

## TRAFFORD COUNCIL

**Report to:** Licensing Sub-Committee  
**Date:** 4<sup>th</sup> November 2024  
**Report for:** Decision: Determination of Application  
**Report of:** Head of Regulatory Services

### Report Title

**APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE UNDER S17 LICENSING ACT 2003 AT WALTON COTTAGE EDUCATION TRUST, 597 STRETFORD ROAD, OLD TRAFFORD, MANCHESTER M16 9BX**

### Summary

Under S18(4) of the Licensing Act 2003, Members are requested to determine an application for a new premises licence in respect of Walton Cottage Education Trust, 597 Stretford Road, Old Trafford, Manchester M16 9BX having regard to representations received and the requirement to promote the four licensing objectives.

### Recommendation(s)

The following options are open to the Licensing Sub-Committee;

- (i) To grant the application in full and on the terms and conditions contained within the application to include any applicable mandatory conditions.
- (ii) To grant the application as above, modified to such an extent as considered appropriate to satisfy any relevant representations and promote the licensing objectives; or
- (iii) To reject the application.

Contact person for access to background papers and further information:

Name: Ursula Smith - Licensing Officer.  
Contact: [Licensing@trafford.gov.uk](mailto:Licensing@trafford.gov.uk)

Appendices:

- A) Application for a New Premises Licence
- B) Photographs of Blue Notice & Copy of Newspaper Advert
- C) Additional Conditions proposed by applicant during consultation.
- D) Representations

## **1.0 APPLICATION**

**1.1** A premises licence is required in respect of any premises where it is intended to conduct one or more of the four licensable activities, these being:

- The sale of alcohol
- The supply of alcohol (in respect of a club)
- Regulated entertainment
- The provision of late night refreshment

This application was submitted by: Walton Cottage Education Trust in respect of 597 Stretford Road, Old Trafford, Manchester M16 9BX

**1.2** The applicant has applied for the following hours:

### **Live Music – Indoors**

Thursday: 23.00 – 23.30

Friday and Saturday: 23.00 – 01.30

### **Recorded Music – Indoors**

Thursday: 23.00 – 23.30

Friday and Saturday: 23.30 – 01.30

### **Late Night Refreshment – Indoors**

Thursday: 23.00 – 23.30

Friday and Saturday: 23.00 – 01.30

### **Alcohol – On**

Thursday: 18.00 – 23.00

Friday: 18.00 – 01.00

Saturday: 15.00 – 01.00

Sunday: 12.00 – 21.00

### **Opening Hours:**

Monday to Wednesday: 9.00 – 18.00

Thursday: 9.00 – 23.30

Friday and Saturday: 9.00 – 01.30

Sunday: 9.00 – 21.30

**1.3** The application has been properly made. However, the blue notices and newspaper advertisement incorrectly advertised what was being applied for. The management team agreed that the newspaper advertisement could be accepted, but that the blue notices needed to be amended, and the consultation period re-started. The application including consent of DPS and plan, has been attached as **Appendix A**.

## **2.0 BACKGROUND AND HISTORY OF PREMISES**

**2.1** The applicant has described the premises as: 'Walton Cottage Trust is a registered Charity. People will attend via invitation only or as friends of Walton Cottage Education Trust e.g. birthday parties/small celebrations/members events/charity.'

## **3.0 OPERATING SCHEDULE**

**3.1** The operating schedule is completed by the applicant and contains additional measures to illustrate how they propose to promote the four licensing objectives as required by provision of the Licensing Act 2003. They are listed below and will be attached as conditions to any licence as may be granted:

1. All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme ongoing and under constant review and shall be made available to a relevant responsible authority when called upon.
2. All staff shall be trained in their responsibilities under the Licensing Act 2003 and in regards to the terms and conditions of this licence. Such training should include the prevention of sales of alcohol to underage persons, and the challenge 25 scheme in operation at the premises.
3. Records pertaining to such training shall be kept / be accessible at the premises at all times, shall be updated every 6 months and shall be made immediately available for inspection at the premises to council and / or police officers on request.
4. Alcohol sales will be predominantly for prebooked invited guests.
5. A CCTV system shall be installed to cover all entry and exit points enabling frontal identification of every person entering in any light condition.
6. The CCTV system shall continually record and cover areas where alcohol is kept for selection and purchase by the public, whilst the premises is open for licensable activities. It shall operate during all times when customers remain on the premises.

7. All recordings shall be stored for a minimum period of 31 days with correct date and time stamping and shall be made available immediately upon the request of Police or an authorized officer of the council throughout the preceding 31 day period.
8. A staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open to the public.
9. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.
10. CCTV shall be downloaded on request of the Police or authorized officer of the council.
11. Appropriate signage advising customers of CCTV being in operation, shall be prominently displayed in the premises.
12. The premises shall upload a zero-tolerance policy in relation to illegal drugs.
13. A premises daily register shall be kept at the premises. This register shall be maintained and kept for a rolling period of 12 months. The register shall record all incidents which may have occurred which are relevant to the supply of alcohol and the promotion of the licensing objectives. Such incidents shall include, but not be limited to, complaints made to the premises alleging nuisance or anti-social behavior by persons attending or leaving the premises and all refusals to sell alcohol.
14. The register shall be readily available for inspection by an authorized person upon reasonable request.
15. The premises licence holder shall not sell super strength beer, lager or cider with an alcohol content of 6.5% ABV (alcohol by volume) or greater. This restriction shall not apply in respect of the specialist branded, premium priced, products - for example craft ales, local or micro brewery specialist products, boxed gifts or national celebratory/commemorative beer, lager or cider with an alcohol content of 6.5% ABV or greater.
16. All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.
17. The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.

18. Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms and equipment to ensure their continued safe operation. A written record of these checks shall be kept and made available to an authorized officer of the licensing authority.
19. Empty glasses and bottles shall be removed from public areas quickly and efficiently.
20. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
21. Disposal of Waste bottles into external receptacles where the noise shall be audible to neighbouring properties shall not occur between 19:00 hours and 07:00 hours on the following day.
22. No deliveries to the premises from commercial vehicle shall take place between 19:00 and 06:00 on the following day.
23. No person shall be allowed to leave the licensed area whilst in the possession of any open drinking vessel or open glass bottle, whether empty or containing any beverage.
24. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and ensure that there is no public nuisance.
25. Signage requesting customers to be respectful of others when entering or leaving the premises shall be installed in a prominent position by the premises' exit.
26. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are the following recognized photographic identification cards: a driving licence, a passport, a military identification card or a Proof of Age card carrying a 'PASS' logo.
27. Notices advertising that the premises operates a "Challenge 25" scheme shall be displayed in a clear and prominent position.
28. All occasions when persons have been refused service shall be recorded in the premises daily register.
29. All children under the age of 12 years shall be accompanied by an adult whilst on the premises after 7.00pm.

30. The premises licence holder or Designated Premises Supervisor shall ensure that all management and staff who are not personal licence holders are fully trained and briefed on the four licensing objectives and Challenge 25 and they are adhered to.

**3.2** The below conditions have been proposed by the applicant during the consultation period:

- To reduce the hours to 12 (midnight) for the license on Friday and Saturday (inc Late night refreshments and recorded music).
- Also to remove live music from the application.
- They have also offered to check every hour up to the park area to assess the volume and close windows if necessary when regulated entertainment is taking place.

#### **4.0 CONSULTATION**

**4.1** The responsible authorities included in the consultation are; Greater Manchester Police, Greater Manchester Fire & Rescue, Environmental Health & Pollution Control, Building Control, Health and Safety Team, Home Office Immigration Enforcement, Planning Department, Safeguarding Children Team, Trading Standards and Public Health.

**4.2** Of those consultees identified in paragraph 4.1, a representation was received from the Environmental Health team. This is attached as **Appendix C**.

**4.3** In response to the public consultation, the Licensing Authority received 38 objections to the grant of the premises licence. These are attached as **Appendix D**.

**4.4** A copy of the report and the representations received have been sent to the applicant.

**4.5** Those that have made a representation have been informed of the time and date of the Licensing Sub-Committee meeting and have been informed of their right to attend.

#### **5.0 LEGAL CONSIDERATIONS**

**5.1** Conditions may only be attached to a Premises Licence where they are deemed appropriate for the promotion of the licensing objectives. They must be proportionate and not duplicate any existing provisions contained in other legislation. The justification behind a refusal or the attachment of conditions must be given to the applicant.

- 5.2** The Sub-Committee is advised that any findings on any issues of fact should be on the balance of probabilities 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.
- 5.4** There is a right of appeal to the Magistrates Court within 21 days from the date the Applicant is notified of the decision of the Licensing Sub-Committee.