

AGENDA ITEM NO.

TRAFFORD COUNCIL

THE LICENSING SUB-COMMITTEE – 5TH FEBRUARY 2018

REPORT OF THE HEAD OF REGULATORY SERVICES

REPORT REF. NO

**APPLICATION FOR A FULL VARIATION OF THE PREMISES LICENCE –
BROOKLANDS TAP, HOPE ROAD, SALE, CHESHIRE, M33 3YA.**

PURPOSE

To advise Members of an application for the full variation of a premises licence for a premise known as “Brooklands Tap”, that has received representations.

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 35(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 – Premises Licence PL000125
Appendix 3 – Representations A - G

1. Introduction

1.1 Section 34 of the Licensing Act 2003 outlines the procedure whereby an application can be made to the Licensing Authority for variation of a premises licence.

1.2 Section 35(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 appropriate for the promotion of the licensing objectives.

1.3 The steps mentioned in subsection (4) are:

- (a) to modify the conditions of the licence;
- (b) to reject the whole or part of 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.

2. Background

2.1 On the 1st December 2017 the Licensing section received an application from TLT Solicitors acting on behalf of their clients Green King Retailing Ltd, for the grant of a full variation of the premises licence for the premise known as Brooklands Tap, Hope Road, Sale, Cheshire, M33 3YA, which currently has a Premises Licence – PL000125. A copy of this application is attached at **Appendix 1**. A copy of the current licence is attached at **Appendix 2**.

2.2 As detailed in the application, the applicant has applied to;

Extend the live and recorded music hours in line with the below:

- From 11:00h until 00:00h on Thursday (currently permitted from 11:00h until 23:00h)

Extend the sale of alcohol hours as follows:

- From 11:00h until 01:00h on Thursday (currently permitted from 11:00h until 23:00h)
- From 11:00h until 01:00h on a Friday and Saturday (currently permitted from 11:00h until 00:00h)

Extend the opening hours of the premises as follows:

- From 11:00h until 01:30h on Thursday (currently permitted from 11:00h until 23:30h)
- From 11:00h until 01:30h Friday and Saturday (currently permitted from 11:00h until 00:30h)

Furthermore, the applicant has confirmed that they are willing to comply with the following additional conditions to promote the licensing objectives:

- An incident and refusals log ('the log') will be kept and maintained at the premises and all incidents and refusals of sales of alcohol shall be recorded in it. As a minimum, the log will record the date and time of the incident/refusal, the name of the person making the entry, the nature of the incident/refusal and any actions taken.
- Children are to be supervised by a responsible adult at all times.
- Children shall not be permitted on the premises after 20:00hrs unless taking part in a function or table meal, when they shall be permitted to remain on the premises until the end of that meal or function.
- CCTV system will be installed and maintained at the premises.
- CCTV will be stored for 31 days and recordings made available for the Police upon request.
- Noise checks will be carried out at the boundary of the premises when regulated entertainment is provided. The details of checks completed, the findings and any action taken, if required, will be recorded.
- The premises will operate a 'Challenge 21' policy.
All staff will be trained in the following:
 - a) Challenge 21 policy
 - b) The premises licence and its conditions.
 - A record shall be kept of this training which will be refreshed no less than every 6 months and this record shall be available for inspection by the Licensing Authority or Police upon request.

The applicant has further requested that should the above conditions be imposed, present conditions 6 and 8 to be removed from the licence, they are;

Condition 6 – No children to be allowed on the premises after 19:00hrs

Condition 8 – Persons who are attempting to buy alcohol who appear to be under the age of 18 years shall be required to produce proof of age by way of a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS) or if a proof of age card is not available a photo driving licence, passport or accredited student card.

- 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 6 representations from local residents and one from a ward Councillor opposing the grant of the application. The representations all mainly relate to the Prevention of Public Nuisance licensing objective. Copies of the representations are attached at **Appendix 3**.

4. Licensing Policy and Guidance

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

5. Options

- 5.1 The Sub-Committee 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 modify the conditions of the licence;
- (b) to reject the whole or part of 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.

- 5.2 The Sub-Committee is advised that any findings on any issues of fact should be on the balance of probability and any decision should be based on the individual merits of the application.
- 5.3 The Sub-Committee, in arriving at its decision, must have regard to relevant provisions of national guidance and its own statement of licensing policy and reasons should be given for any departure.

APPENDIX 1

APPLICATION

Application to vary a premises licence 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.

We Greene King Retailing Ltd

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PL000125

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Brooklands Tap Hope Road Sales			
Post town	Cheshire	Postcode	M33 3YA
Telephone number at premises (if any)			
Non-domestic rateable value of premises	£29,000		

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	Westgate Brewery Bury St Edmunds		
Post town	Suffolk	Postcode	IP33 1QT

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			
↓	↓	↓	↓	↓	↓	↓	↓

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

This is an application to vary the licensable activity hours as follows:

Extend the live and recorded music hours in line with the below:

- From 11:00h until 00:00h on Thursday (currently permitted from 11:00h until 23:00h)

Extend the sale of alcohol hours as follows:

- From 11:00h until 01:00h on Thursday (currently permitted from 11:00h until 23:00h)
- From 11:00h until 01:00h on a Friday and Saturday (currently permitted from 11:00h until 00:00h)

Extend the opening hours of the premises as follows:

- From 11:00h until 01:30h on Thursday (currently permitted from 11:00h until 23:30h)
- From 11:00h until 01:30h Friday and Saturday (currently permitted from 11:00h until 00:30h)

As a result of the above, the following conditions are to be added to the premises licence conditions:

- An incident and refusals log ('the log') will be kept and maintained at the premises and all incidents and refusals of sales of alcohol shall be recorded in it. As a minimum, the log will record the date and time of the incident/refusal, the name of the person making the entry, the nature of the incident/refusal and any actions taken.
- Children are to be supervised by a responsible adult at all times.
- Children shall not be permitted on the premises after 20:00hrs unless taking part in a function or table meal, when they shall be permitted to remain on the premises until the end of that meal or function.
- CCTV system will be installed and maintained at the premises.
- CCTV will be stored for 31 days and recordings made available for the Police upon request.
- Noise checks will be carried out at the boundary of the premises when regulated entertainment is provided. The details of checks completed, the findings and any action taken, if required, will be recorded.
- The premises will operate a 'Challenge 21' policy.
All staff will be trained in the following:
 - a) Challenge 21 policy
 - b) The premises licence and its conditions.A record shall be kept of this training which will be refreshed no less than every 6 months and this record shall be available for inspection by the Licensing Authority or Police upon request.

Consequently, conditions 6 and 8 are to be removed from Annex 2 of the premises licence.

All other hours and conditions are to remain unaltered. Any existing conditions that contradict the above will be removed.

A large, empty rectangular box with a thin black border, occupying most of the upper and middle portions of the page. It is intended for the applicant to provide details regarding the proposed variation.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

A small, empty rectangular box provided for the applicant to enter the number of people expected to attend the premises.

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

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

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed					
Thur			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 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			<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 6)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<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 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4) Provision of amplified and unamplified live music	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	11:00	00:00			
Fri			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 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Provision of amplified and unamplified recorded music.		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Wed					
Thur	11:00	00:00			
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Performance of dance.		
Mon					
Tue					
Wed					
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 4)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)</p>		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Wed					
Thur			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 6)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – <u>please tick</u> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			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 6)		
	11:00				
Fri		01:00			
	11:00				
Sat		01:00			
	11:00				
Sun		01:00			

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)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Tue			
Wed			
Thur			
	11:00		
Fri		01:30	
	11:00		
Sat		01:30	
	11:00		
Sun		01:30	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- Conditions 6 and 8 are to be removed from Annex 2 of the premises licence.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General

As per the existing premises licence conditions.

b) The prevention of crime and disorder

As per the existing premises licence conditions save for the amendments made:

- An incident and refusals log ('the log') will be kept and maintained at the premises and all incidents and refusals of sales of alcohol shall be recorded in it. As a minimum, the log will record the date and time of the incident/refusal, the name of the person making the entry, the nature of the incident/refusal and any actions taken.
- CCTV system will be installed and maintained at the premises.
- CCTV will be stored for 31 days and recordings made available for the Police upon request.

Public safety

As per the existing premises licence conditions.

d) The prevention of public nuisance

As per the existing premises licence conditions save for the amendments made:

- Noise checks will be carried out at the boundary of the premises when regulated entertainment is provided. The details of checks completed, the findings and any action taken, if required, will be recorded.

e) The protection of children from harm

As per the existing premises licence conditions save for the amendments made:

- Children are to be supervised by a responsible adult at all times.
- Children shall not be permitted on the premises after 20:00hrs unless taking part in a function or table meal, when they shall be permitted to remain on the premises until the end of that meal or function.
- The premises will operate a 'Challenge 21' policy.
All staff will be trained in the following:
 - a) Challenge 21 policy
 - b) The premises licence and its conditions.
 A record shall be kept of this training which will be refreshed no less than every 6 months and this record shall be available for inspection by the Licensing Authority or Police upon request.

Checklist:

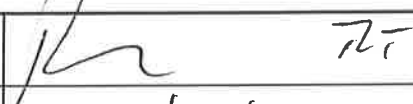
Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- 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 5 – Signatures (please read guidance note 11)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	1/12/17
Capacity	Solicitor to applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd 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 address for correspondence associated with this application (please read guidance note 14) Rachel Kelly TLT Solicitors One Redcliff Street			
Post town	Bristol	Post code	BS1 6TP
Telephone number (if any)	0333 00 60283		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) Rachel.kelly@tltsolicitors.com			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of

whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

APPENDIX 2

Premises Licence PL000125

Licensing Act 2003

Premises Licence Summary

PL000125



TRAFFORD
COUNCIL

POSTAL ADDRESS OF PREMISES OR, IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Brooklands Tap

Hope Road, Sale, Cheshire, M33 3YA

Telephone : 0161 973 9907

WHERE THE LICENCE IS TIME LIMITED, THE DATES

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE AND THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Live Music-Indoors	Monday to Thursday - 11:00 to 23:00 Friday to Saturday - 11:00 to 00:00 Sunday - 12:00 to 23:30
Recorded Music-Indoors	Monday to Thursday - 11:00 to 23:00 Friday to Saturday - 11:00 to 00:00 Sunday - 12:00 to 23:30
Like music/dance-Indoors	Monday to Thursday - 11:00 to 23:00 Friday to Saturday - 11:00 to 00:00 Sunday - 11:00 to 23:30
Alcohol - On the premises	Monday to Thursday - 11:00 to 23:00 Friday to Saturday - 11:00 to 00:00 Sunday - 11:00 to 23:00
Alcohol - Off the premises	Monday to Thursday - 11:00 to 23:00 Sunday - 11:00 to 23:00 Friday to Saturday - 11:00 to 00:00

THE OPENING HOURS OF THE PREMISES

Monday to Thursday - 11:00 to 23:30
Friday to Saturday - 11:00 to 00:30
Sunday - 11:00 to 00:00

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL, WHETHER THESE ARE ON AND/OR OFF SUPPLIES

The sale by retail of alcohol for consumption ON and OFF the premises

Licensing Act 2003

Premises Licence Summary

PL000125



TRAFFORD
COUNCIL

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE AVAILABLE) OF LICENCE HOLDER

Greene King Retailing Ltd
Abbot House, Westgate Brewery, Bury St Edmunds, Suffolk, IP33 1QT

01284 714 621

REGISTERED NUMBER OF HOLDER, WHERE APPLICABLE (E.G. COMPANY NUMBER, CHARITY NUMBER)

5265451

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Ms Zanete Gravleja

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Licence No: 117772

Issued by : Salford

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

No restrictions

Signature of Authorised Officer

Licensing Act 2003
Premises Licence
PL000125



Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES OR, IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Brooklands Tap
Hope Road, Sale, Cheshire, M33 3YA

Telephone : 0161 973 9907

WHERE THE LICENCE IS TIME LIMITED, THE DATES

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE AND THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Live Music-Indoors	Monday to Thursday - 11:00 to 23:00 Friday to Saturday - 11:00 to 00:00 Sunday - 12:00 to 23:30
Recorded Music-Indoors	Monday to Thursday - 11:00 to 23:00 Friday to Saturday - 11:00 to 00:00 Sunday - 12:00 to 23:30
Like music/dance-Indoors	Monday to Thursday - 11:00 to 23:00 Friday to Saturday - 11:00 to 00:00 Sunday - 11:00 to 23:30
Alcohol - On the premises	Monday to Thursday - 11:00 to 23:00 Friday to Saturday - 11:00 to 00:00 Sunday - 11:00 to 23:00
Alcohol - Off the premises	Monday to Thursday - 11:00 to 23:00 Sunday - 11:00 to 23:00 Friday to Saturday - 11:00 to 00:00

THE OPENING HOURS OF THE PREMISES

Monday to Thursday - 11:00 to 23:30
Friday to Saturday - 11:00 to 00:30
Sunday - 11:00 to 00:00

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL, WHETHER THESE ARE ON AND/OR OFF SUPPLIES

Licensing Act 2003

Premises Licence

PL000125



TRAFFORD
COUNCIL

The sale by retail of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE AVAILABLE) OF LICENCE HOLDER

Greene King Retailing Ltd
Abbot House, Westgate Brewery, Bury St Edmunds, Suffolk, IP33 1QT

01284 714 621

REGISTERED NUMBER OF HOLDER, WHERE APPLICABLE (E.G. COMPANY NUMBER, CHARITY NUMBER)

5265451

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Ms Zanete Gravleja
Apartment 2404, The Heart, Blue, Media City, Salford, M50 2TH

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Licence No: 117772

Issued by : Salford

ANNEXES

This licence shall be read in conjunction with plan reference PL000125
Annex 1 – Mandatory Conditions

MANDATORY CONDITIONS

1. No supply of alcohol may be made under the premises licence:

(a) At a time when there is no designated premises supervisor in respect of the premises, or

(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Licensing Act 2003

Premises Licence

PL000125



TRAFFORD
COUNCIL

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. Where the premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.

ADDITIONAL MANDATORY CONDITIONS (28th May 2014)

4. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

5. For the purposes of the condition set out in paragraph 1

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V)$$

Where

(i) P is the permitted price;

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol

and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence

(i) the holder of the premises licence

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added

Licensing Act 2003

Premises Licence

PL000125



TRAFFORD
COUNCIL

Tax Act 1994.

6. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
7. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

ADDITIONAL MANDATORY CONDITIONS (1st October 2014)

8. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purposes of encouraging the sale or supply of alcohol for consumption on the premises:
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise)
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to



condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner

- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability)

9. The responsible person must ensure that free potable water is provided on request to Customer's where it is reasonably available.
10.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:
 - (a) a holographic mark,
 - or
 - (b) an ultraviolet feature
11. The responsible person must ensure that:-
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures
 - (i) beer or cider: ½ pint;
 - (i) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (ii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Licensing Act 2003

Premises Licence

PL000125



TRAFFORD
COUNCIL

1. The DPS or nominated member of staff from the premise shall attend Pub Watch Meetings in the local area.
2. No external drinking after 23:00 hours.
3. There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, (or member and their guests) notices requiring customers to leave the premises and the area quietly. (Note, this may also include a reference to vehicles)
4. No external regulated entertainment is permitted.
5. All windows and external doors to be kept shut during live performances save for customer access and egress.
6. No children to be allowed on the premises after 19:00 hours.
7. For premises where entertainment takes place on a regular basis, music and associated sources (including DJ's and amplified voices) should generally not be audible inside noise sensitive properties at any time. Where entertainment takes place less frequently, such noise should generally not be audible inside noise sensitive properties between 23:00 and 07:00 hours. (Based on IOA Good Practice Guide on the Control of Noise from Pubs and Clubs)
8. Persons who are attempting to buy alcohol who appear to be under the age of 18 years shall be required to produce proof of age by way of a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS) or if a proof of age card is not available a photo driving licence, passport or accredited student card.

Annex 3 – Conditions Attached After a Hearing of the Licensing Committee

NONE

Signature of Authorised Officer

APPENDIX 3

Representations A - G

Taylor1, Janet

From: Jean Tolan <j.tolan5@btinternet.com>
Sent: 11 December 2017 16:34
To: Licensing
Subject: Brook lands Tap

Categories: Jan

Ref;LA0511/17. Brooklands Tap, Hope Road, Sale.

I am writing to object to the extended hours requested for the Brooklands Tap, for a Thursday opening till 1am & Friday/Saturday until 1.30 am.
This pub does not warrant this kind of entertainment licence as it is in a residential area & backs onto private houses. I feel the noise will be extensive, not to mention the extra volume of people. I know , having been approached to advise you from our neighbours and also councillor Barry Brotherton, that there is a lot of opposition to this request.

John & Jean Tolan. Number 14, Glenthorn Grove, Sale. M333AG Sent from my iPad

Mr & Mrs I.P. McGinty
25 Glenthorn Grove
Sale
Cheshire
M33 3AG

(B)



Date 13th December 2017

Subject:- Objection to Licensing Application LA0511/17

Dear Sir or Madam

We wish to register our objections to the above licensing application as listed below.

1 Prevention of crime and disorder

Currently the public house has provided a "smokers facility" at both the front and rear of the property. However as the evening wears on the front rooms are frequently closed early and the patrons transfer to the rear of the building (the concert room) which is closer to the residential properties. This means the rear outside facility is often used not just as a smoking area but as a congregation point, with an increase in sound levels emanating from this area.

Whilst the current and previous landlords have attempted to ensure drugs are not used on the premises, often patrons can be observed alongside the dividing wall between the public house and the Asda site and a strong smell of cannabis is evident. Additionally patrons have been observed climbing over this wall effecting ingress and egress between the public house site and the Asda shop during its normal operating hours and also after the Asda site has closed at 11-00pm.

2 Public Safety.

Glenthorn Grove is often used as overspill parking by public house patrons and to have these vehicles accessed and driven away at the times this proposal requests will be even more intrusive to the residents. Hope Rd is used as a short cut and late at night vehicles have been known to exceed the speed limit. The chance of an accident is likely to be increased with vehicles unexpectedly exiting our grove after 1-30am. At weekends vehicles are regularly left parked overnight.

3 Prevention of public nuisance.

The room where the regulated entertainment is presented is totally unsuited for this purpose. It is a low ceiling room with no air control system which when placed under the stress of a performance to all intents and purposes becomes the equivalent of an open air function with all the windows and rear doors being opened. This scenario continues well beyond the 10-30pm threshold imposed at outdoor venues, sometimes even beyond the 12-00am cut off time currently in place at the site. Once the entertainment has terminated patrons will sit outside at the rear of the premises conversing and shouting till well past 1-00am.

It is our understanding that no other commercial social premise located within the immediate vicinity operates after 12-30am and most of the restaurants close at around 10-00pm.

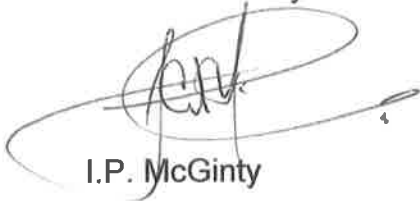
This is a suburban venue located within a fundamentally residential area, not town centre Sale, whose only increase in footfall is likely to be passing "topping up trade" and I see no justification for a request to extend the opening hours on Thursday, Friday and Saturday.

4 Protection of children from harm

Any increase in opening hours is certain to extend the noise period emanating from the premises, creating problems for families in the area, particularly for those with young children.,

The venue is evidently a problem for Greene King as they have used a number of landlords during recent years who have tried varied options to increase trade. However their plans and projects seem to have been counterproductive as what was once a very community orientated public house is currently no longer utilised by the vast majority of M33 residents.

Yours sincerely



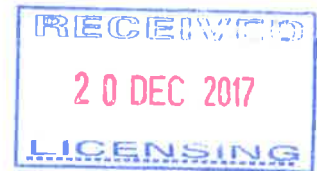
I.P. McGinty



F.P. McGinty

Mr T & Mrs D McNally
3 Glenthorn Grove
SALE
Cheshire
M33 3AG

C



Dear Sirs

Re: Brooklands Tap, Hope Road, Sale. (PL000125)

We refer to the above application for a variation to the premises licence under the Licensing Act 2003.

We wish to oppose for the following reasons. We see no need to extend any of the hours as this is a residential area and not a town centre. These variations will cause increased noise and disturbance to the local residents and their families. There will be increased parking of cars (many of which already stay overnight at weekend) as well as late night noise from people walking home.

We do not back onto the grounds of the Brooklands Tap but can often hear the music being played in the evening and later in the night and assume that the doors and windows are open.

We hope that you will consider our objections and refuse this MAJOR variation.

Yours faithfully

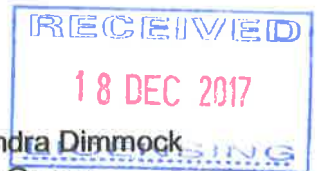
A handwritten signature in blue ink, appearing to read "T McNally".

A handwritten signature in blue ink, appearing to read "D McNally".

T McNally

D McNally(Mrs)

Licensing Section
Traford Town Hall
Stretford
M32



Roger and Sandra Dimmock
11 Glenthorn Grove
Sale
M33 3AG

14/12/17

Dear Licensing Committee,

We believe the Brooklands Tap Public House has applied for an extension to their licensing hours and we would like object to this for the following reasons.

On one occasion a group of young men knocked loudly on my door and said they had been involved in an affray in the Brooklands Tap and that one of their number had been struck with a glass, he was bleeding very badly and I gave him a towel and rang an Ambulance. Our Grandchildren were present in the house and they were scared stiff.

We have also noticed some instances of people who are outside the Pub smoking and smash empty bottles on the pavements and on Hope Road.

In the past the Pub has held a Pop weekend which although we have been notified about in advance we do feel that the level of noise is unacceptable for a residential area.

We would also like to stress that in the summer they open the double doors at the rear of the Pub and the music is deafening.

Although we have not considered any of these incidents serious enough to report to the Police we consider that extending the opening hours of the Brooklands Tap would only make the residents suffer a whole lot more.

Yours with concern

Roger W Dimmock
Sandra Dimmock

Roger and Sandra Dimmock

E

To: Trafford Licensing Department.

21 December 2017

Dear Sir/Madam,

I have been asked by Mr Ian McGinty and Mr K Ashton of Glenthorn Grove in Sale to support their objections to the application LA0511/17 for extended opening hours for the Brooklands Tap pub on Hope Road, Sale. I understand that Mr McGinty and Mr Ashton (and other residents) will also submit their own objections.

My main objection is based on the concern about the potential increase in public nuisance. This public house is situated in a residential area. Houses on Glenthorn Grove and, to some extent, on Hope Road are situated very close to these premises. The car park for the pub is located immediately behind houses on Glenthorn Grove.

The proposed extension of hours for the playing of music until midnight, the sale of alcohol until 1.00am and for closing time until 1.30am will inevitably cause more nuisance for the residential neighbours. Not only will there be the likelihood of more noise generated from the music and other activities within the building but also when patrons leave the premises. At present patrons often sit outside the rear of the premises shouting and laughing. With the proposed later opening hours this nuisance will worsen and people and vehicles will be leaving the car park after the pub has closed at 1.30am. In addition, patrons often use Glenthorn Grove itself as an extension of the pub car park. Noise nuisance will therefore be spread over a wider area.

I would be obliged if my objections could be reported to the Licensing Panel and I would like to attend the relevant meeting of the Panel to speak against this application.

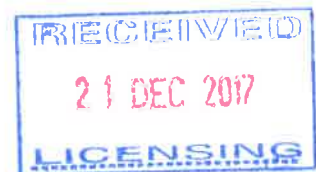
Regards



Cllr Barry Brotherton – Priory Ward

3 Highfield Avenue

Sale M33 3DW



Smith, David

From: Elizabeth Vickers <e.vickers905@btinternet.com>
Sent: 27 December 2017 17:12
To: Licensing
Subject: The Brooklands Tap - Variation to the Premises Licence

Categories: Dave

FAO: Licensing Authority, Licensing Section, Trafford Town Hall

Dear Sirs,

I wish to make a formal objection to the proposed extension of the music and licensing hours at The Brooklands Tap on Hope Road, Sale.

As a resident of Glenthorn Grove, half of the rooms in my house back onto the car park and rear of the Tap premises. During the Summer months, the back doors of the pub are often open and the noise is excessive and can be obtrusive. Extending the pub's opening hours will only add to this disturbance for myself and many others on Glenthorn Grove.

Whilst I do not wish the pub to close, extending the opening hours will only encourage those customers who wish to drink after normal closing hours elsewhere. Restaurants in the vicinity close at 10pm and most pubs in Sale close before 1am, especially on a Thursday. The behaviour of those seeking to continue drinking into these later hours goes hand in hand with unruly behaviour which is a public nuisance and even a danger to public safety, especially when the customers leave the pub and their antisocial behaviour spills over into Glenthorn Grove. I have personally had experience of this, after being knocked down and hospitalised by a drink driver leaving the Tap car park.

Ultimately, Glenthorn Grove is a quiet, residential street in Brooklands and The Tap also happens to be situated in this residential area. Living behind a drinking establishment which appears to be taking on night club status is unacceptable for the public safety and quality of living for the residents of Glenthorn Grove.

Yours faithfully,

Mrs. E.A. Vickers

G

Smith, David

From: Brotherton, Barry
Sent: 24 December 2017 12:18
To: Licensing
Cc: Boyle, Joanne
Subject: FW: Brooklands Tap Pub - Application to extended opening hours

Categories: Dave

Hi,

Please see below an objection from residents at 9 Glenthorn Grove to the Brooklands Tap application.

Regards

Cllr Barry Brotherton

-----Original Message-----
From: Gavin, Amy [<mailto:a.gavin@salford.gov.uk>]
Sent: 24 December 2017 10:49
To: Brotherton, Barry
Subject: Brooklands Tap Pub - Application to extended opening hours

Dear Barry,

RE: Proposed application for extended opening hours at Brooklands Tap, Hope Road, Sale.

This is an objection in reference to the new application by Brooklands Tap for extending opening hours and sell alcohol between the hours of 11am and 1:30am, Thursday to Saturday.

In addition to the points already raised against the original application we would like to raise the following concerns by way of formal objection.

Extending the opening hours extends the sale of alcohol consumption which will draw unwelcome attention and increased footfall at unsociable hours to a residential and conservation area.

Noise, public nuisance, anti-social behaviour, low-level nuisance (non reportable crime inc. shouting, swearing, urination in public, littering) will be increased.

The noise level from the Live and Recorded Music is already a nuisance and can be heard playing until 11:00pm throughout the residential area where many children are trying to sleep never mind extending this to 1.30am.

In addition, there are many public houses on Glenthorn Grove in close proximity to the proposed site. Extending opening times in a quiet, residential, conservation area will unnecessarily draw people from a wider area at unsociable hours. Signage will be visible from a which will add to the additional draw of pedestrians and vehicles.

Noise, light pollution, traffic and traffic noise will all have a negative impact. To note again, this is a residential area.

Additional traffic, to an already busy junction and tight corner will have serious public safety implications.

The licence conflicts with the amenities available to children in the area, putting them at risk from anti-social behaviour, increased littering, , exposure to the marketing and sale of alcohol and cigarettes, increased potential for road traffic incidents.

Thank you for taking the time to seriously consider these objections.

Yours Sincerely,
Miss Gavin and Mr Khares

9 Glenthorn Grove,
Sale,
M33 3AG

=
DISCLAIMER: The information contained in this communication/message from a.gavin@salford.gov.uk sent on Sun Dec 24 10:48:58 2017 is confidential. It is intended solely for the addressee(s) Barry.Brotherton@trafford.gov.uk

Access to this message by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, or distribution of the message, or any action or omission taken by you in reliance on it, is prohibited and may be unlawful.

As a public body, Salford City Council may be required to disclose this email [or any response to it] under the Freedom of Information Act 2000, unless the information in it is covered by one of the exemptions in the Act. Please immediately contact the sender, a.gavin@salford.gov.uk if you have received this message in error.

For the full disclaimer please access <http://www.salford.gov.uk/e-mail>. Thank you.