

	Classification Open / Closed	Item No.
<b>Meeting:</b>	Licensing Hearings Sub-Committee	
<b>Meeting date:</b>	17 July 2024	
<b>Title of report:</b>	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	
<b>Report by:</b>	Executive Director (Operations)	
<b>Decision Type:</b>	Council	
<b>Ward(s) to which report relates</b>	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 Where representations are made and not withdrawn Members are required to determine them.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.

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### **Community impact/links with Community Strategy**

Not Applicable

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**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.*

<b>Equality Analysis</b>	<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>	

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**Assessment of Risk:**

The following risks apply to the decision:

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

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**Consultation:**

Not Applicable

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**Legal Implications:**

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

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**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.

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**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](mailto:m.bridge@bury.gov.uk)

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

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

**(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.

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

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed					
			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur					
			<b><u>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</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Wed			
Thur			<b><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></b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					



**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue					
<b>Wed</b>			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur					
<b>Fri</b>			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon	08:00	23:30			
Tue	08:00	23:30			
Wed	08:00	23:30	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Thur	08:00	23:30			
Fri	08:00	23:30	<b><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></b> (please read guidance note 6)		
Sat	08:00	23:30			
Sun	08:00	23:30			

**G**

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance 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"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Wed			<b>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</b> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Fri					
Sat			<b>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</b> (please read guidance note 6)		
Sun					

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)		
Wed					
Thur			<b><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></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (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				<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
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):**

<b>Name</b> Aaron Cummins	
<b>Date of birth</b>	14 July 1992
<b>Address</b> 41 Ringley Drive, Whitefield	
<b>Postcode</b>	M457LA
<b>Personal licence number (if known)</b> 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><b><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></b> (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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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).</li> <li>• 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)</li> </ul>
Signature	
Date	31 MAY 2024
Capacity	MANAGER

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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](http://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](mailto: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](mailto: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

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