

## AGENDA FOR

## LICENSING HEARING PANEL

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**To:** **Councillors:** R Hodkinson, D Jones (Chair) and  
A Matthews

Dear Member/Colleague

### Licensing Hearing Panel

You are invited to attend a meeting of the Licensing Hearing Panel which will be held as follows:-

<b>Date:</b>	Tuesday, 31 March 2015
<b>Place:</b>	The Irwell Room, Town Hall, Bury
<b>Time:</b>	1.30 pm
<b>Briefing Facilities:</b>	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
<b>Notes:</b>	

## **AGENDA**

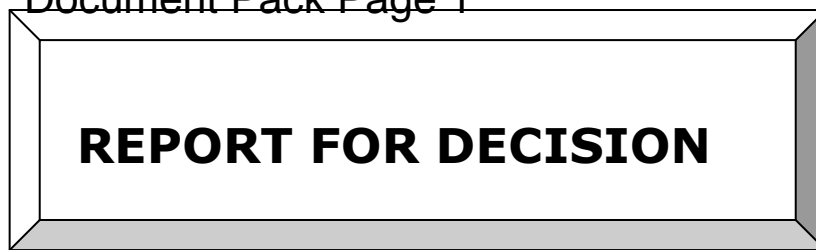
### **1 APOLOGIES**

### **2 DECLARATIONS OF INTEREST**

Members of the Licensing Hearings Panel are asked to consider if they have an interest in any items on the agenda and if so, to formally declare that interest.

### **3 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF 626 MANCHESTER ROAD, BURY (Pages 1 - 6)**

A report by the Assistant Director (Localities) is attached.



Agenda Item	
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<b>DECISION OF:</b>	<b>LICENSING HEARINGS PANEL</b>
<b>DATE:</b>	<b>31<sup>st</sup> MARCH 2015</b>
<b>SUBJECT:</b>	<b>APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF 626 MANCHESTER ROAD, BURY.</b>
<b>REPORT FROM:</b>	<b>ASSISTANT DIRECTOR DESIGNATE (LOCALITIES)</b>
<b>CONTACT OFFICER:</b>	<b>MR M BRIDGE</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	This report relates to an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of 626 Manchester Road, Bury, in respect of which representations have been received.
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	<ul style="list-style-type: none"> <li>• To grant the application in the terms requested</li> <li>• To grant the application subject to conditions</li> <li>• To amend or modify existing or proposed conditions</li> <li>• To refuse the application</li> </ul>
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework? <b>Yes</b> No
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	There are no specific issues from the report other than potential costs/risks associated with legal appeals
<b>Statement by Executive Director of Resources:</b>	The cost of the licensing function are funded through the fees and charges levied by the Council. There may be additional costs if appeals are lodged with the Magistrates and Crown Courts.

<b>Equality/Diversity implications:</b>	<b>Yes</b> <b>No</b> (see paragraph below)
<b>Considered by Monitoring Officer:</b>	<b>Under the legislation the Council is required to determine representations. The report is in accordance with the appropriate legislation.</b>
<b>Wards Affected:</b>	Redvales
<b>Scrutiny Interest:</b>	Internal Scrutiny Panel

**TRACKING/PROCESS**

**DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

**1.0 BACKGROUND**

- 1.1 The Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations is the relevant legislation.
- 1.2 The Panel will make a decision on the day of the hearing and the parties will be notified subsequently of the decision and the reasons for it by letter from the Licensing Office.

**2.0 BACKGROUND**

- 2.1 The applicant for the licence in respect of the above premises is Boxed Limited. Johanne Lee Banks of 6 Helmcroft, Helmshore, Rossendale, BB4 4DL, is the proposed Designated Premises Supervisor (DPS).
- 2.2 The applicant has complied with all the necessary procedural requirements laid down by the Act.
- 2.3 As part of the statutory process the Responsible Authorities and interested parties are entitled to make representations in relation to the grant of a licence. Where representations are made and not withdrawn Members are required to determine them.
- 2.4 Representations must be relevant to the licensing objectives defined within the Act. The objectives are:-



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### **List of Background Papers:-**

Application form  
Representations received  
Plan

### ***For further information on the details of this report, please contact:***

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Licensing Office  
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Duke Street  
Bury  
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Email: [m.bridge@bury.gov.uk](mailto:m.bridge@bury.gov.uk)

- The premises are to operate an effective CCTV system which is to be maintained in good working order at all times the premises is open for business. The location of cameras will be recorded on the plan attached to the licence. The recording medium (e.g. discs / tapes / hard drive etc) and associated images are to be retained and securely stored for a minimum period of 28 days and are to be made available to the police / Authorised Officers of the Licensing Authority upon request. The premises licence holder or designated premises supervisor is to provide the police with the contact details of at least two members of staff (or other person(s)) who are trained and familiar with the operation of the equipment so that, at the expense of the premises licence holder, they are able to check that the equipment is operating properly and that they are able to provide copies of recorded data upon request and within no more than 24 hours from the time of the request. The premises licence holder or the Designated Premises Supervisor must notify the licensing office or the Police in the event of CCTV breakdown or malfunction as soon as is reasonably practicable and in any event within 24hrs
- Staff training shall take place on the Licensing Act and Licensing objectives when employment commences and subsequently a minimum of every six months after, a written record of this training to be maintained and made available to the police and any authorised officer of the Council for inspection on request.
- Customers will be prevented from leaving the interior of the premises with alcoholic drinks in glasses or bottles.
- Table and Chairs and any other outdoor furniture located outside the premises, must be removed, and stored away in a safe area not accessible to the public each evening, no later than 1900hrs.
- The DPS or premises licence holder must develop and operate a dispersal policy for clientele leaving the premises (this may include links to local taxi companies)
- Prominent clear and legible notices must be displayed at the exit requesting that customers respect the needs of local residents and to leave the premises and area quietly.
- No refuse shall be disposed of, or collected from the premises between the hours of 9pm – 7am where such disposal or collection is likely to cause disturbance to the local residents.
- The premises will operate a “Challenge or 25” proof of age policy and signage to this effect is to be prominently displayed within the premises. Persons who appear to be under the age of 25 must produce for thorough scrutiny by staff, proof of identity/age before being sold / supplied alcohol. Only a passport or photo-card driving licence or a proof of age card bearing the official ‘PASS’ accreditation hologram should to

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be accepted as proof of age. Delivery drivers will be trained and will verify age of customers when delivering orders containing alcohol.

- All incidents shall be recorded in a sequentially bound 'incident' log. Each entry must record:
  - a. The name of the server;
  - b. Date and time of the incident;
  - c. Description of the incident, which may include:
    - i. Refusal to serve (and reasons);
    - ii. Suspicious activity;
    - iii. Crime and/or disorder;
    - iv. Remedial action taken (if any).