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TRAFFORD COUNCIL

AGENDA PAPERS FOR LICENSING SUB-COMMITTEE MEETING

Date: Tuesday, 22 October 2013

Time: 6.30 pm

Place: Committee Rooms 2&3, Trafford Town Hall, Talbot Road, Stretford,
Manchester, M32 0TH

AGENDA	PART I	Pages
1.	ATTENDANCES	
	To note attendances, including Officers and any apologies for absence.	
2.	APPLICATION FOR THE GRANT OF PREMISES LICENCE - SHELL RINGWAY, 155 STOCKPORT ROAD, TIMPERLEY, CHESHIRE, WA15 7LT	1 - 50
	To consider a report of the Head of Public Protection.	
3.	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	
	Agree that a hearing will be necessary with all the parties present.	
4.	URGENT BUSINESS (IF ANY)	
	Any other item or items which by reason of special circumstances (to be specified) the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency.	

THERESA GRANT

Chief Executive

Membership of the Committee

Councillors C. Candish, B. Sharp and J. Smith

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 **Thursday, 10 October 2013** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

TRAFFORD COUNCIL

THE LICENSING SUB-COMMITTEE – 22nd OCTOBER 2013

REPORT OF THE HEAD OF PUBLIC PROTECTION

REPORT REF. NO.

APPLICATION FOR THE GRANT OF A PREMISES LICENCE – SHELL RINGWAY, 155 STOCKPORT ROAD, TIMPERLEY, CHESHIRE, WA15 7LT

PURPOSE

To advise Members of an application for the Grant of a premises licence for Shell Ringway, 155 Stockport Road, Timperley, Cheshire, WA15 7LT which 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 (4) of the Licensing Act 2003.

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 - Aerial View of site and surrounding amenities
- Appendix B - Location plan showing resident representations
- Appendix C - Application and Operating Schedule (including premises layout)
- Appendix D – Applicants Supporting information
- Appendix E1 – E5 - Representations against application from local residents
- Appendix F – Extract of Secretary of States Guidance – Licensing Objective :
Public Nuisance
- Appendix G – Extract of Trafford Council Licensing Policy 2011 – 2014 :
7.0 Licensing Objectives – Public Nuisance
- Appendix H – Extract of Secretary of States Guidance – Licensing Objective :
Protection of Children from Harm
- Appendix I – Extract of Trafford Council Licensing Policy 2011 – 2014 :
9.0 Licensing Objectives – Protection of Children from Harm

1. Background

1.1 The premises located at 155 Stockport Road, Timperley is owned by Shell UK Oil Products Limited and is currently run as a petrol station and convenience store.

1.2 This premises does not currently benefit from a premises licence under the Licensing Act 2003.

2. Application for the Grant of a Premises Licence

2.1 On 31st July, 2013, the Licensing Section received an application (**Appendix C**) from Shell UK Oil Products Limited for the grant of a premises licence for the premises at 155 Stockport Road, Timperley, Cheshire, WA15 7LT which is to be known as Shell Ringway.

2.2 The application requests the licensable activity of :

Sale of Alcohol (off premises) :

Monday to Sunday 07.00 a.m. to 23.00 p.m.

2.3 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.

2.4 Section 176 of the Licensing Act 2003 prohibits the sale or supply of alcohol at motorway services or from a premises used primarily as a garage.

2.4.1 Premises are used as a garage if they are used for one or more of the following :

- The retailing of petrol;
- The retailing of derv;
- The sale of motor vehicles; and
- The maintenance of motor vehicles.

2.4.2 The licensing authority must decide whether or not premises are used primarily as a garage. The accepted approach is based on "intensity of use" to establish "primary use". For example, if a garage shop in a rural area is used more intensely by customers purchasing other products than by customers purchasing the products or services listed above, it may be eligible to seek authority to sell or supply alcohol.

2.4.3 Where there is insufficient evidence to establish primary use, it is for the licensing authority to decide whether to grant the licence and deal with any issues through enforcement action and it may be able to use its case management powers to enable further evidence to be obtained.

2.4.4 The applicant has provided supplementary information in support of their application (**Appendix D**)

3. Representations

3.1 Representations against the application have been received from local residents and are attached as **Appendix E1 to E5** and referenced at **Appendix B**.

3.2 The Committee are respectfully advised that the representations received against the application broadly relate to the Licensing Objectives :

- Prevention of Public Nuisance.
- Protection of Children from Harm.

3.3 The Members will be required to determine the relevance of the representations. When considering the relevance of the representations 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.

- Prevention of Public Nuisance (**Appendices F and G**).
- Protection of Children from Harm (**Appendices H and I**).

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.



Aerial View of site and surrounding amenities

APPENDIX A

Licensing Act 2003 - LA5419/13 – Shell Ringway, 155 Stockport Road, Timperley

APPENDIX B



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File No.	Drawn KI
Scale 1/1250	Date SEPT 13
Area (or thereabouts):	
TRAFFORD COUNCIL	
* - SHELL RINGWAY - 155 STOCKPORT ROAD, TIMPERLEY	
E1	E3
E2	E5
} REPRESENTATIONS	

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 SHELL UK OIL PRODUCTS LIMITED

(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 SHELL RINGWAY 155 STOCKPORT ROAD			
Post town	ALTRINCHAM	Postcode	WA15 7LT

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£42,000.00

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company 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 statutory function or
- a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
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 SHELL UK OIL PRODUCTS LIMITED
Address SHELL CENTRE LONDON SE1 7NA
Registered number (where applicable) 3625633
Description of applicant (for example, partnership, company, unincorporated association etc.) PRIVATE LIMITED COMPANY
Telephone number (if any) 0207 9341234
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
29	08	2013

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)
PLEASE SEE ATTACHED OVERVIEW.

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 any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

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

In all cases complete boxes K, L and M

A

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"/>
Day	Start	Finish				
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed			State any seasonal variations for performing plays (please read guidance note 4)			
Thur						
Fri			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 (please read guidance note 5)			
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			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur			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)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			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)
Thur			
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"/>
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)			Will the performance of live music 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			State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed					
Thur			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 (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 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 playing of recorded music (please read guidance note 4)		
Thur								
Fri						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)		
Sat								
Sun								

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"/>
					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 performance of dance (please read guidance note 4)			
Thur						
Fri						
Sat			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)			
Sun						

H

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

I

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 type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed					
Thur					
Fri			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 (please read guidance note 5)		
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 (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	07.00	23.00			
Tue	07.00	23.00			
Wed	07.00	23.00			
Thur	07.00	23.00			
Fri	07.00	23.00			
Sat	07.00	23.00			
Sun	07.00	23.00			
			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)		

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

Name YASIR MAHMOOD	
Address 13 LAWNSDOWNE ROAD MANCHESTER	
Postcode	M8 5SF
Personal licence number (if known) 148342	
Issuing licensing authority (if known) MANCHESTER CITY 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).
 NONE

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	07.00	23.00	<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)
Tue	07.00	23.00	
Wed	07.00	23.00	
Thur	07.00	23.00	
Fri	07.00	23.00	
Sat	07.00	23.00	
Sun	07.00	23.00	

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

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

SEE ATTACHED SHEET.

b) The prevention of crime and disorder

SEE ATTACHED SHEET.

c) Public safety

SEE ATTACHED SHEET.

d) The prevention of public nuisance

SEE ATTACHED SHEET.

e) The protection of children from harm

SEE ATTACHED SHEET.

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

a) General-all four licensing objectives (b, c, d, e)

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals book will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

A Challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

Spirits will be located behind the counter.

b) The prevention of crime and disorder.

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

Spirits will be located behind the counter.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

c) Public Safety.

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images can be made available upon reasonable request by the Police or other relevant officers of a responsible authority.

d) Prevention of public nuisance.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

e) The protection of children from harm.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken. Training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals book will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon request.

A Challenge 25 policy will be operated at the premise, acceptable forms of identification are a passport, photocard driving licence and PASS accredited identification card.

Spirits will be located behind the counter.

Checklist:

Please tick to indicate agreement

- 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 designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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	<i>M. John P.P. Lockett + Co.</i>
Date	30 TH JULY 2013
Capacity	LOCKETT & CO - DULY AUTHORISED AGENTS

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)

LOCKETT & CO
LOCKETT HOUSE
13 CHURCH STREET

Post town	KIDDERMINSTER	Postcode	DY10 2AH
Telephone number (if any)	01562 864488		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) melissa@lockett.uk.com			

Consent of individual to being specified as premises supervisor

Yasir Mahmood

.....
[full name of prospective premises supervisor]

of

13 - Lawnsdowne Road Manchester M8 5SF
.....
[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

NEW PREMISES LICENCE APPLICATION FOR THE SALE OF ALCOHOL
FOR CONSUMPTION OFF THE PREMISES .
.....
[type of application]

by

SHELL UK OIL PRODUCTS LIMITED

.....
[name of applicant]

relating to a premises licence

/
.....
[number of existing licence, if any]

for

Shell Ringway
155 Stockport Road
Timperley
Altrincham
WA15 7LT

.....
[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

SHELL UK OIL PRODUCTS LIMITED

[name of applicant]

concerning the supply of alcohol at

Shell Ringway
155 Stockport Road
Timperley
Altrincham
WA15 7LT

[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

148342


[insert personal licence number, if any]

Personal licence issuing authority

Manchester City Council. Licencing Business Unit. PO BOX 271 Manchester M18 8YU

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

Signed



Name (please print)

Yasir Mahmood

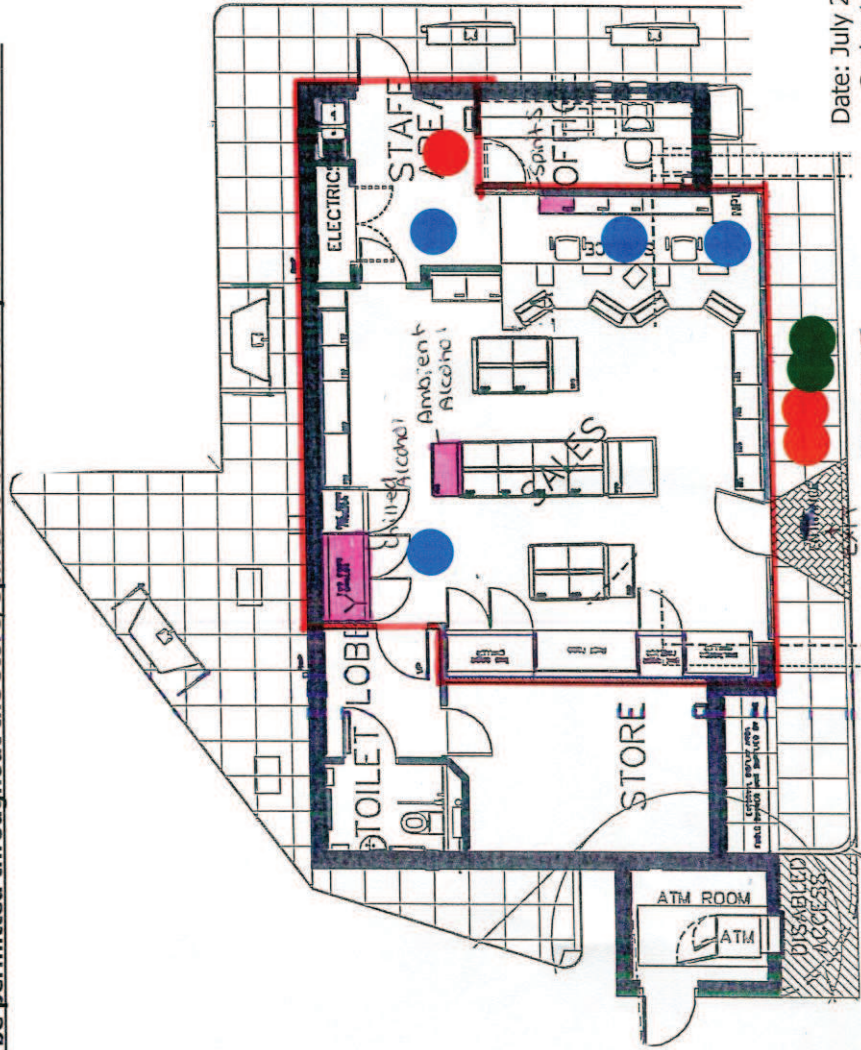
Date

14-6-13

Display of alcohol is to be permitted throughout the store, spirits to be located only behind the counter.

Key:

- - Fire extinguisher.
- - CCTV.
- - Fire bucket.
- - Area to be licenced for the sale of alcohol for consumption off the premise.



Date: July 2013
Scale: 1:100

Contractors Limited
PETROLEUM DIVISION
Unit 8, Acorn Business Park
The Parkway, Altrincham, Cheshire
Tel: 0161 275 70300 Fax: 0161 275 70301

**PROPOSED A.T.M. INSTALLATION
GENERAL ARRANGEMENT**

**SHELL UK LIMITED
DOWNSTREAM OIL**

PROJECT: 358081 DMQ 600

**General description supplementary to the premises licence
application for:**

SHELL UK OIL PRODUCTS LIMITED
SHELL RINGWAY
155 STOCKPORT ROAD
ALTRINCHAM, CHESHIRE
WA15 7LT

Contents:

- Convenience Store overview.
- Due Diligence overview.

Convenience Store Overview.

This is a well established convenience store site operated by the retailer Talahat Mahmood trading under SHELL with ancillary fuel sales. There are 8 pumps located on the forecourt as well as a Jet Wash. There are no facilities on site for the maintenance and/or sale of motor vehicles.

The Convenience Store.

The convenience store has a retail area of approximately 690 sq ft. The purpose built store has been designed to serve both the local community along with passing trade. The convenience store operates 07.00 hours to 23.00 hours, seven days per week under the company's own format. The store stocks a range of fresh foods and dairy produce, groceries and other domestic products and also offers 'express' lunch and coffee facilities. In addition dry fuel products such as BBQ charcoal/kindling/logs are available. Off sales are a standard and expected feature of the convenience store service.

The Operation.

The convenience store is operated by the Manager, assisted by a team of full and part time staff. The Designated Premises Supervisor, is trained and certified through an accredited scheme and is responsible for training all staff-utilising the Lockett & Co Due Diligence pack-and keeping complete training records. The Challenge 25 trading initiative is used supported by the refusals system with records kept in the Refusals Log.

Security.

The internal and external digital CCTV system benefits from a recorder with 31 day image retention. Recordings can be made available to Police and other enforcement agencies as needed.

LOCKETT & CO DUE DILIGENCE PACKAGE.

Our due diligence package consists of the following:

1. A Premises Licence Manual:

This consists of all the relevant information you will need regarding your premises licence and what the requirements are under the Licensing Act.

2. Staff Training Manual:

This manual is designed so that you can carry out in house training of all your staff on a regular basis, ensuring that all staff know their legal duties, what the requirements are under the Licensing Act and the penalties if the law is not adhered to.

3. Premises Refusals Log:

This log is where your staff will record any refused sales to customers (for example if they are underage, did not have any ID, etc). This log allows all refusals to be kept in one place. If the Police or Trading Standards ask if you are making the correct ID checks and refusing sales to anyone who is under 18 years of age, you have documented evidence to prove you have been compliant.

If a customer comes into your premise, and you refuse a sale of alcohol or age restricted product, you will need to record this information in this log, including date, time, person who refused service and why.

4. Premises Incident Log:

This log is where your staff will record any incidents that occur in your premises (for example theft, non payment for service, violence, etc).

If any of these incidents or any other relevant incidents occur, you will need to record them in the incident log including details of the event, who was involved, date, time and any other applicable information.

5. Refusals Cards (per 1000 for alcohol):

The cards are for your staff members to give out to customers when they are refused service when trying to purchase alcohol, telling them why they were refused. The use of the card can assist in reducing potential confrontation.

If a staff member refuses to sell alcohol to the customer they will need to tick the reason why on the card, stamp or write the name of the premise on the back and date and sign the card. Once they have done this they can give the card to the customer. They should record the refused sale in the refusal log.

6. Refusals Cards (per 500 for age restricted products):

These cards are for your staff members to give out to a customer when they are refused service for age restricted products, telling them why they were refused.

- If a staff member refuses to sell age restricted products to the customer they will need to tick the reason why on the card, stamp or write the name of the premise on the back and date and sign the card. Once they have done this they can give the card to the customer. They should record the refused sale in the refusal log.

7. U 25 Drink Awareness Badges (per 20):

These badges are for staff members to wear, showing customers that they will be requesting ID from anyone who appears to be under the age of 25 when purchasing alcohol. It will inform customers that this is company policy, rather than just a staff member being awkward or unfair requesting ID.

All staff members on the premise should wear these badges.

8. U 25 Drink Awareness Posters (per set A3, A4 & A2):

- These posters are for you to display around your premise, portraying the message that anyone who appears to be under the age of 25 will be asked for ID when purchasing alcohol. Again these posters are there to advise customers that this is company policy, and will assist in the prevention of underage requests for alcohol.

These posters should be displayed around the premise.

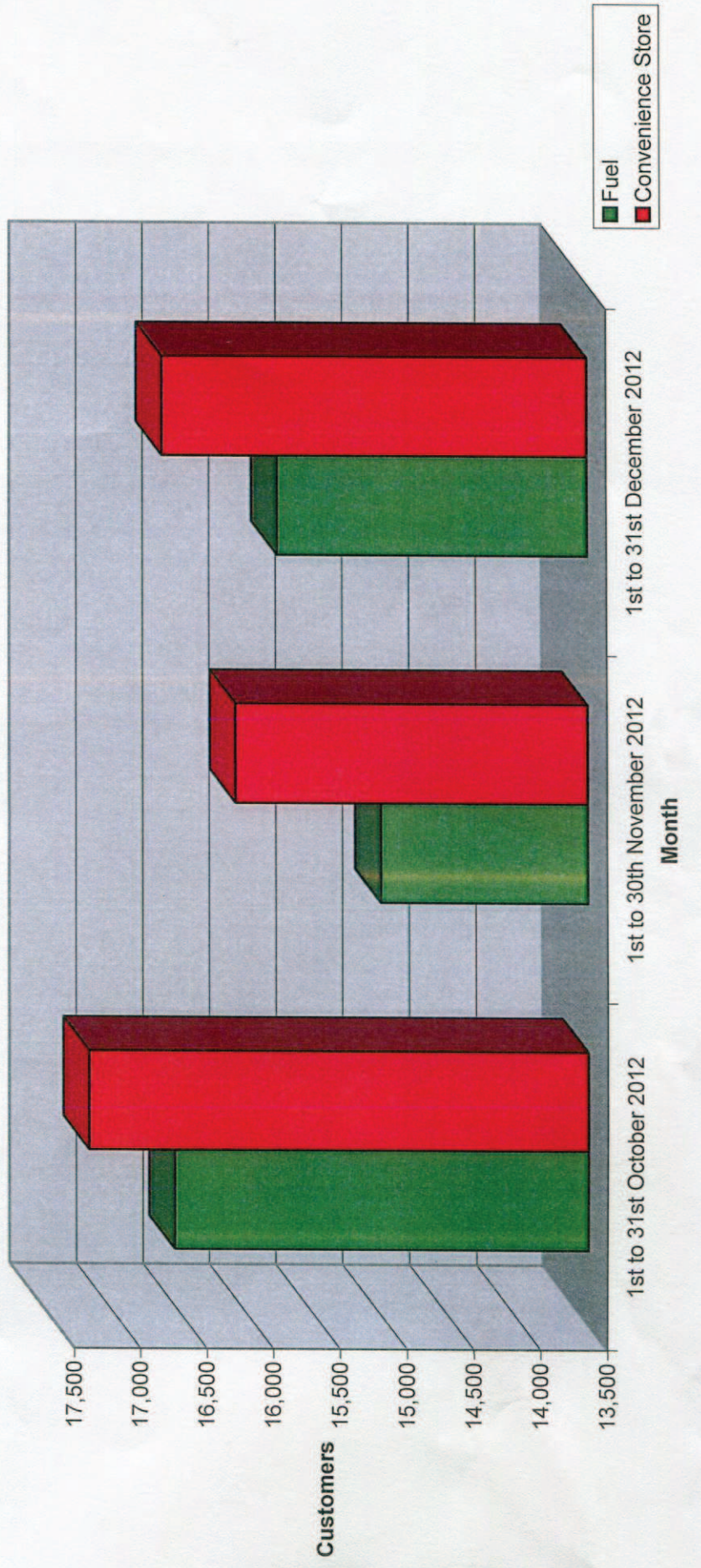
9. Staff Guide to Selling Alcohol Booklet (per 10):

This small booklet is an easy guide for staff members to refer to regarding their responsibilities with regard to the sale of alcohol. The booklet has been designed so that you can keep it in your pocket or under the counter.

All staff members should be issued with one of these booklets upon completion of training.

Analysis of Intensity of Use

Shell Ringway, 155 Stockport Road, Altrincham, Cheshire, WA15 7LT.
1st October 2012 to 31st December 2012.



Analysis of Intensity of Use.

Shell Ringway, 155 Stockport Road, Altrincham, Cheshire, WA15 7LT.

1st October 2012 to 31st December 2012 incl.

	Fuel	Convenience Store	Total
1st to 31st October 2012	16,597	17,239	33,836
1st to 30th November 2012	15,050	16,140	31,190
1st to 31st December 2012	15,824	16,690	32,514
TOTAL	47,471	50,069	97,540



~~_____~~ Moss Lane
 Timperley.
 Cheshire WA15 6TA

(A)

Dear Sirs.

OBJECTION TO ALCOHOL LICENCE

155 STOCKPORT RD. (MOSS LANE ALTRINCHAM
WA15 7LT)

Both my husband & I object most

strongly that the local council has decided (if no objection is put forward) to grant an alcohol licence to the above premises.

1. This station is not suitable for the sale of alcohol due to its being underpiped always
2. It contradicts the national campaign of binge drinking - you only have to see the dreadful scenes on television - to see the results of binge drinking.
3. The children of Wellington School use this station in the morning, during church hour & after school.
4. It will rise to the number of 'drink driving' offences.
5. Youths will congregate around the premises - drinking & making a nuisance.
6. The primary purpose of the petrol station is to sell fuel, which challenges the licensing criteria

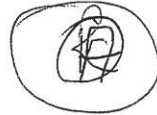
Please, please do not grant this hugely controversial criteria!

Yours faithfully

~~_____~~

Trafford Council
Licencing Section

RECEIVED
27 AUG 2013
LICENSING



[REDACTED]
Moss Lane
Timperley
Cheshire
WA15 6TA

19/08/2013
[REDACTED]

Dear Sir

Subject Application by Shell at 155 Stockport Road to sell Alcoholic Drinks.

I wish to inform you that I most strongly object to Shell being given permission to sell a range of alcoholic drinks.

Firstly there is no clear shortage of pubs or convenient stores that sell liquor in the vicinity of the Shell garage.

The purpose of the Shell proposal is to increase their profits rather than to provide a service to the local community.

It is inevitable that late night partygoers will stop at the garage to buy cans of alcohol for consumption as they walk down Moss Lane.

The area is often blighted by beer cans being discharged onto pavements or into the adjacent gardens.

For these reasons I demand that our street ambience not be further disturbed by the needless granting of an alcohol licence to Shell.

Yours faithfully

B. S. Swadlow
[REDACTED]



RECEIVED
27 AUG 2013
LICENSING

23rd August, 2013

A

To whom it may concern,
Dear Sir/Madam,

I would like to register my objection to the alcohol licence application by the Shell Garage, 155 Stockport Road, Timperley WA15 7LT. As there are already several other outlets that sell alcohol in the very near vicinity, I do not see the need for a further one and I am concerned at the implication of this on those other small, local businesses. I am also concerned that the pupils of Wellington School, which is only a matter of yards away from the petro station, will have the temptation of alcohol put in their way. The petro station seems to have a one cashier policy and would therefore not be able to monitor the forecourt and shop effectively.

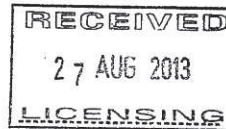
I hope that these objections will be taken into account and the licence request denied.

Yours faithfully,

John Gray

~~_____~~

The Licencing Section
Trafford Council



[REDACTED]
Moss Lane
Timperley
Cheshire
WA15 6TA
[REDACTED]
[REDACTED]

19 August 2013

Dear Sir

Subject: Objection to Alcohol Licence by Shell, 155 Stockport road (Moss Lane),
Timperley, Altrincham WA15 7LT

I strongly object to the granting of an Alcohol Licence to the Shell Company at
155 Stockport Road.

My primary objection is that local needs for the consumption/purchase of
alcoholic drinks are more than covered by services offered by the Hare and
House pub and the nearby Nisa store.

Drivers have access to many relatively close-by supermarkets and off-licences
located in Timperley and Altrincham.

Local school students often visit the Shell shop and they should not be tempted
further to purchase cheap cans of beer and cider.

Generally I would state that the people who work in the Shell store are not
capable of dealing with the many issues relating to the control and sale of
alcoholic beverages.

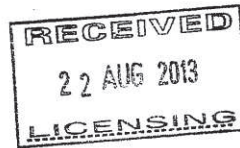
Will you please take my comments into consideration when reviewing the Shell
application to sell alcoholic drinks.

Yours Sincerely

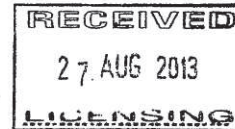
A handwritten signature in black ink, appearing to be "A. Smith", written over a redacted name.

(A)

The Licensing Officer
 Trafford Town Hall
 Talbot Road
 Stretford
 M31 0TH



Moss Lane
 Timperley
 Altrincham
 WA15 6TA
 20.08.13



Dear Sir/Madam,

I have recently been made aware of an application by the proprietor of the Shell Ringway Service Station 155 Stockport Road Timperley for a licence to sell alcohol at these premises between 07.00-23.00hrs daily.

I live with my family around 100 metres from this service station and wish to inform you of my objections to the granting of such a licence.

My first objection is that the sale of alcohol at a premises concerned primarily with the supply of fuel to motorists appears entirely inconsistent with the spirit of the legislation regarding the excessive consumption of alcohol by drivers of mechanically propelled vehicles. Whilst it does not necessarily follow that visiting drivers will buy and consume excessive amounts of alcohol it seems foolhardy to provide a convenient means of doing so. I would like to see the licence refused as a preventative measure.

I do not believe there is any demand for the sale of alcohol at these premises. Within sight and a very short distance from the Shell station is the Hare and Hounds Public House and a parade of shops including one licensed to sell alcohol. I do not see the granting of a licence as a gain in local retail services.

Wellington Road school entrance is around 200 metres from the Shell station. I frequently see children attending the garage both before, at lunchtime and after school to purchase confectionary. Whilst again it does not follow that crowds of errant schoolchildren will attempt to buy alcohol I see no need to put temptation in their way. Of course some of those attending the sixth form would be quite entitled to do so.

When I first moved to my current address in 2003 there were regular problems with drunken young men shouting in the street and causing damage to vehicles on weekend evenings. My neighbour's son suffered several damaged wing mirrors to his car around this time when parked on the road. I also suffered a damaged wing mirror in August 2007 when my vehicle was parked on my drive as did three other neighbours. The police arrested the offender whom had been drinking in the Hare and Hounds Pub. Beer glasses from the pub were often a regular addition to our garden. This problem ceased when the pub became mainly concerned in the supply of meals. My fear is that the sale of alcohol from the nearby garage may lead to similar events and would make the Shell a focal point for young people.

I am also concerned with the staffing of the service station. I buy fuel here at least

once and often twice a week and have never seen more than one cashier on duty. This results in forecourt queues and congestion on both Moss Lane and Stockport Road. The addition of alcohol sales at the same location can only exacerbate this problem.

Yours Faithfully,

J Woodhouse


EXTRACT : Secretary of States Guidance

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.^{2~}
- 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.

EXTRACT : Secretary of States Guidance

The Licensing Objectives

PROTECTION OF CHILDREN FROM HARM

- 2.41 The protection of children from harm includes the protection of children from moral, psychological and physical harm, and this would include the protection of children from too early an exposure to strong language and sexual expletives, for example, in the context of film exhibitions or where adult entertainment is provided.
- 2.42 However, in the context of many licensed premises such as pubs, restaurants, café bars and hotels, it should be noted that the Secretary of State recommends that the development of family-friendly environments should not be frustrated by overly restrictive conditions in relation to children.
- 2.43 The Secretary of State intends that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed without restricting conditions unless the 2003 Act itself imposes such a restriction or there are good reasons to restrict entry or to exclude children completely. Licensing authorities, the police and other authorised persons should focus on enforcing the law concerning the consumption of alcohol by minors.
- 2.44 Conditions relating to the access of children which are necessary to protect them from harm are self-evidently of great importance.

As mentioned in connection with statements of licensing policy in Chapter 13 of this Guidance, issues will arise about the access of children in connection with premises:

- where adult entertainment is provided;
 - where a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider in the company of adults during a table meal);
 - where it is known that unaccompanied children have been allowed access;
 - where requirements for proof of age cards or other age identification to combat the purchase of alcohol by minors is not the norm;
 - with a known association with drug taking or dealing;
 - where there is a strong element of gambling on the premises (but not small numbers of cash prize machines);
 - where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
- 2.45 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. Such trading practices should be obvious from the operating schedule or club operating schedule provided with the relevant application allowing the framing of an appropriate, time-limited condition.

- 2.46 Similarly, gambling may take place in part of a leisure centre but not in other parts of those premises. This means that the access of children will need to be carefully considered by applicants, licensing authorities and responsible authorities. In many respects, it should be possible to rely on the discretion and common sense of licence and certificate holders. However, licensing authorities and responsible authorities should still expect applicants when preparing an operating schedule or club operating schedule to state their intention to exercise discretion and where they are necessary, to set out the steps to be taken to protect children from harm when on the premises.
- 2.47 Conditions, where they are necessary, should reflect the licensable activities taking place on the premises and can include:
- where alcohol is sold, requirements for the production of proof of age cards or other age identification before sales are made, to ensure that sales are not made to individuals under 18 years (whether the age limit is 18 or 16 as in the case of the consumption of beer, wine and cider in the company of adults during a table meal);
 - restrictions on the hours when children may be present;
 - restrictions on the presence of children under certain ages when particular specified activities are taking place;
 - restrictions on the parts of the premises to which children may have access;
 - age restrictions (below 18);
 - restrictions or exclusions when certain activities are taking place;
 - requirements for accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
 - full exclusion of people under 18 from the premises when any licensable activities are taking place
- 2.48 The Secretary of State considers that representations made by the child protection bodies and the police in respect of individual applications should be given considerable weight when they address necessary issues regarding the admission of children.
- 2.49 The 2003 Act provides that where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.
- 2.50 The admission of children to theatres, as with other licensed premises, should not normally be restricted. However, theatres may present a range of diverse activities. The admission of children to the performance of a play should normally be at the discretion of the licence holder and no condition restricting their access to plays should be attached. However, theatres may also present a wide range of entertainment including, for example, variety shows incorporating adult entertainment. A condition restricting the admission of children in such circumstances may be necessary. Entertainments may also be presented at theatres specifically for children. It may be necessary to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the well-being of the children during any emergency.

Offences relating to the sale and supply of alcohol to children

- 2.51 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under s.154 of the Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. For example, where as a matter of policy, warnings are given to

retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.

Table of relevant offences under the 2003 Act

Section	Offence
Section 145	Unaccompanied children prohibited from certain premises
Section 146	Sale of alcohol to children
Section 147	Allowing the sale of alcohol to children
Section 147A	Persistently selling alcohol to children
Section 148	Sale of liqueur confectionery to children under 16
Section 149	Purchase of alcohol by or on behalf of children
Section 150	Consumption of alcohol by children
Section 151	Delivering alcohol to children
Section 152	Sending a child to obtain alcohol
Section 153	Prohibition of unsupervised sales by children

EXTRACT :
Trafford Council – Licensing Policy 2011-2014 – Licensing Objectives

9.0 LICENCE OBJECTIVE – THE PROTECTION OF CHILDREN FROM HARM

- 9.1 The Council is committed to protecting children from harm and views this as an important licensing objective. Nevertheless, the Council has taken account of the view of the Government that the use of licensed premises by children should be encouraged. The Council recognises the wide variety of premises for which licences may be granted. It also recognises that there are many circumstances where it is appropriate for children to be present on licensed premises and seeks to encourage their access to constructive leisure pursuits which support the social fabric of the Borough. It also recognises that there are circumstances where it is appropriate to limit or prevent access by children for the prevention of harm.
- 9.2 Whilst some of the action taken to protect adults will provide protection from harm to children, they may also need special consideration. The Council will expect applicants to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm.
- 9.3 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 protecting children from harm. Such measures may include:
- Arrangements taken or proposed to prevent children from acquiring or consuming alcohol
 - Steps taken or proposed to prevent children from being exposed to drugs, drug taking or drug dealing
 - Arrangements taken or proposed to prevent children from being exposed to gambling
 - Steps taken or proposed to prevent children from being exposed to activities of an adult or sexual nature
 - Steps taken or proposed to prevent children from being exposed to incidents of violence or disorder
 - Measures taken or proposed to prevent children from being exposed to excessive noise
 - Measures taken or proposed to prevent children from being exposed to special hazards such as falls from height
 - Steps taken or proposed to prevent children from purchasing cigarettes from vending machines
 - Arrangements for appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm
 - premises restrictions on the access by children to the whole or any part of the premises, including times when children may not be present.
- 9.4 The Council will have regard to representations from the Social Services and other child protection agencies to determine if measures proposed are sufficient to ensure that children are adequately protected from harm. Where representations indicate that any matter has not been addressed sufficiently to avoid a potential negative impact on the protection of children from harm, 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 of a licence.
- 9.5 In recognising the importance of the issue of under-age drinking, licensees are not able to provide alcohol to children, except where a 16 or 17 year-old consumes beer, wine or cider with a table meal in circumstances where he is accompanied by a person aged 18 or over. Therefore, applicants must be able to demonstrate that they have in place satisfactory arrangements to prevent sales of alcohol to children including a recognised or appropriate proof-of-age scheme. The Council would be supportive of arrangements, which include incorporating any of the following:

- Passport
 - Photo Card driving licence issued in the European Union
 - Proof of Age Scheme Card
 - 'New type' driving licences with photographs
 - Official ID card issued by the HM Forces or by a European Union country bearing a photo and date of birth of holder
 - Citizen Card supported by the Home Office.
- 9.6 The Council will not impose conditions which restrict or prevent access by children, unless this has been identified by an applicant in their operating schedule or where relevant representations have been received.
- 9.7 Applicants may wish to specify a 'cut-off time' after which children would not be allowed to remain on the premises. In considering whether to impose a 'specified cut-off time' by way of condition, the Council will take into account:
- (a) the concerns of responsible authorities and interested persons who have made representations;
 - (b) the steps set out in an operating schedule which the licensee will take to protect children from harm on such premises;
 - (c) the type of event for which no age restriction may be needed e.g. family entertainment; non-alcohol events.
- 9.8 Issues with regard to access of children to premises are likely to arise in premises where any of the following apply:
- (a) convictions for serving alcohol to minors or premises with a reputation for, or inadequate arrangements to deter, under-age drinking;
 - (b) a known association with, or inadequate arrangements to deter, drug taking or dealing;
 - (c) a strong element of gambling on the premises;
 - (d) entertainment of an adult or sexual nature is commonly provided;
 - (e) inadequate arrangements to protect children from the supply and use of other products which it is illegal to supply to children;
 - (f) where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
- 9.9 Where such matters have been identified in an applicant's operating schedule or where relevant representations have been received, conditions dealing with the following matters may be appropriate:
- (a) Limitations on the hours when children may be present;
 - (b) Age limitations below 18;
 - (c) Limitations or exclusions when certain activities are taking place;
 - (d) Access limited to parts of the premises;
 - (e) Requirements for accompanying adults;
 - (f) Full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 9.10 No conditions will be imposed to the effect that children must be admitted to licensed premises.
- 9.11 The Council will expect cigarette vending machines to be in sight and under the supervision of bar staff in accordance with the appropriate code of practice.
- 9.12 Venue operators seeking premises and club premises certificates may wish to volunteer prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. Where no relevant representations, to the contrary, are made to the Council, these volunteered prohibitions and restrictions will become conditions attaching to the licence or certificate and will be enforceable as such.

Children and Film Exhibitions

- 9.13 Where a premises is used for film exhibitions, the Council will expect licences to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or the Council.
- 9.14 In the case of a film exhibition that has not been classified, in addition to the Council's assessment, the licensee will be expected to conduct an assessment of the suitability of the film for exhibition to children and to implement measures that restrict viewing by children where the Council deem it necessary.
- 9.15 The Council will impose a mandatory condition restricting access only to persons who meet the required age limit in line with any certificate granted by the British Board of Film Classification or the Council.
- 9.16 The Council will expect that licensees ensure that any age restrictions for cinema exhibitions are properly complied with.
- 9.17 In considering applications, the Council will take into account any evidence that age restrictions for cinema exhibitions are not being properly observed.

Children and Public Entertainments

- 9.18 Where children are present at an event as entertainers, the Council will expect an adult to be nominated as responsible for such child performers.
- 9.19 Where there is provision of entertainment specifically for children (e.g. a children's disco or supervised play area) the Council will expect sufficient adult supervisors (with sufficient experience) to be present to control the access and egress of the children and secure the protection of children, including child performers, from harm, bearing in mind the number and ages of the children involved and any other issues such as disabilities that the children may have.
- 9.20 The Council will expect the premises to provide adequate numbers of attendants in accordance with Annex F of the Guidance issued under section 182 of the Licensing Act 2003.