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TRAFFORD COUNCIL

AGENDA PAPERS MARKED 'TO FOLLOW' FOR LICENSING SUB-COMMITTEE

Date: Friday, 15 November 2013

Time: 10.00 a.m.

Place: Room 4, Ground Floor Trafford Town Hall, Talbot Road, Stretford,
Manchester, M32 0TH

AGENDA	PART I	Pages
2.	APPLICATIONS WITH ALL PARTY AGREEMENT (STANDING ITEM)	
	To receive an update on applications where all parties have reached agreement and to decide, in each case, whether to:	
	Agree that a hearing is not necessary and determine to grant the licence and attach the agreed conditions: or	1 - 32
	Agree that a hearing will be necessary with all the parties present.	

THERESA GRANT

Chief Executive

Membership of the Committee

Councillors M. Freeman, B. Sharp and Mrs. J. Wilkinson.

Further Information

For help, advice and information about this meeting please contact:

Mrs Ruth Worsley, Democratic Services Officer

Tel: 0161 912 2798

Email: ruth.worsley@trafford.gov.uk

This agenda was issued on **Friday, 8 November 2013** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall; Talbot Road, Stretford, Manchester, M32 0TH

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TRAFFORD COUNCIL

THE LICENSING SUB COMMITTEE – 15TH NOVEMBER 2013

REPORT OF THE HEAD OF PUBLIC PROTECTION

REPORT REF. NO.

**APPLICATION FOR THE GRANT OF A PREMISES LICENCE –
193 ASHLEY ROAD, HALE, ALTRINCHAM, CHESHIRE, WA15 9SQ**

PURPOSE

To invite Members to consider a representation from the Pollution and Licensing Unit recommending the attachment of conditions to the licence that has been agreed by the applicant.

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.

It be **RESOLVED** that the application for a Premises Licence be determined.

Iain Veitch
Head of Public Protection

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 Public Protection

Appendices:

- Appendix A – Application and Operating Schedule (including layout of premises)
- Appendix B – Representation from Pollution & Licensing Section and agreement from Applicant to inclusion of conditions and that a full hearing is not necessary
- Appendix C- Extract of Secretary of States Guidance
 - Licensing Objective : Public Nuisance
- Appendix D – Extract of Trafford Council Licensing Policy 2011 – 2014
 - 7.0 Licensing Objectives – Public Nuisance

1. Background

- 1.1 The premises known as 193 Ashley Road, Hale, Altrincham, Cheshire does not currently hold a premises licence.
- 1.2 The applicant, The Little Deli Co, already hold a premises licence within the Borough for a similar venue.

2. Application for the Grant of a Premises Licence.

- 2.1 On 2nd October, 2013, the Licensing Section received an application from The Little Deli (Knutsford) Ltd., for the grant of a premises licence for 193 Ashley Road, Hale, Altrincham, Cheshire, WA15 9SQ. (**Appendix A**).
- 2.2 The application requested the granting of a premises licence to provide Supply of Alcohol (on & off) the premises, Regulated Entertainment and Late Night Refreshment (indoors & outdoors).
- 2.3 The hours requested for the licensable activities on the original application are as follows:

Sale of Alcohol (on & off premises) :

Monday to Sunday : 10.00 – 00.00

Provision of Regulated Entertainment : (indoors)

Recorded Music

Monday to Sunday : 09.00 – 00.00

Late Night Refreshment (indoors and outdoors) :

Monday to Sunday : 23.00 – 00.00

- 2.4 During the course of the representation period and following consultation with local ward councillors, the applicant agreed to amend the terminal hour for all licensable activities to 23.00 hours.
- 2.5 The Late Night Refreshment requirement is now therefore negated and subsequently removed from the application.
- 2.6 The hours now requested for the licensable activities to be granted are as follows:

Sale of Alcohol (on & off premises) :

Monday to Sunday : 10.00 – 23.00

Provision of Regulated Entertainment : (indoors)

Recorded Music

Monday to Sunday : 09.00 – 23.00

- 2.7 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

- 3.1 On 29th October, 2013 a representation was received by the Licensing Section from the Pollution & Licensing Section of Trafford Council. (**Appendix B**).

The representation requests the inclusion of :

PPN3

Noise from music and associated sources(including DJ's and amplified voices) must not be audible to such an extent that it constitutes a nuisance at any noise sensitive properties.

PPN4

All external doors shall be kept closed when regulated entertainment is being provided except in the event of an emergency.

PPN6

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. (Note, this may also include a reference to vehicles).

- 3.2 The representation has been accepted by the applicant and they have agreed to make the necessary inclusions on the operating schedule (**Appendix B**).

4. Options

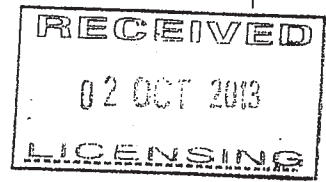
The Members are invited to consider the representation and the agreement given by the applicant and either:

- Agree that a hearing is not necessary and determine to grant the licence subject to the conditions being attached; or
- Agree that a hearing is necessary with all the parties present.

APPENDIX A
BT 122577#190

LASSO7/13

LDO: 30/10



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 The Little Deli (Knutsford) Ltd

(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			
193 Ashley Road, Hale, Altrincham, Cheshire			
Post town	Altrincham	Post code	WA15 9SQ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£15,000

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)

- ii. as a partnership 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:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - o statutory function or
 - o 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)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

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

(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.

Name The Little Deli (Knutsford) Ltd
Address 42 Stamford Park Road Hale Altrincham Cheshire WA15 9EP
Registered number (where applicable) 08527272
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company.
Telephone number (if any) 07921 717548
E-mail address (optional) info@thelittledelicompany.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year	

Please give a general description of the premises (please read guidance note1)

The premise is to be a craft beer shop with on and off sales and provision of deli food. The business model is based on a cheese and charcuterie craft beer bar. It is not intended that this premises will function as a night club or late night music venue.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

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)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play 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 performing plays</u> (please read guidance note 4)		
Wed					
Thur			<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)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films 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	Please give further details here (please read guidance note 3)		
Mon.					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
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			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Wed					
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)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon	09.00	00.00				
Tue	09.00	00.00				
			State any seasonal variations for the playing of recorded music (please read guidance note 4)			
Wed	09.00	00.00				
Thur	09.00	00.00				
			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 (please read guidance note 5)			
Fri	09.00	00.00				
			From the start of permitted hours on New Years Eve to the end of permitted hours on New Years' Day.			
Sat	09.00	00.00				
			An extra hour on the date when British Summer Time commences.			
Sun	09.00	00.00				

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

H

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

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	23.00	00.00			
Tue	23.00	00.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed	23.00	00.00			
Thur	23.00	00.00	<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) From the start of permitted hours on New Years Eve to the end of permitted hours on New Years' Day. An extra hour on the date when British Summer Time commences.		
Fri	23.00	00.00			
Sat	23.00	00.00			
Sun	23.00	00.00			

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 checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10.00	00.00			
Tue	10.00	00.00			
Wed	10.00	00.00			
Thur	10.00	00.00	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 (please read guidance note 5) From the start of permitted hours on New Years Eve to the end of permitted hours on New Years' Day. An extra hour on the date when British Summer Time commences.		
Fri	10.00	00.00			
Sat	10.00	00.00			
Sun	10.00	00.00			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Mr Oliver Haussels	
Address 17 Poplar Avenue Altrincham Cheshire	
Postcode	WA14 1LF
Personal Licence number (if known) PA0530	
Issuing licensing authority (if known) Trafford Council	

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	08.00	00.00	<p><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> (please read guidance note 5)</p> <p>From the start of permitted hours on New Years Eve to the end of permitted hours on New Years' Day. An extra hour on the date when British Summer Time commences.</p>
Tue	08.00	00.00	
Wed	08.00	00.00	
Thur	08.00	00.00	
Fri	08.00	00.00	
Sat	08.00	00.00	
Sun	08.00	00.00	

M Describe the steps you intend to take to promote the four licensing objectives:

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

The Little Deli Company and the Designated Premises supervisor fully understand the Licensing objectives and aim to produce a safe and responsible retail environment for both customers and local residents

b) The prevention of crime and disorder

The premises is fully equipped with CCTV to ensure the safety of the staff, customers and the general public. Moreover, all staff are trained in the responsible retailing of alcohol on a six monthly basis.

c) Public safety

The Little Deli company has proactively sought advice to ensure maximum public safety. This ranges from the internal provision, i.e. the recent fire audit to ensure compliance with fire safety regulations and the installation of CCTV, through to the proactive participation in community discussions and groups.

d) The prevention of public nuisance

The Little Deli company has proactively sought advice to ensure maximum public safety. This ranges from the internal provision, i.e. the recent fire audit to ensure compliance with fire safety regulations and the installation of CCTV, through to the proactive participation in community discussions and groups.

e) The protection of children from harm

The Little Deli Company ensures that there is a strict "challenge 25" protocol in the retail establishment and also that customers drinking on the premises drink responsibly. This includes the refusal to serve customers who already appear to be intoxicated.

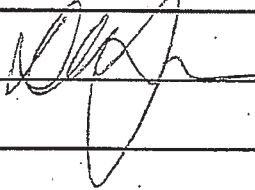
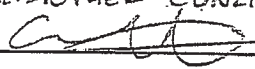
Please tick yes

- I have made or enclosed payment of the fee
- 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 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

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 4 – Signatures (please read guidance note 10)

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

Signature	David Sorrigan  CHRISTOPHER CONLIFFE 
Date	30/10/13
Capacity	Director

For joint applications signature of 2nd applicant 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 postal address for correspondence associated with this application (please read guidance note 13)

David Sorrigan
The Little Deli
42 Stamford Park Road
Hale
Altrincham
Cheshire

Post town	Altrincham	Post code	WA15 9EP
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Telephone number (if any)	07921 717548
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If you would prefer us to correspond with you by e-mail your e-mail address (optional) dsorrigan@aol.com
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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. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. 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.
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.



Consent of individual to being specified as premises supervisor

Oliver Haussels

[full name of prospective premises supervisor]

of

~~17~~ 10 Poplar Avenue,
Altrincham,
Cheshire,
WA14 1LF

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

The Little Deli (Knutsford) Ltd, 193 Ashley Road, Hale, WA15 8SQ

[type of application]

by

David Sorrigan

[name of applicant]

relating to a premises licence

N/a

[number of existing licence, if any]

for

The Little Deli (Knutsford) Ltd, 193 Ashley Road, Hale, WA15 8SQ

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

David Sorrigan

[name of applicant]

concerning the supply of alcohol at

The Little Deli (Knutsford) Ltd, 193 Ashley Road, Hale, WA15 8SQ

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

PA0530

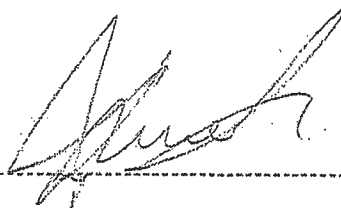
[insert personal licence number, if any]

Personal licence issuing authority

Trafford MBC

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

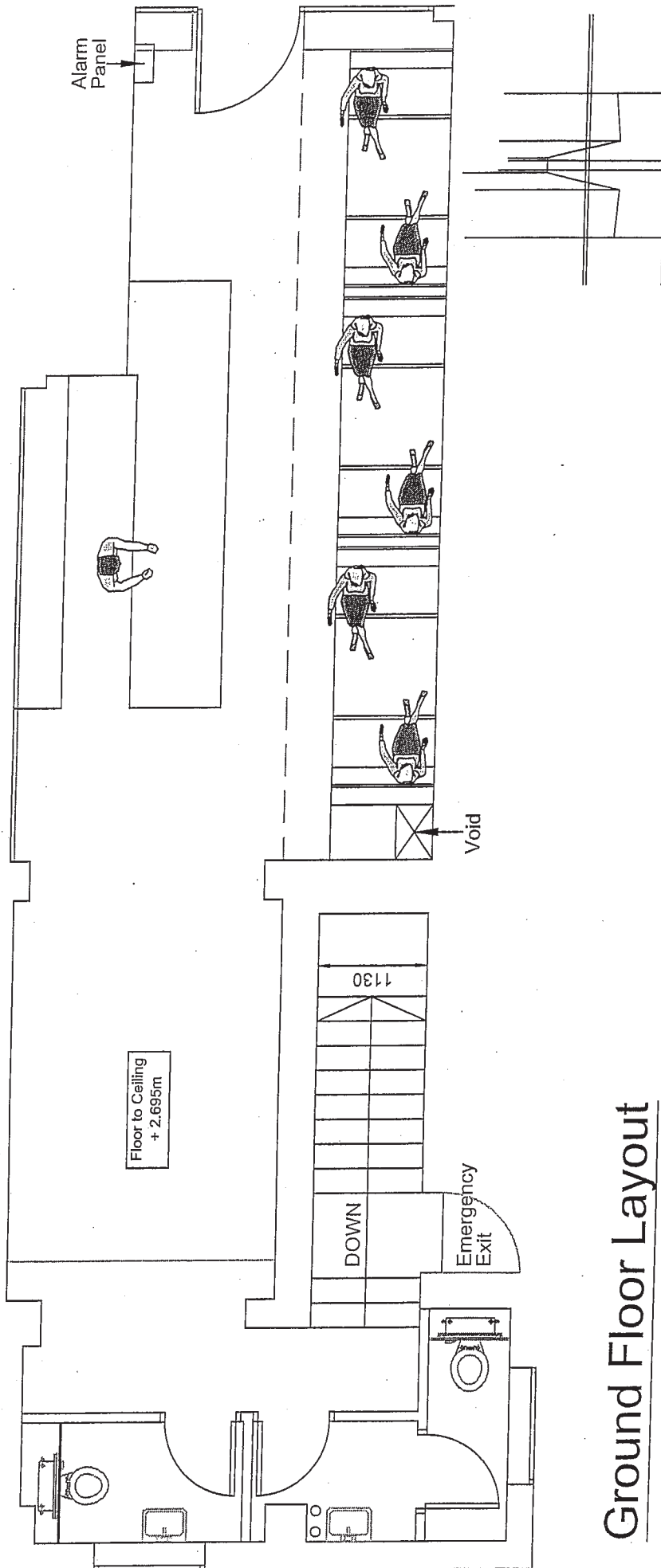


Name (please print)

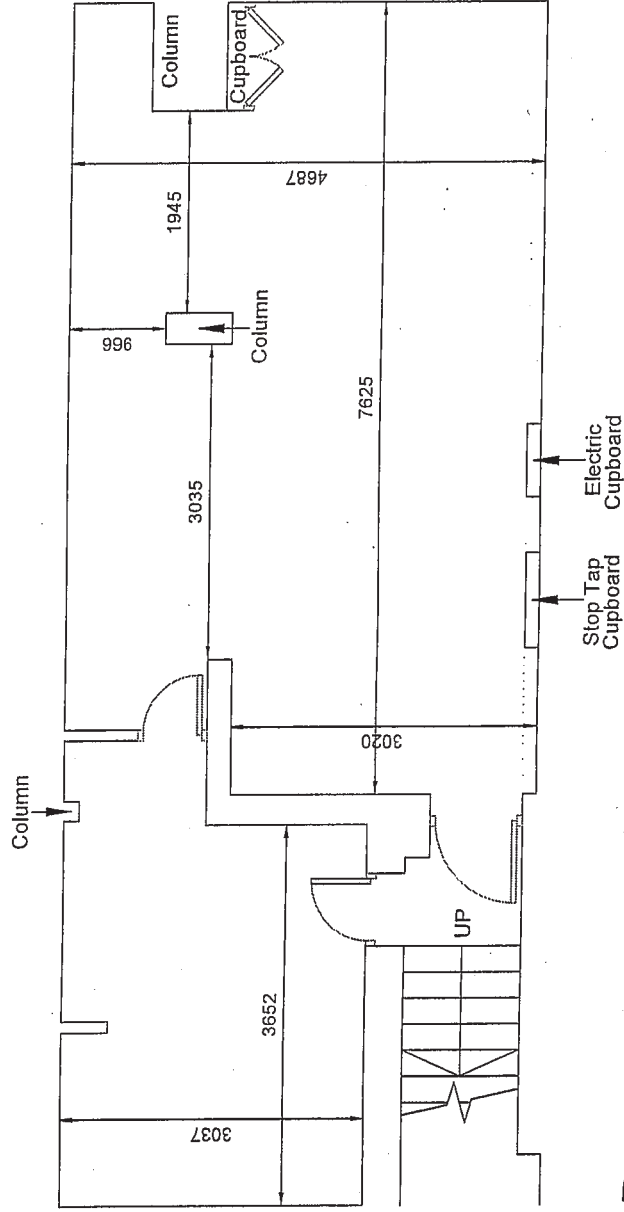
Oliver Haussels

Date

1/10/13



Ground Floor Layout



Basement Layout

Address:
The Little Deli
Hale

Title:
Basement Layout
Existing

Scale:
1:50 @ A3
Drawing Date:
18/09/2013
Revision:

Dwg File No:
The Little Deli - Hale

All dimensions must be checked on site before commencing construction.

APPENDIX B**Re: Premises licence, 193 Ashley Road, Hale**

info@thelittledelicompany.co.uk

To: Ali, Nasreen, David.Sorrigan@salford.gov.uk**Cc:** Bibi, Tony, Taylor1, Janet, Licensing**Date:** 29/10/2013 13:37:13

Hi Nasreen,

Agreed to the below.

Thanks,

Dave

On 29 October 2013 at 12:10 "Ali, Nasreen" <Nasreen.Ali@trafford.gov.uk> wrote:

Dear Dave,

I left a message on your answerphone regarding your licence application for the above premises. I am proposing the following conditions and would like you to confirm agreement or otherwise with them. I am on annual leave for the rest of the week so would appreciate it if you could copy Jan Taylor (I understand Jan is on leave until Thursday) and the licensing team into your response

PPN3

"Noise from music and associated sources (including DJ's and amplified voices) must not be audible to such an extent that it constitutes a nuisance at any noise sensitive properties".

PPN4

All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency.

PPN6

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. (Note, this may also include a reference to vehicles).

Kind Regards

Nasreen

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The Licensing Objectives

PUBLIC NUISANCE

- 2.32 The 2003 Act requires licensing authorities (following receipt of relevant representations) and responsible authorities, through representations, to make judgements about what constitutes public nuisance and what is necessary to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on impacts of the licensable activities at the specific premises on persons living and working (including doing business) in the vicinity that are disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.
- 2.33 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of interested parties (as defined in the 2003 Act) in the vicinity of licensed premises.²¹
- 2.34 Conditions relating to noise nuisance will normally concern steps necessary to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time in the evening to more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions necessary to promote the prevention of public nuisance should be tailored to the style and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid unnecessary or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.35 As with all conditions, it will be clear that conditions relating to noise nuisance may not be necessary in certain circumstances where the provisions of the Environmental Protection Act 1990, the Noise Act 1996, or the Clean Neighbourhoods and Environment Act 2005 adequately protect those living in the vicinity of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be necessary.
- 2.36 Where applications have given rise to representations, any necessary and appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late evening or early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise in the immediate vicinity of the premises may also prove necessary to address any disturbance anticipated as customers enter and leave.

- 2.37 Measures to control light pollution will also require careful thought. Bright lighting outside premises considered necessary to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.38 In the context of preventing public nuisance, it is again essential that conditions are focused on measures within the direct control of the licence holder or club. Conditions relating to public nuisance caused by the anti-social behaviour of customers once they are beyond the control of the licence holder, club or premises management cannot be justified and will not serve to promote the licensing objectives.
- 2.39 Beyond the vicinity of the premises, these are matters for personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.
- 2.40 The cumulative effects of litter in the vicinity of premises carrying on licensable activities can cause public nuisance. For example, it may be appropriate and necessary for a condition of a licence to require premises serving customers from take-aways and fast food outlets from 11.00pm to provide litter bins in the vicinity of the premises in order to prevent the accumulation of litter. Such conditions may be necessary and appropriate in circumstances where customers late at night may have been consuming alcohol and be inclined to carelessness and anti-social behaviour.

EXTRACT :**Trafford Council – Licensing Policy 2011-2014
– Licensing Objectives****7.0 LICENCE OBJECTIVE – THE PREVENTION OF PUBLIC NUISANCE**

7.1 Licensed premises have a significant potential to impact adversely on communities through public nuisances which can arise from their operation.

The Council recognises the need to prevent public nuisance to residents, visitors and other businesses from the potential consequence of the operation of licensed premises, whilst balancing the rights of licensed premises to develop their business potential.

7.2 Public nuisance in this context includes such issues as noise and disturbance, light pollution, odour, vermin and pest infestations, accumulations of refuse and litter, and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area.

7.3 The Council, however, recognises that licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are away from the premises and therefore beyond the direct control of the individual, club or business holding the licence.

7.4 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained with the intention of preventing public nuisance.

7.5 In considering applications, the Council will expect to see evidence that the applicant has identified matters that impact on the likelihood of public nuisance and that these matters have been addressed in the operating schedule. Such measures may include:

- Measures taken or proposed to be taken to prevent noise and vibration escaping from the premises or the immediate vicinity of the premises and including any outside areas (including smoking areas) bearing in mind the location of premises and proximity to residential and other noise sensitive premises (e.g. hospitals, hospices and places of worship); This would include music, ventilation equipment noise and human voices, whether or not amplified;
- Measures taken or proposed for management and supervision of the premises and associated open areas to minimise unreasonable disturbance by customers and staff arriving or departing from the premises and delivery of goods and services.
- Control of opening hours for all or part (e.g. garden areas) of the premises
- Measures taken to control light to ensure that it does not stray outside the boundary of the premises such as to give rise to problems to residents in the vicinity

- Steps taken to lessen the impact of parking in the local vicinity

- Measures taken to prevent someone who has consumed excess alcohol from entering the premises and to manage individuals on the premises who have consumed excess alcohol
- Management arrangements for collection and disposal of litter and refuse, and the control of pests
- Arrangements for ensuring that adequate and suitably maintained sanitary provision and washing facilities are provided for the number of people expected to attend any premises or events
- A 'wind down time' after the last service of alcohol, during which time the venue may offer for sale non-alcohol beverages
- A 'last admission time' policy
- Management arrangements for any proposed use of bonfires, fireworks and other pyrotechnics.

7.6 The extent to which the above matters need to be addressed will be dependent on the nature of the area where the premises are situated, the type of premises concerned, the licensable activities to be provided, operational procedures and the needs of the local community. In general, however, the Council will expect more comprehensive measures to be in place at late night entertainment venues or in premises with a history of public nuisance issues.

7.7 The Council will have regard to representations from the responsible authorities to determine if measures proposed are sufficient to reduce the risk of public nuisance. Where representations indicate that any matter has not been addressed sufficiently to prevent public nuisance the applicant will be expected to demonstrate that the issues can be satisfactorily addressed before the Council will grant an application for a licence or a variation.

7.8 Where appropriate the applicant will be expected to propose practical steps to prevent disturbance to local residents and to have regard to the "Good Practice Guide on the Control of Noise from Pubs and Clubs" produced by the Institute of Acoustics. Where noise has been identified as a potential problem by the applicant or Council officers, then the Council would expect the applicant to detail the measures proposed to address this issue within the operating schedule. Noise could relate not only to music but also from air handling equipment or from patrons. There are a number of practical ways in which sound leakage can be addressed, such as:

- Keeping doors and windows closed and providing adequate mechanical ventilation or, if necessary, air conditioning
- Reducing sound levels and installing a sound limiting device to prevent sound exceeding the appropriate level
- Installing soundproofing measures to contain sound and vibration.

7.9 In premises where patrons leave the premises particularly late at night or early in the morning, the Council will expect the applicant to have included in the operating schedule practical steps for reducing noise disturbance, such as:

- Erecting prominent notices at the exits to premises asking customers to leave quietly and not to slam car doors, and to respect the rights of nearby residents
- At appropriate times making loudspeaker announcements to the same effect
- Instructing door staff to ask customers leaving the premises to leave the area quietly
- Reducing the volume of music towards the end of the evening and where appropriate playing quieter, more soothing music as the evening winds down
- Banning from the premises people who regularly leave in a noisy manner
- The supervision of any queues formed late in the evening so as to keep noise and disturbance to a minimum.

7.10 Where relevant representations have been received, conditions may be imposed which include restrictions on the times when music or other licensable activities may take place and may include technical restrictions on sound levels at the premises.

7.11 In considering an application, the Council will take into account previous noise and nuisance complaints, and the ability/willingness of the licensee to deal with such complaints.

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