

AGENDA ITEM NO.

TRAFFORD COUNCIL

THE LICENSING SUB-COMMITTEE – 11TH OCTOBER 2016

REPORT OF THE HEAD OF REGULATORY SERVICES

REPORT REF. NO.

APPLICATION FOR THE GRANT OF A MAJOR VARIATION TO PREMISES LICENCE PL000417 – SALE FOOTBALL CLUB, HEYWOOD ROAD, SALE, CHESHIRE

PURPOSE

To advise Members of an application for the Grant of a Major Variation to existing premises licence PL000417 for Sale Football Club, Heywood Road, Sale, Cheshire.

The application has attracted a representation from a local resident and to consider a representation from the Pollution Section recommending the attachment of conditions to the licence.

OPTIONS

The Sub-Committee to take such steps as they consider necessary for the promotion of the Licensing Objectives in accordance with the provisions of subsection (4) of the Licensing Act 2003.

Iain Veitch
Head of Regulatory Services

Further Information From:

Name: Jan Taylor
Licensing Officer

Extension: 4047

Proper Officer for the purposes of L.G.A 1972, S.100D
(background papers): Head of Regulatory Services

Appendices:

Appendix A – Application and Operating Schedule

Appendix B – Existing Premises Licence – PL000417

Appendix C – Representation from Pollution Section, EHO Rachael Hall.

Appendix D - Representation from a Local Resident, Councillor Chris Boyes

1. Background

- 1.1 Sale FC Rugby Club, established in 1861 and resident at Heywood Road since 1905, is a well-established sports stadium and club and benefits currently from premises licence PL000417.



2. Application for the Grant of a Variation to a Premises Licence

- 2.1 On 4th August, 2016 the Licensing Section received an application (**Appendix A**) from Mr Michael Jefferson, Chief Executive Officer on behalf of Sale FC Rugby Club for the grant of a variation to their existing premises licence PL000417 (**Appendix B**).

- 2.2 The application requests the addition of Regulated Entertainment – Recorded Music (Outdoors) for the playing of amplified music and voices at :

- rugby games midweek 18:00 to 21:00
- Saturday and Sunday 14:00 to 17:00
- Bank Holidays 14:00 to 17:00

- 2.3 The premises licence PL000417 (**Appendix B**), currently has Regulated Entertainment – Indoors only as follows:

Regulated Entertainment – Recorded Music (Indoors):

Sunday to Thursday	:	11:00 – 23:00
Friday and Saturday	:	11:00 – 23:30

- 2.4 The application has been submitted as the current Live Music Act 2013 requires that a licence must be in place during the exemption hours of 08:00 to 23:00 hours if the premises :
- provides amplified live or recorded music to an audience of more than 500 people.
- 2.5 The applicant envisages that audience capacity may reach as high as 2,000 for certain games as identified in 2.2 above.
- 2.6 The applicant has complied with all requirements under the application process including advertising the application in a newspaper, advertising by way of public notice at the premises and submitting a copy of the complete application to all Responsible Authorities. The application is deemed to be correctly submitted.
- 2.7 On 1st September, and mindful of the representation from the resident, Rachael Hall, EHO for Pollution and Housing Team, Regulatory Services, arranged and attended a meeting with the applicant at the premises.
- 2.8 Following discussions and negotiations between the applicant and Trafford Council Regulatory Services, Pollution and Housing agreement was reached to include as a safeguard, certain conditions on any granted licence.
- 2.9 **Appendix C** details the email negotiation and discussion between the applicant and Trafford Council Regulatory Services, Pollution and Housing.
- 2.10 The agreed conditions are as follows :
1. The Licence holder shall ensure that noise from music and associated sources (including DJ and amplified voices) must not be audible such that it constitutes a nuisance at any noise sensitive properties. (Guidance to be provided by Environmental Health Officer).
 2. The broadcasting of amplified voices outdoors will not be permitted beyond 2100 hours at any time, other than for emergency purposes.
 3. The broadcasting of amplified music on a Sunday shall be permitted between the hours of 1400 and 1500hrs, followed by short bursts of amplified music/voices played during a match, and during half time. All amplified music and voices to terminate by 1700hrs.

3. Representations

- 3.1 At the end of the consultation period, a letter of representation was received from a local resident, Councillor Chris Boyes, (**Appendix D**).
- 3.2 The Committee are respectfully advised that the representation received against the application relates to the Licensing Objective:
- Prevention of Public Nuisance

- 3.3** It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 3.4** The Members will be required to determine the relevance of the representations.
- 3.5** When considering the relevance of the representation the Licensing Sub-Committee must apply three rules:
- i. the representation must be from persons who live, or are involved in a business in the area and are likely to be affected by the application;
 - ii. it must not be repetitious, vexatious or frivolous;
 - iii. it must relate to one or more of the licensing objectives.

4. Licensing Policy and Guidance

- 4.1** The Committee are respectfully referred to the Council's own Licensing Policy relating to the Licensing Act 2003 objectives and to the Secretary of State's Guidance. (Copy available at meeting)

5. Options

- 5.1** The Sub-Committee to take such steps as they consider necessary for the promotion of the Licensing Objectives in accordance with the provisions of subsection (4) of the Licensing Act 2003. The steps specified are:

5.1.1 To grant the licence subject to-

- Conditions consistent with the operating schedule accompanying the application modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and;
- Any mandatory conditions which must be included under the Licensing Act 2003

5.1.2 to exclude from the scope of the licence any of the licensable activities to which the application relates;

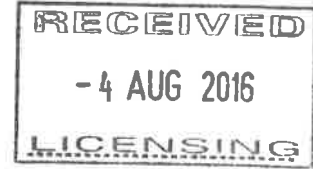
5.1.3 to refuse to specify a person in the licence as the premises supervisor;

5.1.4 to reject the application.

- 5.2** The Sub-Committee is advised that any findings on any issues of fact should be on the balance of probability and any decision should be based on the individual merits of the application.
- 5.3** The Sub-Committee, in arriving at its decision, must have regard to relevant provisions of national guidance and its own statement of licensing policy and reasons should be given for any departure.

APPENDIX A

APPLICATION AND OPERATING SCHEDULE



Application to vary a premises licence 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 SALE FOOTBALL CLUB

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PL000417
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description HEYWOOD ROAD, SALE ,			
Post town	SALE	Post code	M333WB

Telephone number at premises (if any)	0161-610-0400
Non-domestic rateable value of premises	£ B £4301-to £33000

Part 2 – Applicant details

Daytime contact telephone number	07867-128463
E-mail address (optional)	MJEFFO100@GMAIL.COM

Current postal address if different from premises address			
Post Town		Postcode	

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

YES

If not do you want the variation to take effect from

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
TO PLAY RECORDED MUSIC THROUGH AN AMPLIFIER OUTSIDE WITHIN THE GROUND ON RUGBY MATCH DAYS.

MAIN GAMES ARE SATURDAY WHICH IS COVERED BY THE LIVE MUSIC ACT . THERE ARE RUGBY LEAGUE GAMES ON A SUNDAY AFTERNOON WHICH REQUIRES AN OUTDOOR LICENCE TO PLAY MUSIC BEFORE AND DURING GAMES BETWEEN THE HOURS OF 14.00 UPTO 17.00. THERE MAY ALSO BE THE OCCASIONAL MID WEEK GAMES APPROX UPTO 10 A YEAR WHICH WILL REQUIRE MUSIC FROM APPROX 18.30 HOURS TO 21.00 HOURS.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- 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)

Sale by retail 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 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	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 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur								
Fri						<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 5)		
Sat								
Sun								

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed					
Thur			<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> (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
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 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
			<u>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</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	X <input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) TO PLAY RECORDED MUSIC AT RUGBY MATCHES, OCCASIONAL MIDWEEK GAMES , POSS WEDS OR A FRIDAY, RUGBY UNION ON A SATURDAY AND RUGBY LEAGUE ON A SUNDAY		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Wed	18.30	21.00			
Thur					
Fri	18.30	21.00	<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 5)		
Sat	14.00	17.00			
Sun	14.00	17.00			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)	
Mon				
Tue				
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)	
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 5)	
Sat				
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<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 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	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 3)		
Mon					
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed					
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 5)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<u>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</u> (please read guidance note 5)		

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 8)

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

- I have enclosed the premises licence Please tick yes

- I have enclosed the relevant part of the premises licence

X

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

THE MUSIC WILL BE PLAYED FROM THE MAIN STAND VIA A AMPLIFIED SYSTEM BEFORE AND DURING RUGBY GAMES. IN GENERAL THE GAMES ARE PLAYED ON SATURDAY AND SUNDAY AFTERNOONS WITH OCCASIONAL MIDWEEK GAMES .

b) The prevention of crime and disorder

ALL GAMES ARE MANAGED AND STEWARDED IN ACCORDANCE WITH OUR GROUND SAFETY CERTIFICATE AND INSURANCE REQUIREMENTS.

c) Public safety

ALL FACILITIES ARE REGULARLY CHECKED TO MEET OUR HEALTH AND SAFETY POLICIES AND INSURANCE REQUIREMENTS.

d) The prevention of public nuisance

WE DO NOT PROMOTE EVENTS THAT WE FEEL WILL CAUSE NUISANCE TO OUR EMPLOYEES, MEMBERS , VISITORS AND NEIGHBOURS

e) The protection of children from harm

AS ABOVE

Please tick yes

- I have made or enclosed payment of the fee X
- I have sent copies of this application and the plan to responsible authorities and others where applicable X
- I understand that I must now advertise my application X
- I have enclosed the premises licence or relevant part of it or explanation X
- I understand that if I do not comply with the above requirements my application will be rejected X

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	M JEFFERSON
Date	03 RD AUGUST 2016
Capacity	CHIEF EXECUTIVE

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

MR M JEFFERSON, SALE FOOTBAL CLUB, HEYWOOD ROAD, SALE M33 3WB

Post town	SALE	Post code	M33 3WB
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Telephone number (if any)	07867-128463
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If you would prefer us to correspond with you by e-mail your e-mail address (optional)
MJEFFO100@GMAIL.COM

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

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. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

APPENDIX B

Existing Premises Licence PL000417

Licensing Act 2003

Premises Licence

PL000417

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Sale Football Club

Heywood Road, Sale, Cheshire, M33 3WB.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment facilities for making music
- entertainment facilities for dancing
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday to Thursday	11:00am	11:00pm
	Friday to Saturday	11:00am	11:30pm
	Sunday	11:00am	11:00pm
F. Playing of recorded music (Indoors)	Monday to Thursday	11:00am	11:00pm
	Friday to Saturday	11:00am	11:30pm
	Sunday	11:00am	11:00pm
I. Provision of facilities for making music (Indoors)	Monday to Thursday	11:00am	11:00pm
	Friday to Saturday	11:00am	11:30pm
	Sunday	11:00am	11:00pm
J. Provision of facilities for dancing (Indoors)	Monday to Thursday	11:00am	11:00pm
	Friday to Saturday	11:00am	11:30pm
	Sunday	11:00am	11:00pm

Licensing Act 2003

Premises Licence

PL000417

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON the premises only	Monday to Thursday	10:00am	11:00pm
	Friday to Saturday	10:00am	11:30pm
	Sunday	Noon	10:30pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	10:00am	11:30pm
Friday to Saturday	10:00am	12:30am
Sunday	Noon	11:00pm

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Sale Football Club

Heywood Road, Sale, Cheshire, M33 3WB.
Telephone 0161 283 1861

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Winifred Mary LOUGHLIN

37 Wilford Avenue, Brooklands, Sale, Cheshire, M33 3TH.
Telephone 0161 973 1223 or 07775 807853

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. PA0611

Issued by Trafford

ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

1. Alcohol shall not be sold or supplied except during the hours granted on the licence and the following:

On New Year's Eve from the end of licensing hours on New Year's Eve to the start of licensing hours on the

ANNEXES continued ...

following day (or, if there are no licensing hours on the following day, midnight on 31st December)

2. The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to meals;
- (d) consumption of alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the dispatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there; or
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of the alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

3. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (a) He is the child of the holder of the premises licence.
- (b) He resides in the premises, but is not employed there.
- (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary

4. In this condition "bar" includes any place exclusively or mainly used for the consumption of alcohol. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

5. No supply of alcohol may be made under the premises licence -

- (a) at a time when there is no designated premises supervisor in respect of the premises, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal

ANNEXES continued ...

licence is suspended.

6. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
7. Where the premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.
8. The sale/supply of intoxicating liquor to be restricted to the pre-constructed bar areas as shown on the plans submitted to the court and relevant authorities - amendment to which cannot be made without consultation and prior approval from such authorities.
9. CCTV to be installed and be operational at all times members of the public are present, showing (a) the entrances of the hospitality lounges at the rear of the north stand (b) entrance and exits to bar on east stand (c) any structure in birtles stand serving as a bar.
10. The sale/supply of intoxicating liquor or any other liquid refreshment for consumption in the open air within the ground must be provided in containers other than glassware.
11. No Off Sales.
12. No application to be made under the authority of this licence for the grant of an occasional licence.
13. Should the operation of Sale RUFC move to premises other than those subject of this application on a permanent basis - The Justices Licence will be surrendered.

ADDITIONAL MANDATORY CONDITIONS

14. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
15. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
16. Certain "irresponsible" drinks promotions are banned. An irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the

ANNEXES continued ...

- premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

N/A`

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public (or member and their guests) notices requiring customers to leave the premises and the area quietly.



Signature of Authorised Officer

APPENDIX C

Email Communication between

**Applicant
and**

Trafford Council Environmental Health Officer

Taylor1, Janet

From: michael jefferson <mjeffo100@gmail.com>
Sent: 01 September 2016 16:33
To: Hall, Rachael
Cc: Taylor1, Janet
Subject: Re: Application - Sale Football Club

Hi Rachael

The amended document looks fine

regards

mike

On Thu, Sep 1, 2016 at 4:15 PM, Hall, Rachael <Rachael.Hall@trafford.gov.uk> wrote:

Dear Mike,

Further to your email and telephone call, I am happy to vary my recommended conditions to the following:

1. The Licence holder shall ensure that noise from music and associated sources (including DJ and amplified voices) must not be audible such that it constitutes a nuisance at any noise sensitive properties. (Guidance to be provided by Environmental Health Officer).
2. The broadcasting of amplified voices outdoors will not be permitted beyond 2100 hours at any time, other than for emergency purposes.
3. The broadcasting of amplified music on a Sunday shall be permitted between the hours of 1400 and 1500hrs, followed by short bursts of amplified music/voices played during a match, and during half time. All amplified music and voices to terminate by 1700hrs.

Please can you confirm that you agree to the inclusion of the above conditions.

Many thanks

Rachael Hall

Environmental Health Officer

Pollution and Housing Team

Regulatory Services

Trafford Council,
Trafford Town Hall,
Talbot Road,
Stretford M32 0YJ

Tel: 0161 912 4599

Email: rachael.hall@trafford.gov.uk

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From: michael jefferson [mailto:mjeffo100@gmail.com]
Sent: 01 September 2016 16:03
To: Hall, Rachael
Cc: Taylor1, Janet
Subject: Re: Application - Sale Football Club

Hi Rachael

Thanks for coming out today and discussing our application. For clarity I would just like to amend the terms on point three, that being not the hours of usage ie 1400 to 1700 with the main being 1400-1500. I would like to remove the specific '10 seconds' and leave it with short burst as well as half time? I trust this fits with a sympathetic view to the representations made, if you require any further clarity please do not hesitate to contact myself.

best regards

mike

On Thu, Sep 1, 2016 at 2:38 PM, Hall, Rachael <Rachael.Hall@trafford.gov.uk> wrote:

Dear Mike,

Thank you for meeting me this morning to discuss your application for variation of the Premises Licence for Sale Football Club.

As I understand it - you have been hosting Rugby League games on a Sunday afternoon from January this year (final game of the season is next weekend). This involves the playing of amplified music between the hours of 1400 to 1500 hrs (prior to the game) followed by subsequent bursts of music lasting a few seconds, when there is a score. I understand that games terminate before 1700hrs.

For the purpose of your application for variation, you have also stated that you intend to hold occasional mid-week evening games (approx 10 per year) where the same will apply between the hours of 1830 and 2100hrs. I cannot recall as to whether you said that this already happens?

To confirm, our Service has not received any complaints about the activities described, however, today, Councillor J Boyes has made a representation to your application for variation.

For me - the only area of uncertainty lies with the difference in the volume of the music expected for Rugby League games as opposed to Union games.

I understand from your explanation that League games are more entertainment orientated. You explained that you have had to ask for them to decrease the volume on the amp a couple of times on a Sunday because you were unhappy that the neighbours might be affected. Obviously this needs to be addressed to prevent any future issues. I suggested that you photograph the settings on the Amp to illustrate the volume settings that are in use during Union matches. Next time there is a League match - start at this level and maybe increase it a little to see if you can find a compromise that suits both parties - whilst not generating complaints. I trust that you have had a full season's experience of doing this already with no complaints directed to the Council. It would be helpful if you photograph this setting (if it turns out to be any different from the Union setting) and formalise this arrangement as a condition when your facilities are being let.

If there are problems with this level in the future - then I would be more than happy to visit and advise. Obviously, in view of the fact that we have received the representation on the last day of consultation, and have received no other complaints - I have been unable to witness the noise in question.

I am happy with this as a way forward and have no legitimate reason at this time to raise any objection to your application for variation; however, as a safeguard I would suggest that the following conditions be attached to your licence:

1. The Licence holder shall ensure that noise from music and associated sources (including DJ and amplified voices) must not be audible such that it constitutes a nuisance at any noise sensitive properties. (Guidance to be provided by Environmental Health Officer).
2. Use of outdoor amplified voices will not be permitted beyond 2100hours at any time, other than for emergency purposes.
3. The use of amplified music on a Sunday shall be permitted between the hours of 1400 and 1500hrs, followed by short bursts (less than 10 seconds) of amplified music/voices played during a match, to be broadcast in the event of a score. All amplified music and voices to terminate by 1700hrs.

In terms of your future proposals to alter the site layout, you would need to contact the Licensing Service to determine whether a further variation to your premises licence would be required.

Please can you confirm as to whether you think this is an accurate record of our discussions today, and whether you are happy for my suggested conditions to be attached to your new licence.

Many thanks,

Rachael Hall

Environmental Health Officer

Pollution and Housing Team

Regulatory Services

Trafford Council,

Trafford Town Hall,

Talbot Road,

Stretford M32 0YJ

Tel: 0161 912 4599

Email: rachael.hall@trafford.gov.uk

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Mike Jefferson

Chief Executive Sale FC

07867-128463

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Mike Jefferson

Chief Executive Sale FC

07867-128463

APPENDIX D

Representation from local resident

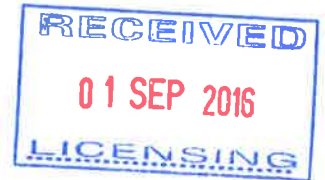
copy of COMMENT SENT BY EMAIL
& ONLINE ON

31/8 16

High Lawn
1A Whitehall Road
Sale
Cheshire
M33 3WJ

31st August 2016

The Licensing Section
Trafford Town Hall
Talbot Road
Stretford
Manchester
M32 0TH



Dear Sirs

Ref Licensing Application

LA0336/16 0/08/2016 Sale Football Club, Heywood Road, Sale

I wish to comment upon the above noted application. I feel that to have extremely loud music played well over a dozen times a year, **principally on what might be considered quiet Sunday afternoons**, will be an unreasonable and persistent disturbance to my lifestyle and indeed could be considered **a public nuisance** within a mainly residential area.

You will perhaps not be aware that Sale Football Club (aka Sale Rugby Club) who were formed in 1861 for the purposes of playing Rugby Football (now known as Rugby Union) have recently contracted with a Rugby League Club to allow them to play all of their home fixtures from January until September at Heywood Road.

It is worth pointing out that until the Union game went professional there was no Rugby played at Heywood Road from May 1st until August 31st inclusive (it was not allowed). Hence the Summer months were ones of peace and quiet not only on Sundays but for the whole week, excluding perhaps the sound of the odd tractor pulling gang mowers.

By its very nature the current ethos of Rugby League is to have extremely loud pre and post match 'entertainment' in the form of recorded music and it is this intrusion which I consider is the unreasonable disturbance and a potential public nuisance.

As a minimum I would request that the Licensing Committee place further restrictions on the allowed timings for the playing of music outdoors and also most especially place a restriction on the allowed volume

Yours faithfully

A handwritten signature in blue ink, appearing to read "C. Boyes".

Christopher J Boyes