AGENDA ITEM NO.

TRAFFORD COUNCIL

THE LICENSING SUB-COMMITTEE - 17th MAY 2017

REPORT OF THE HEAD OF REGULATORY SERVICES

REPORT REF. NO.

APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE – ST PETER'S CHURCH, ASHLEY ROAD, HALE, ALTRINCHAM, CHESHIRE, WA15 9SS

PURPOSE

To advise Members of an application for the Grant of a new premises licence for St Peter's Church on Ashley Road in Hale, Altrincham, Cheshire, WA15 9SS.

The application has attracted representations from local residents.

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 18 (4) of the Licensing Act 2003.

lain 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 (including layout of premises)

Appendix B – Representation A from local Councillor (Young).

Appendix C – Representation B from local resident (Poole).

1. Background

1.1 St Peter's Church was dedicated on 16th June, 1892. It is a religious and community venue which provides for the surrounding community and congregation.

The premises is situated on the corner of Ashley Road and Harrop Road in Hale and does not currently benefit from a premises licence.



2. Application for the Grant of a Premises Licence

- 2.1 On 9th March, 2017 the Licensing Section received an application (**Appendix A**) for the grant of a new premises licence from agents, Messrs Kuit Steinart Levy, Solicitors on behalf of The Parochial Church Council of the Ecclesiastical Parish of St Peter Hale.
- 2.2 The application requests the granting of a premises licence for the Supply of Alcohol, on and off the premises and Regulated Entertainment including films and plays.
- **2.3** The hours requested for the licensable activities on the application are as follows:

Sale of Alcohol (on and off the premises):

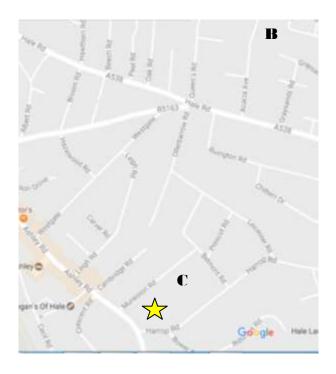
Monday to Sunday : 10:00 - 23:00

Regulated Entertainment (indoors and outdoors):

Monday to Sunday : 10:00 – 23:00

- 2.4 The purpose of the application is to provide flexibility for the applicant in offering licensable activities for events and church activities for all members of the congregation and local community.
- 2.5 The application details the opening hours of the premises as 24 hours and indeed the church grounds are open to the public for this period but it is not the intention of the applicant to allow events beyond the terminal hour as quoted above at 2.3.
- 2.5 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.

3. Representations



KEY



St Peter's Church, Ashley Road, Hale, Altrincham

Representation – Councillor Mrs Patricia Young

Representation – Mr J & Mrs S Poole

3.1 During the consultation period, two letters of representation were received from local residents (Appendices B & C).

- 3.2 The Committee are respectfully advised that the representations received against the application broadly relate to the Licensing Objectives.
- 3.3 The Members are advised that The Government's Guidance states that it is not sufficient for an objector to simply state that they wish to object, or that they are objecting on noise grounds. A representation should give more detail of the likely impact should the licence be granted.
- 3.4 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.
- **3.7** The Members are therefore required to determine the relevance of all representations.
- **3.8** When considering the relevance of any representation the Licensing Sub-Committee must be aware that :
 - i. the representation can be from any person or body;
 - 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)

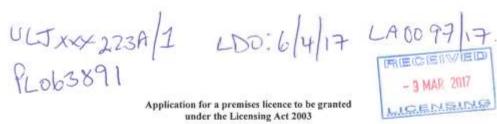
5. Options

- 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 18 (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 (including premises layout)



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

this	form b	pleting this form please read the p y hand please write legibly in bloc written in black ink. Use addition	k capitals. In a	all cases e		
You	may w	rish to keep a copy of the complete	ed form for you	r records	3	
app Par auti	(Insert ly for a t 1 belo tority i	Parochial Church Council of the E of name(s) of applicant) premises licence under section ow (the premises) and I/we are n n accordance with section 12 of remises Details	17 of the Licer	asing Act	2003 for the j	
		ess of premises or, if none, ordnar Church, Ashley Road	nce survey map	reference	e or description	1
Post	town	Hale			Postcode	WA15 98S
Tele	phone	number at premises (if any)	T			
Non	-domes	tic rateable value of premises	£Unknown	il I		
	The cast	plicant Details whether you are applying for a p			k as appropria	te
a)	an i	ndividual or individuals *			please comp	lete section (A)
b)	a pe	rson other than an individual *				
	i.	as a limited company			please comp	lete section (B)
	ii.	as a partnership			please comp	lete section (B)
	iii.	as an unincorporated association	LOF		please comp	lete section (B)
	īv.	other (for example a statutory co	orporation)		please comp	lete section (B)
						iero sectorii (15)
c)	a re	cognised club			please comp	lete section (B)

e)	the proprietor of an ec	lucational establishme	nt		please complete	section (B)	
f)	a health service body				please complete	section (B)	
g)	a person who is regist Standards Act 2000 (c hospital in Wales				please complete	section (B)	
ga)	a person who is regist of the Health and Soc meaning of that Part) England	ial Care Act 2008 (wit	hin the		please complete	section (B)	
h)	the chief officer of po and Wales	ice of a police force i	n England		please complete	section (B)	
* If y	ou are applying as a per-	son described in (a) or	(b) please c	onfim	n:		
Please	e tick yes						
	carrying on or proposing able activities; or	to carry on a busines	s which invo	lves ti	he use of the prem	ises for	
I am r	making the application p statutory function or a function discharged		esty's prerog	ative			
(A) II	NDIVIDUAL APPLIC	ANTS (fill in as appli	cable)				
Мг	☐ Mrs ☐	Miss	Ms 🗆	100000000000000000000000000000000000000	er Title (for nple, Rev)		
Surna	ame		First na	mes			
es	8 years old or over		First na	mes	☐ Please t	tick yes	
I am I	8 years old or over		First nai	mes	☐ Please t	tick yes	
I am I	8 years old or over nt postal address if ent from premises		First nau	mes	Please t	tick yes	
I am I Currer differe addres	8 years old or over nt postal address if ent from premises	umber	First nai	mes		tick yes	

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr 🗌 Mrs		Miss 🔲	Ms 🔲	Other Title (for example, Rev)	
Surname			First n	ames	
1 am 18 years old c	rover			☐ Ple	ase tick yes
Current postal adda different from pren address					
Post town		- 1		Postcode	
Daytime contact t	elephone nu	mber		-	
E-mail address (optional)					
Name The Parochial Chur	3191101-1501-1501	NO-MANA SOME		- 1250 CC (1.172 1)	
Address St Peter's Church,	17	turner tuncerior		reter riste	
Registered number 1130535	(where appl	icable)			
Description of appl Charity	icant (for ex	ample, partners	ship, company, u	nincorporated associ	ation etc.)
Telephone number	(if any)				
E-mail address (opt	ional)				

Pa	rt 3 Operating Schedule	
W	nen do you want the premises licence to start?	DD MM YYYY 0 7 0 4 2 0 1 7
	you wish the licence to be valid only for a limited period, when do you nt it to end?	DD MM YYYY
Ple	ase give a general description of the premises (please read guidance note	1)
Ch	urch.	
for and The doe	e purpose of this application is to provide the flexibility for the church to events related to church activity. These events will generally be for member the local community. e church grounds are accessible 24 hours, hence the 24 hours opening spees not suggest that events will continue over a 24 hour period, as demonstrable activities.	bers of the congregation cified below. However, this
	,000 or more people are expected to attend the premises at any one time, ase state the number expected to attend.	
Wh	at licensable activities do you intend to carry on from the premises?	
Ple	ease see sections I and 14 of the Licensing Act 2003 and Schedules I and	2 to the Licensing Act 2003)
Рто	vision of regulated entertainment	Please tick any that apply
1)	plays (if ticking yes, fill in box A)	
6)	films (if ticking yes, fill in box B)	
:)	indoor sporting events (if ticking yes, fill in box C)	
1)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
()	live music (if ticking yes, fill in box E)	
)	recorded music (if ticking yes, fill in box F)	
()	performances of dance (if ticking yes, fill in box G)	
1)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

Provision of late night refu	eshment (if ticking yes, fill in box I)		
Supply of alcohol (if tickin	g yes, fill in box J)		\boxtimes
In all cases complete boxes	K, L and M		
Plays Standard days and timings	Will the performance of a play take place indoors or outdoors or both – please tick (please read	Indoors	
(please read guidance note 6)	guidance note 2)	Outdoors	

	rd days an read guid		Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
6)			[25]	Outdoors	
Day	Start	Finish		Both	Ø
Mon	10:00	23:00	Please give further details here (please read guidance	note 3)	
Tue	10:00	23:00			
Wed	10:00	23:00	State any seasonal variations for performing plays note 4)	please read gui	idance
Thur	10:00	23:00			
Fri	10:00	23:00	Non standard timings. Where you intend to use the performance of plays at different times to those lists the left, please list (please read guidance note 5)		
Sat	10:00	23:00	The state of the s		
Sun	10:00	23:00			

	rd days an		Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
6)				Outdoors	
Day	Start	Finish		Both	×
Mon	10:00	23:00	Please give further details here (please read guidance	note 3)	
Tue	10:00	23:00	[
					0
Wed	10:00	23:00	State any seasonal variations for the exhibition of fil guidance note 4)	ms (please rea	d
Thur					
Tiral	10:00	23:00			
Fri	10:00	23:00	Non standard timings. Where you intend to use the		
			exhibition of films at different times to those listed in left, please list (please read guidance note 5)	the column	on the
Sat	10:00	23:00			
Sun	10:00	23:00			
	10.00	20.00			

Standa	sporting rd days an read guid	d timings	Please give further details (please read guidance note 3)
Day	Start	Finish	1
Mon		-	
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			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 (please read guidance note 5)
Fri			
Sat			
Sun		- msm	

Boxing	or wrest	ling	Will the boxing or wrestling entertainment take		-
	inments		place indoors or outdoors or both - please tick	Indoors	
		d timings ance note	(please read guidance note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	e note 3)	
		1	COLD COLD TO THE COLD THE SECOND STATE AND SECOND STATE OF THE SEC		
Tue			i		
	_	-			
Wed		-	State any seasonal variations for boxing or wrestling	no entertainme	nt.
wed	-	-	(please read guidance note 4)	ng entertainme	
Seat Control		-			
Thur					
Fri			Non standard timings. Where you intend to use th		
			or wrestling entertainment at different times to the column on the left, please list (please read guidance		
Sat				160	
	_				
Sun		-			
COMM	_				

	rusic rd days and read guida		Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
6)	Yeara Garan	mice more	The graduate for Ey	Outdoors	
Day	Start	Finish	1	Both	
Mon			Please give further details here (please read guidance	ce note 3)	
Tue					
		11			
Wed			State any seasonal variations for the performance read guidance note 4)	of live music (p	lease
Wed				of live music (p	lease
				e premises for	the
Thur			Non standard timings. Where you intend to use the performance of live music at different times to those	e premises for	the

Standa	ded music rd days an read guid	d timings	Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
6)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidano	e note 3)	
Tue					
Wed			State any seasonal variations for the playing of rec	orded music (p	lease
			read guidance note 4)		
Thur			read guidance note 4)		
Thur Fri			Non standard timings. Where you intend to use the playing of recorded music at different times to those on the left, please list (please read guidance note 5)		
			Non standard timings. Where you intend to use the		

Standa	mances of rd days and read guida	d timings	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
6)	14000 - 1 0000			Outdoors	
Day	Start	Finish	1	Both	
Mon			Please give further details here (please read guidance	e note 3)	
Tue					
Wed			State any seasonal variations for the performance of guidance note 4)	f dance (please	e read
Wed				f dance (please	e read
				premises for	the
Thur			Non standard timings. Where you intend to use the performance of dance at different times to those list	premises for	the

descri within Standa	ing of a si ption to th (e), (f) or rd days an read guid	at falling (g) d timings	Please give a description of the type of entertainment y	ou will be prov	riding
Day Start Finish		Finish	Will this entertainment take place indoors or	Indoors	
Mon			outdoors or both - please tick (please read guidance note 2)	Outdoors	
				Both	
Wed					
Thur Fri			State any seasonal variations for entertainment of a to that falling within (e), (f) or (g) (please read guidar		ption

Standa	Late night refreshment Standard days and timings (please read guidance note		Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
(please read guidance note 6)		ance note	(prease read guidance note 2)	Outdoors	
Day	Start	Finish	1	Both	
Mon			Please give further details here (please read guidance	e note 3)	
Tue					
Wed			State any seasonal variations for the provision of la (please read guidance note 4)	te night refres	hment
Thur					
Fri			Non standard timings. Where you intend to use the provision of late night refreshment at different time the column on the left, please list (please read guidant).	es, to those list	
Sat					
Sun					

Supply of alcohol Standard days and timings		d timings	Will the supply of alcohol be for consumption — please tick (please read guidance note 7)	On the premises	
(please read guidance note 6)		ance note		Off the premises	
Day	Start	Finish		Both	
Mon	10:00	23:00	State any seasonal variations for the supply of alco guidance note 4)	ohol (please read	
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	23:00	Non standard timings. Where you intend to use the supply of alcohol at different times to those listed		
			left, please list (please read guidance note 5)	in the column of	ii the
Fri	10:00	23:00			
	10:00	23:00			
Sat	10.00	22.00			

Name Reverend Ke	eith Paul Addenbrooke
Address St Peter's Vi	icarage, I Harrop Road, Hale, Altrincham
Postcode	WAS15 9BU
Personal lice TBC	nce number (if known)
Issuing licen TBC	sing authority (if known)

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).

n/a

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)		State any seasonal variations (please read guidance note 4)
Start	Finish	
00:01	00:00	
00:01	00:00	
00:01	00:00	
00:01	00:00	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 (please read guidance note 5)
00:01	00:00	
00:01	00:00	
00:01	00:00	
	public rd days an read guid Start 00:01 00:01 00:01 00:01 00:01	Start Finish

a) General – all four licensing objectives (b, c, d	and e) (picase read guidance note 9)
Please see attached operating schedule.	
b) The prevention of crime and disorder	
Please see attached operating schedule.	
e) Public safety	
Please see attached operating schedule.	
The prevention of public nuisance	
Please see attached operating schedule.	

e) The protection of children from harm

	ttached operating schedule.	
Checklist:		
Circuisti	Please tick to indicate agree	mei
• I have	made or enclosed payment of the fee.	×
• I have	enclosed the plan of the premises.	
I have applied	sent copies of this application and the plan to responsible authorities and others where able.	×
	enclosed the consent form completed by the individual I wish to be designated premises visor, if applicable.	×
 I unde 	rstand that I must now advertise my application.	\boxtimes
 I unde reject 	rstand that if I do not comply with the above requirements my application will be	\boxtimes
IT IS AN C LEVEL 5 C TO MAKE	FFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDIN ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.	200
IT IS AN C LEVEL 5 C TO MAKE Part 4 – Signature c	FFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDIN ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT	200
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Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Kuit Steinart Levy LLP, 3 St Mary's Parsonage

Post town	Manchester	THE STATE OF THE S	Postcode	M3 2RD
Telephone number (if any)		0161 838 7888		110
If you would	prefer us to corresp	pond with you by e-mail, your	e-mail address (option	al)

Company of the Compan

Notes for Guidance

rebeccaingram@kuits.com

- 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 offsupplies, you must include a description of where the place will be and its proximity to the
 premises.
- Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 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.
- For example (but not exclusively), where the activity will occur on additional days during the summer months.
- For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 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.
- 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'.
- 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 seminudity, films for restricted age groups or 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.
- An applicant's agent (for example solicitor) may sign the form on their behalf provided that they
 have actual authority to do so.
- Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
- 13. This is the address which we shall use to correspond with you about this application.



APPENDIX B

Representation A from local resident

38 Acacia Avenue Hale Altrincham Cheshire WA15 8QY

Janet Taylor
Licensing
Trafford Town Hall
Talbot Road
Stretford
M32 OTH



Dear Jan

I would like to object to the application made by or on behalf of St. Peter's Church in Hale for a licence to serve alcohol up to 11p.m. at night 7 days a week.

Such a licence would give rise to added activity in the Church Hall and this will lead to an increased number of people leaving the Hall after 11p.m. at night causing a noise disturbance as they say good bye to each other and get into their cars. Also small children could be woken up and people who have already gone to bed will be disturbed.

I am also concerned that there is no space for cars to be parked and that people will therefore resort to parking on both sides of the road in Murieston Road again causing noise and disturbance as they proceed to their vehicles at the end of a long evening.

Kind Regards

Cllr Mrs P Young TMBC Hale Central Ward

Tel: 0161 928 0207

APPENDIX C Representation B from local resident

05 APR 2017

Licensing Section Trafford Borough Council Trafford Town Hall Talbot Road Stretford M32 OTH Wynthorpe 8 Murieston Road Hale Altrincham Cheshire WA15 9ST

By email: licensing@trafford.gov.uk

2 April 2017

Dear Sir.

LICENSING APPLICATION AT ST PETER'S CHURCH, HALE

We understand that an application for a premises licence has been made at St Peter's Church, Ashley Road, Hale, WA15 9SS, to permit the sale of alcohol and provision of plays and films between the hours of 10.00 and 23.00 daily.

We wish to register our objections in the strongest possible terms to this major change of use in a highly residential area. Murieston Road is also designated as being in a conservation area.

The character and culture of Murieston Road, and indeed other adjacent roads such as Harrup Road would be very adversely affected by any such change of use permitting the sale of alcohol and ability to show films and plays to the public daily added to which there would be more noise and traffic.

Now, vehicle parking is permitted on each side of Murieston Road so that the road is jummed with cars for most days in the week. The result is that for most days during the week it is only possible for traffic to proceed down the road in single file in one direction while vehicles must wait if coming in the opposite direction. The proposed application for a premises licence by the church will exacerbate what is already a chaotic and highly unsatisfactory situation in the road. For example, on many occasions, we are forced to turn right instead of left when exiting our house because of the vehicles parked outside the house.

If this licence application is granted, the intensification of use at this church property would extend the parking problems during the day to 11.00 pm at night. Furthermore, the increased noise from 11.00 pm when people are leaving the building and driving away will severely degrade the quality of life of the residents in surrounding houses. This loss of amenity will destroy our quiet enjoyment of our home and we urge you to refuse it.

This application for a premises licence to sell alcohol and show films to the public is a commercial venture which should not permitted in a residential area. I trust that you will refuse the application

Yours faithfully,

John and Stephanie Poole