

APPENDIX D
 REPRESENTATION FROM POLLUTION AND HOUSING TEAM
Trafford Council

The Licensing Act 2003

Responsible Authority Representation Form

FAO The Licensing Service, Licensing Section, Trafford Town Hall, Talbot Road, Stretford, M32 0TH

Section 1 - Application Details	
<p>I wish to make a representation against the following application: Applicant's name (if known):</p> <p style="margin-top: 20px;">Premises name and address: <i>Astoria Bar and Restaurant</i> <i>32 - 34 Flixton Road, Urmston, Manchester, M41 5AN</i></p>	
Type of Application: Premises licence review	
Application Number (if known):	

Section 2 – Responsible Authority's Details																							
<p>Responsible Authority's Details: Please tick appropriate box:</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 40px; border: 1px solid black;"><input type="checkbox"/></td><td>Chief Officer of Police</td></tr> <tr><td style="border: 1px solid black;"><input type="checkbox"/></td><td>Fire and Rescue Authority</td></tr> <tr><td style="border: 1px solid black;"><input type="checkbox"/></td><td>Local Planning Authority</td></tr> <tr><td style="border: 1px solid black;"><input type="checkbox"/></td><td>Health and Safety Authority</td></tr> <tr><td style="border: 1px solid black;"><input checked="" type="checkbox"/></td><td>Environmental Health Authority</td></tr> <tr><td style="border: 1px solid black;"><input type="checkbox"/></td><td>Bodies recognised as being responsible for protection of children from harm</td></tr> <tr><td style="border: 1px solid black;"><input type="checkbox"/></td><td>Local Authority Director of Public Health</td></tr> <tr><td style="border: 1px solid black;"><input type="checkbox"/></td><td>Local Weights and Measures Authority (Trading Standards)</td></tr> <tr><td style="border: 1px solid black;"><input type="checkbox"/></td><td>Licensing Authority</td></tr> <tr><td style="border: 1px solid black;"><input type="checkbox"/></td><td>Home Office Immigration Enforcement</td></tr> <tr><td style="border: 1px solid black;"><input type="checkbox"/></td><td>Other</td></tr> </table>		<input type="checkbox"/>	Chief Officer of Police	<input type="checkbox"/>	Fire and Rescue Authority	<input type="checkbox"/>	Local Planning Authority	<input type="checkbox"/>	Health and Safety Authority	<input checked="" type="checkbox"/>	Environmental Health Authority	<input type="checkbox"/>	Bodies recognised as being responsible for protection of children from harm	<input type="checkbox"/>	Local Authority Director of Public Health	<input type="checkbox"/>	Local Weights and Measures Authority (Trading Standards)	<input type="checkbox"/>	Licensing Authority	<input type="checkbox"/>	Home Office Immigration Enforcement	<input type="checkbox"/>	Other
<input type="checkbox"/>	Chief Officer of Police																						
<input type="checkbox"/>	Fire and Rescue Authority																						
<input type="checkbox"/>	Local Planning Authority																						
<input type="checkbox"/>	Health and Safety Authority																						
<input checked="" type="checkbox"/>	Environmental Health Authority																						
<input type="checkbox"/>	Bodies recognised as being responsible for protection of children from harm																						
<input type="checkbox"/>	Local Authority Director of Public Health																						
<input type="checkbox"/>	Local Weights and Measures Authority (Trading Standards)																						
<input type="checkbox"/>	Licensing Authority																						
<input type="checkbox"/>	Home Office Immigration Enforcement																						
<input type="checkbox"/>	Other																						
Full name:	Peter Belfield																						
Job Title:	Environmental Health Officer																						
Tele number:	0161 912 4579																						
Email:	Peter.belfield@trafford.gov.uk																						

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Address:
 Pollution & Housing Team, Regulatory Services, Trafford Council, Trafford Town Hall,
 Talbot Road, Stretford, Trafford M32 0TH

Section 3 – Representations

<input type="checkbox"/>	We object to the Licence being granted at all
<input checked="" type="checkbox"/>	We object to the Licence being granted in its current form*

*If you choose this option remember to tell us in section 3B what changes you would like to see.

Your representation must be relevant to the effect of the application on the promotion of one or more of the four licensing objectives. Please complete the boxes below as fully as possible. If you do not then your representation may not be accepted.

Please attach supporting documents/further pages as necessary. Please number all extra pages and add the applicant's name and your name to each page.

Section 3A – The Licensing Objectives

To prevent crime and disorder	<i>Please state your reasons:</i> N/A
Public safety	<i>Please state your reasons:</i> N/A

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<p>To prevent public nuisance</p>	<p><i>Please state your reasons:</i> Complaints from two households were received on 26 and 27 July 2021 about loud music breakout that was verified by a subsequent monitoring visit on 3 September 2021. It was noted during the visit at approx. 9.45 – 10.45pm that loud RnB music was audible by residential premises. This music was confirmed to be emanating from the Astoria premises frontage especially through doors that were being kept open. A letter was sent to the Premises Manager on 7 September 2021 advising of complaints and the outcome of the monitoring visit which confirmed the likelihood of a statutory nuisance being caused. The letter also requested that action was taken to abate the nuisance. A second visit to the monitoring location on 17 September 2021 found that music noise breakout had reduced significantly and that doors to the premises were being kept closed.</p>
<p>The protection of children from harm</p>	<p><i>Please state your reasons:</i> N/A</p>

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Section 3B – Suggestions/Further information

Please give any suggested conditions that could be added to the licence to remedy the cause of your representations, or other considerations you would like the Licensing Sub-Committee to take into account.

The current Licence contains the following condition which relates to the control of music noise:

4. Music and associated sources (including DJ's and amplified voices) should generally not be audible inside noise sensitive properties at any time.

It is considered that the above condition would be difficult to verify, either by the Licence holder or council enforcement officers, since access would be required to the inside of noise sensitive properties in order to check on compliance.

I would therefore request that any Licence granted following the review **has this condition removed, and replaced with the following**, which is considered a more meaningful and enforceable control measure.

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

I would also request that the following additional condition is attached to the Licence to ensure that music noise breakout through openings can be minimised, since this is an issue that has been highlighted during the investigation of complaints:

All external windows and doors must be kept shut at all times when regulated entertainment is being provided. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter.

I confirm that this representation may become a public document

Signed *PB* dated 22nd December 2021

N.B if you do make a representation you will be expected to attend the Licensing Sub-Committee hearing and any subsequent appeal proceedings.

It is an offence, under section 158 of the Licensing Act 2003, to knowingly or recklessly make a false statement in connection with this representation. This is punishable, on summary conviction, by a fine not exceeding level 5 on the standard scale.

Please return this form along with any additional sheets to: **The Licensing Service,**

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Trafford Council; Trafford Town Hall, Talbot Road, Stretford, Manchester, M32 0HT
or email to licensing@trafford.gov.uk.

This form must be returned within the Statutory Period. Please check with the Licensing Section by emailing licensing@trafford.gov.uk