

Rca. 18/11/19

1 Braemar Drive
Bury
BL9 7PF

18th November, 2019

The Licensing Unit Manager
Level 2
3 Knowsley Place
Duke Street
Bury BL9 0EJ

Dear Sirs,

Re: Notice of an application to vary a premises licence. Damian Greenwood 297-299 Hollins Lane, Bury BL9 8BD

With regard to the structural alterations, i.e. opening up the wall between 299 and 297 Hollins Lane, the two premises were let to Mr Damian Greenwood and Ms Rachel Heraghty as two separate units and the leases do not run concurrently. The lease for 299 Hollins Lane runs for 5 years from November 2016. The lease for 297 Hollins Lane runs for 5 years from February 2018.

We strongly object to 297 being incorporated into 299 Hollins Lane. In the autumn of 2018 the tenants knocked through the dividing wall between 297 and 299 Hollins Lane, to form an access between the two shops, without the landlord's permission, without having planning permission and without applying to building regulations.

297 Hollins Lane has been used during 2019 (up until October) as an ice cream shop, which use adheres to the terms of the lease. Before the lease for 297 Hollins Lane was signed, Damian Greenwood advised Marian Lightfoot by email that 297 would be used as a delicatessen, grocers and ice cream counter and we agreed to lease the premises to Damian Greenwood and Rachel Heraghty on this basis.

When Damian Greenwood and Rachel Heraghty used 297 Hollins Lane as an overflow for their restaurant situated in 299 Hollins Lane in December and January 2018/2019, the tenant of the flat above 297 complained about the noise and disturbance that this caused.

We have observed people standing in the street outside the premises at 297-299 Hollins Lane at 10pm. We assume these people were customers of the restaurant possibly going outside to smoke. This gives the impression that the premises are being used as a bar where people overflow to outside on a summers evening.

We are concerned that if this variation of licence is granted, our other tenants living above 297 and 299 Hollins Lane and neighbours will be disturbed as described here:

Damian Greenwood and Rachel Heraghty do not abide by the rules of their lease with regard to several issues including disturbing neighbours with noise and loud music, not disposing of waste from the business in a safe and considerate manner, often leaving waste from overflowing bins on

the ground in the public areas behind the premises (the public areas are shared with tenants of the flats above 297 and 299 Hollins Lane).

With regard to the application of a licence variation for 297 Hollins Lane, this would be a breach of the lease. Despite Damian Greenwood and Rachel Heraghty not having our permission to open 297 Hollins Lane as a bar, they have already installed a bar into the premises (in October 2019) and already are serving drinks from there. We are taking action through our Solicitors, Butcher and Barlow in Bury to take back possession of the leases as the tenants are breaching the terms of the leases for 297 and 299 Hollins Lane.

Yours faithfully

Graeme Lightfoot and Marian Lightfoot

Landlords and owners of the building 297 – 299 Hollins Lane, Hollins, Bury BL9 8BD