

## AGENDA FOR

## LICENSING HEARING PANEL

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**To: All Members of Licensing Hearing Panel**

**Councillors** : J Grimshaw, D Jones and G Keeley

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>	Wednesday, 14 June 2017
<b>Place:</b>	Council Chamber - Bury Town Hall
<b>Time:</b>	1.00 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 DECLARATION OF INTEREST**

Members of the Licensing Hearings Panel are asked to consider whether they have an interest in any of the matters 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 449A BURY NEW ROAD PRESTWICH** *(Pages 1 - 26)*

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

<b>REPORT FOR DECISION</b>
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**Bury**  
COUNCIL

Agenda Item	
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<b>DECISION OF:</b>	<b>LICENSING HEARINGS PANEL</b>
<b>DATE:</b>	<b>14 JUNE 2017</b>
<b>SUBJECT:</b>	<b>APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF 449A BURY NEW ROAD, PRESTWICH, M25 1AF</b>
<b>REPORT FROM:</b>	<b>ASSISTANT DIRECTOR (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 449a Bury New Road, Prestwich, Manchester, M25 1AF 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> <b>No</b>
<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>	St Marys
<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 INTRODUCTION**

- 2.1 The applicant for the licence in respect of the above premises is Basil and Lily Ltd, 449a Bury New Road, Prestwich, Manchester, M25 1AF. Anna Moss is the proposed Designated Premises Supervisor (DPS) of 19 Guest Road, Prestwich, Manchester, M25 3DJ.
- 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:-

- a) the prevention of crime and disorder
- b) public safety
- c) prevention of public nuisance and
- d) protection of children from harm

### **3.0 THE APPLICATION**

3.1 The application is for the grant of a Premises Licence under Part 3 of the Licensing Act 2003:

The operating schedule shows the following:

#### **a. Supply of alcohol – For consumption On the Premises.**

Monday to Friday	09.00 – 22.30
Saturday	10.00 – 00.00
Sunday	10.00 – 22.00
Bank Holidays	10.00 – 00.00
Christmas Eve	10.00 – 00.30
New Years Eve	10.00 – 00.30

#### **b. Opening Hours**

Monday to Friday	09.00 – 23.00
Saturday	10.00 – 00.30
Sunday	10.00 – 22.00
Bank Holidays	10.00 – 00.00
Christmas Eve	10.00 – 01.00
New Years Eve	10.00 – 01.00

The applicant intends to provide live and recorded music on occasions until 23.00 under the Live Music Act

### **5.0 LICENCE CONDITIONS AGREED WITH THE POLICE**

5.1 Following liaison with Greater Manchester Police, the applicant has volunteered the conditions attached at appendix A to this report being attached to the Premises Licence should the application be granted.

### **6.0 OTHER REPRESENTATIONS**

6.1 Representations have been received from interested parties in respect of this application. The nature of the representations received are summarised as follows:-

- Anti social behaviour
- Nuisance from noise of music and smokers outside the premises
- Litter
- Personal safety

6.2 All the representations were received before the end of the objection period.

## **7.0 OBSERVATIONS**

- 7.1 After hearing the representations made and the evidence presented, Members are obliged to determine the application with a view to promoting the licensing objectives and having regard to the Authority's Licensing Policy and National Guidance.

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

Application form  
Representations received  
Plan

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

Mr M Bridge  
Licensing Office  
3 Knowsley Place  
Duke Street  
Bury  
Telephone No: 0161 253 5209  
Email: [m.bridge@bury.gov.uk](mailto:m.bridge@bury.gov.uk)

**Appendix A**

- 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 recording medium (e.g. disks / 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 24 hours.
- Staff training shall take place on the Licensing Act and Licensing objectives upon commencement of employment and every six months thereafter, a written record of this training is to be maintained and made available to the police and any authorised officer of the Council for inspection on request.
- No drink shall be removed from the premises in an unsealed container.
- The DPS or premises licence holder must develop and operate a dispersal policy for clientele leaving the premises. [this may include links to taxis and other transport providers]
- Prominent clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.
- Music and associated other noise sources (e.g. DJs and amplified voices) shall not be generally audible inside noise sensitive property at any time. The DPS or a member of staff is to carry out noise level checks of the surrounding outside area whenever entertainment is being provided taking action to reduce noise levels where there is a potential for nuisance to be caused.
- All external doors and windows are to be kept closed when live entertainment or recorded music is in progress.
- The outside area is not to be used for licensable activities or for the consumption of alcohol.
- The premises will operate a "Challenge 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 be accepted as proof of age.
- The premises is to maintain a refusals / incident book to record the details of incidents / descriptions of individuals whenever a member of staff has refused to sell alcohol to a person suspected of being under the age of 18 and record

the circumstances of any incident. The book must be made available to the police / authorised officers of the Licensing Authority on request.



Recd 26/4/17  
ACC

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**OBJECTIONS TO THE LICENSING APPLICATION OF**

**BASIL AND LILY LIMITED 449A BURY NEW ROAD**

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1. A residential home sits above the bar: tenants have written to complain. Letter attached.
2. Tenant has irregular employment pattern and will be attempting to sleep asleep during the opening hours of the business.
3. Fear of potential noise, music, and smokers outside below his window.
4. Loss of peace. Applicant accepts LIVE music will be playing.
5. Loss of tenants for the Landlord of the rented premises: letter of complaint attached.
6. Lack of distance between business with numerous patrons and residents.
7. Debris and resulting debris from a food and drink based business outside tenants home.
8. Music and drink provided late even including past midnight
9. Wholly unreasonable to expose tenant to this environment.
10. Places Landlord in breach of his obligation to his own tenant: a term of the lease being quite enjoyment! Faces potential claim for distress and /or loss of tenant and income/livelihood.
11. Numerous Public Houses and eateries in the area already!
12. Breach of the tenants human rights: Article 8 ECHR – Private life.  
Article 8 of the European Convention of Human Rights.
13. The allowing of such an application would be an irrational and Wednesbury unreasonable decision by the local authority:  
APP Houses v Wednesbury Corp. [1948] 1KB 223
14. The Local Authority is under a duty to examine all the evidence on the basis of anxious scrutiny.

WM v SSHD [2006] EWCA Civ 1495.

53674



**Bury**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[licensing@bury.gov.uk](mailto:licensing@bury.gov.uk)  
 Telephone: 0161 253 5208

\* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name  If your business is registered, use its registered name.

VAT number   Put "none" if you are not registered for VAT.

Legal status

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 21**

**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /   
dd mm yyyy

\* Nationality  Documents that demonstrate entitlement to work in the UK

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of 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.

A small Wine Bar which will be serving less than 40 customers at any time.

*Continued from previous page...*

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Section 6 of 21**

**PROVISION OF PLAYS**

See guidance on regulated entertainment

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

See guidance on regulated entertainment

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

See guidance on regulated entertainment

Will you be providing live music?

- Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing performances of dance?

Continued from previous page...

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

Yes  No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

**SATURDAY**

Start

End

Start

End

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.

Continued from previous page...

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

The Bank Holiday weekends: 10:00 to 00:00

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Christmas Eve: 10:00 to 00:30

New Years Eve: 10:00 to 00:30

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth

/  /

dd                  mm                  yyyy



*Continued from previous page...*

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

The Bank Holiday weekends: Sunday 10:00am to 00:00

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Christmas Eve: 10:00 to 01:00  
New Years Eve: 10:00 to 01:00

**Section 18 of 21**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

*Continued from previous page...*

List here steps you will take to promote all four licensing objectives together.

As set out in Sections b,c,d and e below.

CCTV will be installed. See details below.

Regular cleaning of the pavement and exterior of the premises.

All staff will be properly trained to ensure compliance with the Licence objectives.

The premises will not be used for any other purpose than that of a Wine Bar.

b) The prevention of crime and disorder

The premises are to operate an effective CCTV system which is to be maintained in good working order at all times the premises are open for business. The recording medium (e.g. disks/tapes/hard drive, etc) and associated images are to be retained and securely stored for a minimum period of 28 days and 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 persons(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 24 hours.

Staff training shall take place on the Licensing Act and Licensing objectives upon commencement of employment and every six months thereafter. A written record of this training is to be maintained and made available to the Police and any authorised officer of the Council for inspection on request.

c) Public safety

The floor of the premises will be well maintained and kept clean and free from tripping obstacles. Staff will be trained to remove empty glasses regularly and to clear any spillages. Fire Risk Assessments will be carried out regularly and any directives implemented. The entrance and exit will be properly lit and kept free from obstructions. No smoking will be allowed on the premises. This ban will include electronic cigarettes.

No drink shall be removed from the premises in an unsealed container.

d) The prevention of public nuisance

The DPS or premises licence holder must develop and operate a dispersal policy for clientele leaving the premises. This may include links to taxis and other transport providers.

Prominent clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.

Music and associated other noise sources (e.g., DJs and amplified voices) shall not be generally audible inside noise sensitive property at any time. The DPS or a member of staff is to carry out noise level checks of the surrounding outside area whenever entertainment is being provided taking action to reduce noise levels where there is a potential for nuisance to be caused.

All external doors and windows are to be kept closed when live entertainment or recorded music is in progress.

Finally, the outside area is not to be used for licensable activities or for the consumption of alcohol.

e) The protection of children from harm

The premises will operate a "Challenge 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

**Continued from previous page...**

Bearing the official "PASS" accreditation hologram should be accepted as proof of age.

The premises is to maintain a refusals/incident book to record the details of incidents/descriptions of individuals whenever a member of staff has refused to sell alcohol to a person suspected of being under the age of 18 and record the circumstances of any incident. The book must be made available to the police/authorised officers of the Licensing Authority on request.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

*Continued from previous page...*

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an Immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

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. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

*Continued from previous page...*

- Dance; no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00



Continued from previous page...

Capacity 80000-89999 £56,000.00  
 Capacity 90000 and over £64,000.00

\* Fee amount (£)

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

Date (dd/mm/yyyy)



Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/bury/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

**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**

**Consent of individual to being specified as premises supervisor**

Anna Mia Moss

I .....  
*[full name of prospective premises supervisor]*

of

19 Guest Road  
Prestwich  
Manchester  
M25 3DJ

.....  
*[home address of prospective premises supervisor]*

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Premises Licence

.....  
*[type of application]*

by

Anna Mia Moss

.....  
*[name of applicant]*

relating to a premises licence .....  
*[number of existing licence, if any]*

for

Basil and Lily Limited  
449a Bury New Road  
Prestwich  
Manchester  
M24 1AF

.....  
*[name and address of premises to which the application relates]*

and any premises licence to be granted or varied in respect of this application made by

Anna Mia Moss

-----  
*[name of applicant]*

concerning the supply of alcohol at

Basil and Lily Limited  
449a Bury New Road  
Prestwich  
Manchester  
M25 1AF

-----  
*[name and address of premises to which application relates]*

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

2153

-----  
*[insert personal licence number, if any]*

Personal licence issuing authority

Bury

-----  
*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed

*Anna Moss*  
-----

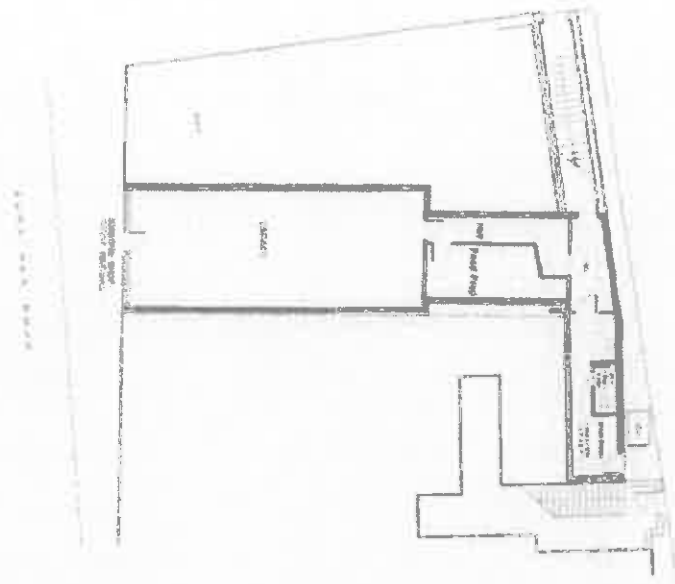
Name (please print)

Anna Mia Moss  
-----

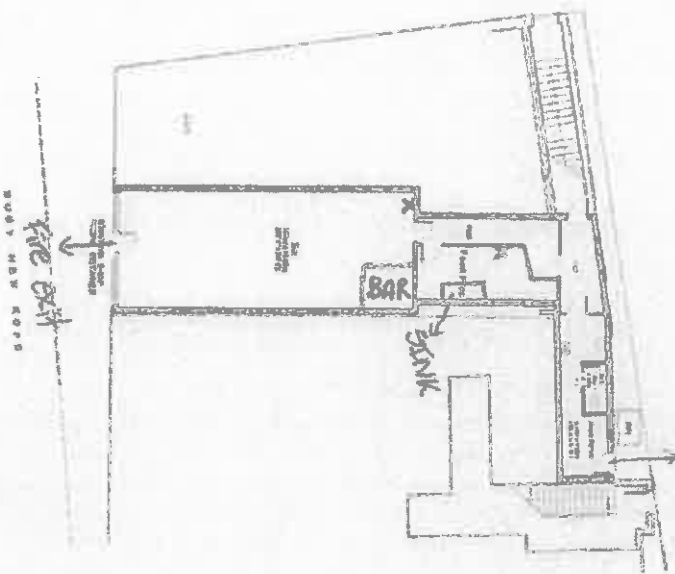
Date

18/04/2017  
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EXISTING OUTRIG FLOOR PLAN 1:100

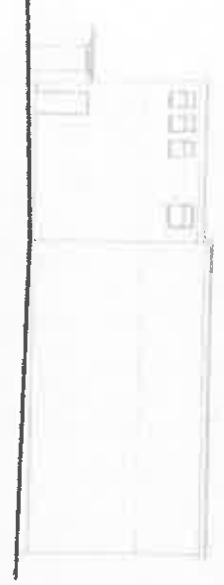


PROPOSED OUTRIG FLOOR PLAN 1:100



X = fire extinguishers

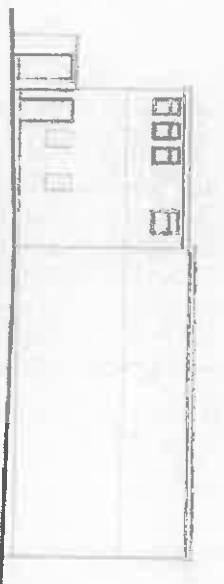
EXISTING REAR ELEVATION 1:100



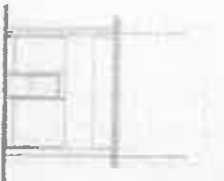
EXISTING FRONT ELEVATION 1:100



PROPOSED REAR ELEVATION 1:100



PROPOSED FRONT ELEVATION 1:100



1. The drawings are for the building, unless otherwise stated. The drawings are not to be used for any other purpose without the written consent of the architect. The drawings are not to be used for any other purpose without the written consent of the architect.

SITE PLAN 1:1000



LOCATION PLAN 1:1000



PLANNING

DATE: 14th March

PROJECT: DEN

NO: 14/01/2017

DATE: 14th March

PROJECT: DEN

NO: 14/01/2017



14/01/2017  
14/01/2017  
14/01/2017