

TRAFFORD COUNCIL

Report to: Licensing Sub-Committee
Date: 10th November 2022
Report for: Decision
Report of: Head of Regulatory Services

Report Title

**APPLICATION FOR REVIEW OF AN EXISTING PREMISES LICENCE –
LANCASHIRE COUNTY CRICKET CLUB, TALBOT ROAD, OLD TRAFFORD,
M16 0PX**

Summary

The Licensing Authority has received an application from Trafford Council Licensing requesting a review of the Premises licence held by Lancashire County Cricket Club Limited in respect of the 4 licensing objectives:

- The prevention of crime and disorder
- Public Safety
- The prevention of public nuisance
- The protection of children from harm

Recommendation(s)

The Sub-committee must, having regard to the application and any relevant representations, take such of the steps mentioned in Section 52(4) of the Licensing Act 2003 (if any) as it considers necessary for the promotion of the licensing objectives.

The steps stated in Section 52(4) are:

- (a) to modify the conditions of the licence;
- (b) to exclude a licensable activity from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence for a period not exceeding three months;
- (e) to revoke the licence;

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

The Sub-Committee has the power in relation to steps (a) and (b) to provide that the

modification and exclusion only has effect for a limited period not exceeding three months.

The Sub-Committee also have the option to take no further action or issue an informal warning to the licence holder and/or recommend improvement within a particular period of time.

Contact person for access to background papers and further information:

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1. BACKGROUND

- 1.1 At any stage, following the grant of a premises licence, a responsible authority, such as the Licensing Authority, police or the fire authority, or an interested party, such as a resident, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 1.2 In every case, the representation must relate to the particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives.
- 1.3 The licensing objectives are:
 - The prevention of crime and disorder
 - The prevention of public nuisance
 - Public safety
 - The protection of children from harm

2. APPLICATION

- 2.1 On the 26th September 2022 the Licensing Authority received an application from Clare Whittle (Regulatory Services Manager) on behalf of the Licensing Authority for a review of the Premises Licence PL000621. The licence is held by Lancashire County Cricket Club Limited for premises known as Lancashire County Cricket Club, (The Club) Talbot Road, Old Trafford, M16 0PX. A copy of the application and current licence is attached at **Appendix A** and copy of the evidence bundle is attached at **Appendix B**.
- 2.2 The Licensing Authority have confirmed that, in accordance with the regulations, the application was also given to the premises licence holder and responsible authorities on the same date 26th September 2022. Following receipt of the application the Authority posted notice of the application outside the premises; on the Council's website; and at the Council's Offices for 28 consecutive days.

3. LICENCE HISTORY

- 3.1 Prior to 2005 the Club applied for and was granted individual entertainment licences to hold large scale concerts under the Local Government (Miscellaneous Provisions) Act 1982.

In 2003 the Council refused to grant an Entertainment Licence to the Club in respect of a Bruce Springsteen concert. This followed concerns raised by local residents and responsible authorities in respect of the Club's ability to manage such concerts following alleged incidents of poor crowd control and noise nuisance at an Oasis concert in 2002. The Club appealed against the refusal which was subsequently upheld by Manchester Magistrates' Court on the 8th May 2003.

- 3.2 In 2007 a premises licence was issued to Lancashire County Cricket Club under the Licensing Act 2003 for the whole Stadium which included regulated entertainment in the form of concerts which allowed for an agreed number of small and large scale events each year.
- 3.3 On 17th June 2010 a new premises licence was granted for all licensable activities to incorporate all existing buildings and function areas together with the inclusion of the new building known as The Point.
- 3.4 Since the current premises licence was granted the only changes have been applications to vary the Designated Premises Supervisor (DPS).

4. REPRESENTATIONS

- 4.1 A representation has been received from Trading Standards recommending conditions, attached as **Appendix C**.
- 4.2 A representation has been received from Environmental Health recommending re-wording or implementation of new conditions to promote the four licensing objectives, attached as **Appendix D**
- 4.3 A representation has been received from Greater Manchester Police in relation to all licensing objectives, attached as **Appendix E**.

5. KEY ISSUES

- 5.1 The grounds for review and any representations must relate to one or more of the licensing objectives and must be relevant. Representations from interested parties may not be frivolous, vexatious or a repetition.
- 5.2 The Council will consider requests for a review of an existing premises licence if representations are made from the following:
 - A Responsible Authority such as the Police and Fire Authority; or
 - Any other person
- 5.3 The Council will expect anybody requesting a review to produce evidence to support allegations that one or more of the licensing objectives are not being met.
- 5.4 The Sub-Committee should consider the relevance of the ground or grounds for review and any representations.

5.5 The Sub-Committee should consider whether or not any appropriate pre-review warnings have been given and/or any mediation taken place.

6. RECOMMENDATION

6.1 The Sub-Committee must, having regard to the application and any relevant representations, take such of the steps mentioned in Section 52(4) of the Licensing Act (if any) as it considers necessary for the promotion of the licensing objectives.

6.2 The steps stated in Section 52(4) are:

- (a) to modify the conditions of the licence;
- (b) exclude a licensable activity from the scope of the licence;
- (c) remove the designated premises supervisor;
- (d) suspend the licence for a period not exceeding three months;
- (e) revoke the licence; and

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

6.3 The Sub-Committee has the power in relation to steps (a) and (b) to provide that the modification and exclusion only has effect for a limited period not exceeding three months.

6.4 The Sub-Committee also have the option to leave the licence in its existing state and/or issue an informal warning to the licence holder and/or recommend improvement within a particular period of time.

ATTACHED

Appendix A – Application for Review including current licence

Appendix B – Supporting evidence

Appendix C – Representation from Trafford Trading Standards

Appendix D – Representation from Trafford Environmental Health

Appendix E – Representation from Greater Manchester Police