect the interests of our community.

I look forward to a response

Yours sincerely

XX