

AGENDA ITEM NO.

TRAFFORD COUNCIL

THE LICENSING SUB-COMMITTEE – 12TH DECEMBER 2017

REPORT OF THE HEAD OF REGULATORY SERVICES

REPORT REF. NO

APPLICATION FOR A NEW PREMISES LICENCE –  
192 CHURCH ROAD, URMSTON, M41 9FD.

**PURPOSE**

To advise Members of an application for the full variation of a premises licence for a premise known as “192 Church Road, Urmston”, that has received representations from local residents.

**OPTIONS**

The Sub-Committee should take such steps as they consider necessary for the promotion of the Licensing Objectives in accordance with the provisions Section 18(4) of the Licensing Act 2003.

**Iain Veitch**  
**Head of Regulatory Services**

Further Information From:

Name: David Smith  
Senior Licensing Officer  
Extension: 2593

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

**Appendices:**

Appendix 1 – Application  
Appendix 2 – Representations (A-D)  
Appendix 3 – Applicant Supporting Statement  
Appendix 4 – All-party Agreement

## 1. Introduction

1.1 Section 17 of the Licensing Act 2003 outlines the procedure whereby an application can be made to the Licensing Authority for a new premises licence.

1.2 Section 18(3) of the Licensing Act 2003 states that where relevant representations are made in respect of such an application, the authority must:

- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
- (b) having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers necessary for the promotion of the licensing objectives.

1.3 The steps mentioned in subsection (4) are:

- (a) to grant the licence subject to—
  - (i) the conditions mentioned in subsection (2)(a) modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and
  - (ii) any condition which must under section 19, 20 or 21 be included in the licence;
- (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
- (c) to refuse to specify a person in the licence as the premises supervisor;
- (d) to reject the application.

## 2. Background

2.1 On the 18<sup>th</sup> October 2017 the Licensing section received an application from Mr. David Leape, for the grant of a new premises licence for the premise known as 192 Church Road, Urmston, Manchester, M41 9FD. A copy of this application is attached at **Appendix 1**.

2.2 As detailed in the application, the applicant has applied for the following licensable activities;

- Supply of alcohol (on & off sales) – Mon-Wed 12:00-23:00 / Thu-Sun 11:00-23:00

The applicant also intends to provide the following activities;

- Live music – Mon-Wed 12:00-23:00 / Thu-Sun 11:00-23:00
- Recorded music - Mon-Wed 12:00-23:00 / Thu-Sun 11:00-23:00
- Anything of a similar description as live music/recorded music/performance of dance - Mon-Wed 12:00-23:00 / Thu-Sun 11:00-23:00
- Late night refreshment - Mon-Wed 12:00-23:00 / Thu-Sun 11:00-23:00

For the avoidance of doubt it is pertinent to note that the four activities listed above do not fall into the scope of the Licensing Act 2003 and hence the application has been amended to make that clear.

The Live Music Act 2012 deregulated live music, recorded music, performance of dance or anything of similar nature conducted between the hours of 08:00-23:00 with an audience of less than 500 people on any day on premises authorised to sell alcohol for consumption on those premises.

Schedule 2 of the Licensing Act 2003 provides that the provision of late night refreshment is between the hours of 23:00-05:00.

- 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.

### 3. Representations

- 3.1 The Licensing Authority has received representations from 4 local residents opposing the grant of the application. Copies of the representations are attached at **Appendix 2 (A-D)**.

- 3.2 In response to the representations that were received by the Licensing section and subsequently supplied to the applicant, the applicant has provided a supporting statement (outside of the consultation period, but relevant to the application) that he has requested be sent to those persons making representations. A copy of this supporting statement is attached at **Appendix 3**.

### 4. All-party Agreement

- 4.1 Environmental Health Officer Mr. Peter Belfield agreed conditions with the applicant that are detailed in the All-party Agreement attached at **Appendix 4**.

## **5. Licensing Policy and Guidance**

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

## **6. Options**

- 6.1** The Sub-Committee are requested to consider the evidence and decide what (if any) steps to take as it considers appropriate for the promotion of the licensing objectives. The steps specified are:

(a) to grant the licence subject to—

- (i) the conditions mentioned in subsection (2)(a) modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and
- (ii) any condition which must under section 19, 20 or 21 be included in the licence;

(b) to exclude from the scope of the licence any of the licensable activities to which the application relates;

(c) to refuse to specify a person in the licence as the premises supervisor;

(d) to reject the application

and for this purpose the new conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

- 6.2** 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.

- 6.3** The Sub-Committee, in arriving at its decision, must have regard to relevant provisions of national guidance and its own statement of licensing policy and reasons should be given for any departure.

# **APPENDIX 1**

## **APPLICATION**

R066362LA0437/17  
ULCXXX 192C/7



18/10/2017

LD0.15/11

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 DAVID LEAPE  
(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 <u>192 CUDDEAN ROAD</u> <u>OLMSTON</u> <u>MANCHESTER</u>			
Post town	<u>OLMSTON</u>	Postcode	<u>M41 9FD</u>

Telephone number at premises (if any)	<u>0161 747 4777</u>
Non-domestic rateable value of premises	£ <del>N/A</del> <u>4,700</u>

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/limited liability partnership  please complete section (B)
  - ii as a partnership (other than limited liability)  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)

872 8410



- 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 (by ticking yes to one box below):

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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname <b>LEAPE</b>			First names <b>DAVID</b>		
Date of birth <b>24/2/66</b>		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality <b>BRITISH</b>					
Current residential address if different from premises address		<b>2 PONSONBY ROAD STRETFORD</b>			
Post town	<b>STRETFORD</b>			Postcode	<b>M320DJ</b>
Daytime contact telephone number			<b>07469 889076</b>		
E-mail address (optional)		<b>davidleape@gmail.com</b>			



**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		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)





### Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	2	12017

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)

GROUND FLOOR SHOP FRONT PREMISES  
APPROX 60m<sup>2</sup> IN SIZE WITH TOILET  
AND FACILITIES. EXTERNAL FRONT  
USED AS OUTSIDE SEATING.

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all 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

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

B

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Fri					
Sat					
Sun					



C

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

<b>Boxing or wrestling entertainments</b> 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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Fri					
Sat					
Sun					
			<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)		



**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	<del>12:00PM</del>	<del>1:00PM</del>	<b>Please give further details here</b> (please read guidance note 3) WE WOULD ONLY EXPECT THIS AT A PARTY POSSIBLY BUT WOULD REQUIRE IT TO BE LOW KEY.		
Tue	<del>12:00PM</del>	<del>1:00PM</del>			
Wed	<del>12:00PM</del>	<del>1:00PM</del>	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4) NONE		
Thur	<del>11AM</del>	<del>1:00PM</del>			
Fri	<del>11AM</del>	<del>1:00PM</del>	<b>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</b> (please read guidance note 5) NONE		
Sat	<del>11AM</del>	<del>1:00PM</del>			
Sun	<del>11AM</del>	<del>1:00PM</del>			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	<del>12:00PM</del>	<del>1:00PM</del>	<b>Please give further details here</b> (please read guidance note 3) BACKGROUND MUSIC.		
Tue	<del>12:00PM</del>	<del>1:00PM</del>			
Wed	<del>12:00PM</del>	<del>1:00PM</del>	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4) NONE		
Thur	<del>11AM</del>	<del>1:00PM</del>			
Fri	<del>11AM</del>	<del>1:00PM</del>	<b>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</b> (please read guidance note 5) NONE		
Sat	<del>11AM</del>	<del>1:00PM</del>			
Sun	<del>11AM</del>	<del>1:00PM</del>			



**G**

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

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing  Ad hoc entertainment for Birthday functions : magicians, belly dancers etc.		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	12 noon	11 PM		Outdoors	<input type="checkbox"/>
Tue	12 noon	1 PM	Both	<input type="checkbox"/>	<b>Please give further details here</b> (please read guidance note 3)  BIRTHDAYS OR PRIVATE PARTIES
Wed	12 noon	1 PM			
Thur	11 AM	1 PM	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)  NONE		
Fri	11 AM	1 PM			
Sat	11 AM	11 PM	<b>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</b> (please read guidance note 5)  NONE		
Sun	11 AM	11 PM			

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 checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	12:00AM	11PM	<b>Please give further details here</b> (please read guidance note 3) <b>SMALL FOOD AND SNACKS.</b>		
Tue	12:00AM	11PM			
Wed	12:00AM	11PM	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
Thur	11PM	11PM	NONE		
Fri	11PM	11PM	<b>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</b> (please read guidance note 5)		
Sat	11PM	11PM			
Sun	11PM	11PM			

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 type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	12:00AM	11PM	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) <b>NONE</b>		
Tue	12:00AM	11PM			
Wed	12:00AM	11PM			
Thur	11PM	11PM	<b>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</b> (please read guidance note 5)		
Fri	11PM	11PM	<b>NONE</b>		
Sat	11PM	11PM			
Sun	11PM	11PM			



State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	DAVID LEAPE
Date of birth	24/2/66
Address	2 PENSONBY ROAD SHEFFOLD MANCHESTER
Postcode	M32 0DJ
Personal licence number (if known)	056177
Issuing licensing authority (if known)	SAFORD 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 9).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	12 NOON	11PM	NONE
Tue	12 NOON	11PM	
Wed	12 NOON	11PM	
Thur	11AM	11PM	
Fri	11AM	11PM	
Sat	11AM	11PM	
Sun	11AM	11PM	
			<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 6)
			NONE



**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 10)

WE WILL WORK WITH ALL RESPONSIBLE  
AUTHORITIES AND TAKE WHAT ADVICE  
IS OFFERED

b) The prevention of crime and disorder

WE INTEND TO HAVE CCTV FITTED  
IN AND AROUND THE PREMISES AND  
AGAIN TAKE ADVICE FROM POLICE

c) Public safety

WE WILL BE DISABLED ACCESS AND FULL  
RISK ASSESSMENT WILL BE TAKE PRICE  
TO OPENING. ANY ADVICE OFFER VIA  
PLANNING IS WELCOME.

d) The prevention of public nuisance

WE ARE AIMING AT A OLDER CLIENTELLE,  
BUT AGAIN WILL TAKE ADVICE, WE WILL  
BE OPERATING AS A TAP ROOM AND OFF  
LICENSE SO DO NOT SEE THIS AS A MAJOR  
PROBLEM.

e) The protection of children from harm

FULL RISK ASSESSMENT SPECIFIC TO  
CHILD FRIENDLY ZONE, HOWEVER I WOULD  
NOT SEE HUGE AMOUNT OF CHILDREN IN  
THE PREMISES



**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.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li> <span data-bbox="496 1709 512 1731">•</span> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).         </li> <li> <span data-bbox="496 1966 512 1989">•</span> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licesable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)         </li> </ul>
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Signature	<i>[Handwritten Signature]</i>
Date	<i>13/10/17</i>
Capacity	<i>100</i>

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). 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 14)			
<i>2 RONSONBY ROAD STRETFORD (DAVID LEAPE)</i>			
Post town	<i>STRETFORD</i>	Postcode	<i>M32 0DU</i>
Telephone number (if any)	<i>07469 889076</i>		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
<i>dauidleape@gmail.com</i>			

**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. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.

NOTES

LOAD BEARING  
WALLS 140MM  
THICK

AREA EXISTING

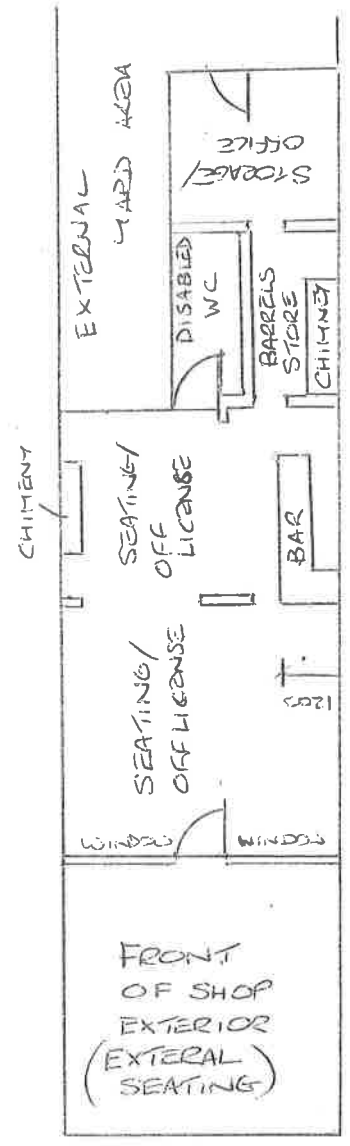
- FRONT SHOP = 23.72m<sup>2</sup>
- REAR SHOP = 10.05m<sup>2</sup>
- STAIRWELL = 6.46m<sup>2</sup>
- W/C STORAGE = 9.60m<sup>2</sup>
- WORKSHOP = 8.5m<sup>2</sup>
- 58.66m<sup>2</sup>

FRONT OF SHOP EXTERIOR = 27.03m<sup>2</sup>

DRAWN BY : D LEAPE  
DATE : 12/10/17



EXISTING GROUND FLOOR AREA



PROPOSED GROUND FLOOR AREA

PROPOSED GROUND FLOOR CHANGED OF USE  
1912 CHURCH ROAD WIMBORNE NH41 9FD  
SCALE 1:100

# **APPENDIX 2**

## **Representations A-D**

(A)

Taylor1, Janet

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**From:** Sue Whittaker < >  
**Sent:** 26 October 2017 21:55  
**To:** Licensing  
**Subject:** Planning application 192 church road  
  
**Categories:** Jan

I am writing to let my views known on the above planning of change of business from a hire shop to wine bar.

I live at 188-190 church road in the flat above the premier convenience store right next door to the above premises. I work in hospitality and don't work the normal 9-5 hours of most people, I work early mornings or late at night and I feel that a wine bar right next door to me would be unacceptable as I feel it would make my life as misery with constant noise or rowdiness, loud music and violent behaviour, as I have worked in local bars before and left because of the trouble alcohol causes. I have lived in my current flat for over twenty years and can't believe somebody wants to turn a hire shop into a wine bar when there are flats above the row of shops.

I would also like to know why I haven't received a letter to let me know about the application being submitted for these premises. The only way I have found out about this application is through social media which I think is unacceptable.

I hope you take my comments into consideration when considering this planned license as it will have a detrimental effect on my life.

Yours

Sue Whittaker  
Flat 1 188a church road  
Urmston  
M41 9fd

Contact number

(B)

Andrew Levey

TRAFFORD  
31 OCT 2007  
LICENSING

To: licensing@trafford.gov.uk  
Cc:  
Subject: pl066362 planning permission

Andrew Levey MIMI  
7 Broadoaks RD  
Urmston  
M419DN

I wish to object to this application pl066362 on the grounds below

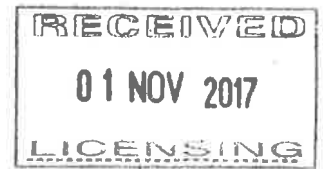
- 1/ noise and disruption in the area at night
- 2/ known drugs dealer lives in flats above the premises
- 3/ not acceptable to operate from small shop no fire safety for residents in flats above
- 4/ residents live in flats next to and above all shops on this row which would constitute nuisance
- 5/ no parking available at site loading and unloading issue (goods, beer, performers, patrons)
- 6/ Urmston does not need any more pubs venues clubs hairdressers curry houses nail bars or charity shops

Yours sincerely  
Andrew Levey MIMI



(B)

(B)



Tel: 0161 275 4000  
Mobile : 07958 888888

1 Broadoaks Road  
Urmston  
Manchester  
M41 9DN

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

31<sup>st</sup> October 2017

Dear Sirs

**Re: Premises/Club Licence - 192 Church Road, Urmston, Manchester, M41 9FD 18/10/17 (LA2002003DOC230)**

I wish to object to the issue of a licence for these premises for the following reasons:

Existing Environment

The immediate neighbourhood is a quiet residential area in the evenings.

There are already several food & drink establishments within a fifth of a mile of No 192 when travelling along Church Road in the direction of Flixton viz:

- 115yds - New Rainbow Chinese take-a-way.
- 127yds - Theru Kadai Indian cafe & take-a-way.
- 190yds - 'Cafe & Coffee' cafe.
- 225yds - The Roebuck Pub & Restaurant.
- 360yds - Peter Pan pizza, fried chicken and kebab take-a-way.
- During working hours, activity around the neighbouring parade of shops is busy resulting in vehicle parking causing problems to residents on Church Road and Broadoaks Road including blocking my drive.

Future Environment

I anticipate that should you approve the licence application the following problems will arise viz:

- As I live at 1 Broadoaks Road, it is highly likely that irresponsible drivers

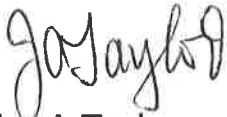


frequenting the new 'bar' will block in my car even though there is a white line on the highway indicating that my driveway should be kept clear at all times.

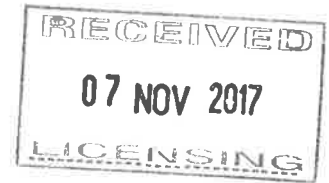
- The 'quiet' neighbourhood will be disturbed by noisy and drunk revellers.
- Drunken brawls are likely.
- Extra litter will be a problem as drinkers will discard take-a-way food containers.
- Revellers will use the two nearby passages to urinate in, one behind the parade of shops off Broadoaks Road and one at the rear of the Nik Naks shop adjoining my property, 1 Broadoaks Road.
- The presence of the bar next door to the Nitsav general store could impact on the viability of the business.

I therefore ask that you give all the above information due consideration when making your decision.

Yours faithfully



John A Taylor



## ALCOHOL LICENCE APPLICATION OBJECTION

LA0437/17

Deadline Date: 11<sup>th</sup> November 2017

Today's Date: 7<sup>th</sup> November 2017

**Objection to the Application to Trafford Council Licensing Authority of a Premises / Club Premises Licence in respect of 192 Church Road, Urmston authorising the Sale of Alcohol / provision of late night refreshment / the holding of Regulated Entertainment to include : Music, Live Performers, Playing of recorded sound, Showing of a film.**

**Representation by Linda Hargreaves residential owner of 121, Church Road, Urmston, Manchester M41 9ET**

Dear Sirs,

Please accept this Representation in letter format in good time for the deadline date. I would be very grateful for an acknowledgement that this objection has been received and will be fully considered as a non vexatious representation at the Licensing Hearing which I wish to attend, as appropriate.

Firstly it is difficult to envisage quite what the resulting business will be. Nevertheless, the prospect of additional noise, the timing of the noise and the added traffic congestion and possible litter are worrying the nearby neighbourhood.

As a near residential neighbour to the premises the family have various concerns regarding the above including our peaceful enjoyment of our home.

### Public Safety: Parking

Considering the hours of business that the Application seeks, there will inevitably be increased traffic to and from the site and increased parking needed.

Church Road is a very busy road giving access through to Partington, Lymm and beyond, eventually to the motorways and likewise the opposite way into Urmston town centre, Sale, Altrincham, Stretford and Manchester, it is a busy artery.

The location of the Application premises is on a shopping parade which I know to be already a very precarious and dynamic junction of Church Road, Barnfield and Broadoak Road, both as a driver and a pedestrian.

Despite the various parking restriction notices, in particular immediately outside our home, large delivery vehicles and car owners constantly park unchallenged and this blocks the view when trying to get out of the drive safely. Pedestrians fare no better in trying to cross the busy road which is basically a staggered crossroads. Trying to cross the road on foot is very difficult at all times

The parking provision is severely overwhelmed throughout the day and into the evening 6 days out of 7. It is envisaged by neighbours that if the Application is successful, it will lead to further heavy congestion in this attractive residential area, in and around the Barnfield / Church Road interface.

### Public Nuisance: Noise

The parade of shops is a traditional daytime provision and most are closed by 5.30pm with the exception of the Chemist and the Grocery Store, which close sometime later. It is only after this time that the residents can really enjoy their homes in relative peace and quiet, *apart from the noisy cars make their way unchecked for excess speed and excess noise along Church Rd from time to time and of course the First Responders with sirens activated.*

The prospect of a business continuing on after this time, as indicated in the Application viz. 12 noon to 11 p.m. with noisy, perhaps inebriated customers leaving the premises late at night slamming car / taxi doors, leading to the disturbance of local residents

The character of the shopping parade is of a typical out of town provision and not best suited to a business of this nature. There is a groundswell of feeling that this would be much better suited located in the busier location of Urmston town centre, where it could fit in much better with the other existing offerings there and where local authority measures and surveillance, which we do not routinely enjoy here locally would apply e.g. CCTV, traffic wardens. It would be most out of character for this quiet, much sought after residential location.

### Litter

For many years we have been plagued by litter from the existing nearby 'take aways'- half eaten meals, empty spirit bottles, drinks cans, food trays, cutlery etc. I routinely in the past collected a full polybag each day and put it into the grey bin, until I was told to stop.

We are a target in being the ideal walking distance from Pinocchio's, exactly the time it takes to eat a meal and discard the wrappings.

Any additional litter would further exacerbate an already untenable situation

### Local Considerations:

- The very popular Roebuck pub is a short walk away.
- In addition a very well stocked off-licence is open long hours at the Church Road /Stretford Road junction, as are three further popular restaurants and two take-aways just round the corner onto Croft Banks Road.
- The busy grocers shop next door serves off-licence beers, wines and spirits.
- Three established 'take-away' businesses operate further along the road, two open well into the evening.

It is difficult to see where the demand for an additional provision of the type imagined will come from.

I would be obliged if the committee would consider this serious Objection most carefully.

L Hargreaves J.P.

# **APPENDIX 3**

## **Applicant Supporting Statement**

**For the attention of: David Smith**

**Regarding: Mr David Leape's response to concerns raised**

**Date: 23/11/17**

**From: David Leape**

**Contact Details: e: [davidleape@gmail.com](mailto:davidleape@gmail.com) T: 07469 889076**

Dear David

I write to respond to the concerns raised regarding the new establishment in Urmston that we are proposing, which would be on the ground floor of 192 Church Road. As you are aware I intend to live above the cafe bar if granted a license.

We are proposing to open this new establishment early next year and the concept which we are looking to adopt has proven successful in a number of other villages. The establishment would be a small local cafe/wine bar that would also offer craft ales and hot beverages, such as tea and coffee. I feel that the proposed plans would complement the area well and the concept that we are offering would be a real difference to the existing pubs and bars in the area.

We are looking to offer a modern concept to Urmston residents, which would enable people to relax on seating either indoors or outdoors, socialise and experience wines, craft beers and hot beverages from around the world. The establishment would play low volume ambient music and we would have limited opening hours. This establishment would be open from Mon – Wed 12pm – 11pm and Thursday to Sunday 11am – 11pm. We would offer regular wine tasting events, which would aim to engage the locals and have the various wines available to purchase. We have experience of running similar establishments and locals have enjoyed the sense of community that it brought to the area, we want this to be an establishment where people feel welcome and can come in for a friendly chat.

We understand that there have been some concerns regarding this new establishment opening in Urmston which we are disappointed to hear about, however we would like to reassure local residents that our plans would not be to introduce anything that is detrimental to the local community and residents in fact quite the opposite. We are targeting a certain clientele with an appreciation for good quality wines and craft ales, at the high end of the drinks market.

We would like to address the concerns raised by the four local residents, and we interpret the key points to be:

Litter

- We will not be serving takeaway food and so there will be no packaging to dispose of, however we will provide a bin at the entrance to the establishment that would be emptied regularly. Keeping the area is a priority in attracting customers.

## Public nuisance

- Noisy and drunk revellers – we intend to have CCTV and signs up on doorways asking for people to consider local residents when leaving the vicinity. We would work closely with local authorities to ensure minimal disruption. As part of my personal licence I have a duty of care to refuse anyone deemed to have consumed excessive alcohol and whom may cause unnecessary disruption and inappropriate behaviour towards others.
- No fire safety for people living in the flats above – the establishment complies with all current building and fire safety regulation and I plan to live in the flat above the establishment. The establishment would be fitted with fire alarms and extinguishers.
- People smoking outside – external ashtrays will be provided for clientele and furniture will be taken inside after 9pm. Cleaning will be undertaken continuously throughout the opening hours. Part of the appeal of the establishment will be the cleanliness both internally and externally.
- Residents living in the flats above and associated noise – I will be living as resident directly over the bar and would be also concerned about associated noise, however I intend as detailed above to not create any disturbance to local residents and to ensure that any music that is played is low volume and ambient. We would ensure that all clientele would be prohibited from drinking outside the premises after 9pm each day. As already agreed with Trafford BC
- Drug dealers in a local flat – I am unaware that there is a drug dealer living in a local flat and I would hope that this would be dealt with by the relevant local authorities.

## Parking

- Increased parking- in my opinion there is sufficient parking available on Church Road particularly after 6pm.
- Public Safety with increased traffic and congestion – we anticipate that there would be a limited impact on the traffic and congestion, we would be a local establishment that people would walk from and we would hope that people would not drink and drive.
- Precarious junction – crossing the road is difficult – there is a pedestrian crossing further up Church Road which can be used by clients from the establishment.
- Unloading issue – there is no unloading issue as we have a facility to off load to the rear of the premises as we do now as a hire shop

### Noise

- We have an agreement with Trafford Borough Council's Licencing Department, that no drinks can either be taken outside of the premises or consumed outside the premises after 9pm.
- We intend to have no impact on the quiet residential environment, I intend to live above the proposed establishment and it is in my interest to keep noise to an absolute minimum. We propose to play low key acoustic/ambient relaxing background music.

### Impact on other businesses

- Bars already in the area impacting on the viability of the business – we have done significant market research which has provided positive feedback from the majority of people. People are excited by the concept, the establishment would act as a community hub for people to meet up in the day and evening whether it be for a coffee, good quality wine or craft beer. This establishment would have a positive impact on other businesses in the local area, for example, people coming in for a coffee may then go to the local shops next door or people may come in for a glass of wine before going for something to eat in the Roebuck. The establishment would be a unique and diverse addition to Urmston and would complement the area well.

As someone who is going to be a resident, neighbour and part of this community, I would welcome the opportunity to meet local residents and discuss the establishment in more detail and address the four people with concerns. I would be happy to arrange either individual or a group meeting so we can find some common ground. After all, we all want to improve our local area and I would like your input on how we can achieve this.

Kind Regards

David Leape

# **APPENDIX 4**

## **All-party Agreement**



Please insert your full correspondence address below:

Mr. David Leape  
2 Ponsonby Road  
Stretford  
Manchester  
M32 0DU

10th November 2017

Licensing Section  
Trafford Council  
Trafford Town Hall  
Talbot Road  
Stretford  
Manchester  
M32 0YJ

Dear Sir/Madam,

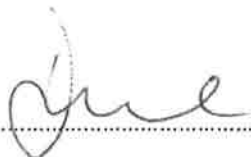
- APPLICATION : PL066362-066362-LA0437/17  
(insert number)
- PREMISES : 192 Church Road, Urmston, M41 9FD  
(insert name & address of premises)

I, Mr. David Leape as applicant in respect of the above, wish to confirm that I agree to the following conditions being added to my licence application following agreement with Trafford Council Environmental Health;

- The Premises Licence Holder must ensure that no drinks are taken or consumed outside the premises nor glasses/bottles removed from the premises by patrons after 21:00h
- Notices will be displayed in a prominent position next to the entrance/exit detailing that no drinks to be taken outside after 21:00h

Yours faithfully,

Signature :



Name :

DAVID LEAPE

Date :

21/11/17