

AGENDA FOR

LICENSING HEARING SUB COMMITTEE



Contact: Michael Cunliffe
Direct Line: 0161 253 5399
E-mail: m.cunliffe@bury.gov.uk
Website: www.bury.gov.uk

To: All Members of Licensing Hearing Sub Committee

Councillors : T Holt (Chair)

Dear Member/Colleague

Licensing Hearing Sub Committee

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

Date:	Monday, 25 April 2022
Place:	Virtual meeting via Microsoft Teams
Time:	1.00 pm
Briefing Facilities:	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.
Notes:	

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of the Licensing Hearing Sub Committee are asked to consider whether they have an interest in any matter on the agenda, and, if so, to formally declare that interest.

3 MINUTES OF THE LAST MEETING(S) *(Pages 3 - 14)*

The Minutes of the last Licensing Hearing Sub Committee meetings held at 11.00am on the 22nd March 2022 and 10.30am on the 29th March 2022 are attached.

4 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF DIXY CHICKEN, 41 BLACKBURN STREET, RADCLIFFE, M26 1NR *(Pages 15 - 40)*

Report from the Executive Director (Operations) is attached:-

Minutes of: LICENSING HEARING SUB COMMITTEE

Date of Meeting: 22 March 2022

Present: Councillor T Holt (in the Chair)
Councillors J Grimshaw and Y Wright

Also in attendance: J. Witkowski (Legal)
M. Bridge (Licensing)
M. Cunliffe (Democratic Services)

Public Attendance: Mr A Rind (Applicant)
Mr C Grunert (Applicants Representative)
Mr A Lonsdale (Representor)

1 APOLOGIES FOR ABSENCE

There were no apologies for absence submitted.

2 DECLARATIONS OF INTEREST

There were no declarations of interest made.

3 MINUTES OF THE LAST MEETING

The minutes of the last Licensing Hearing Panel held virtually at 12.30pm on the 27th January 2022 were attached to the agenda.

Resolved:- That the minutes of the Licensing Hearing Sub Committee held virtually at 12.30pm on the 27th January 2022 be approved as a correct record.

4 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF THE WHISKY STOCK, FAITH HOUSE, JAMES STREET, RADCLIFFE, M26 1LN

The Licensing Authority received an application for a Premises Licence to be granted under the Licensing Act 2003 in relation to The Whisky Stock, Faith House, James Street, Radcliffe, M26 1LN. Representations had been received from a Responsible Authority, namely Greater Manchester Police (GMP) and 3 interested parties, namely members of the public.

The Applicant in respect of the above premises is The Whisky Stock Limited, Britannic House, Sterling Way, Borehamwood, WD6 2BT. The Designated Premises Supervisor (DPS) is Menachen Mendal Brackman, 1 Wilton Avenue, Prestwich, Manchester, M25 0HD.

The Applicant had complied with all the necessary procedural requirements laid down by the Act.

Representations were received within the appropriate period by the Licensing Authority from GMP and 3 other interested parties.

All representations were contained within the written submissions provided in the report to the Sub-Committee.

All documentary evidence provided with the agenda pack comprising the application, the report and representations were served on all parties in advance of the hearing.

The proposed operating schedule requested was as follows:

Supply of Alcohol - For consumption Off the Premises

Monday to Sunday 07.00 until 21.00

Hours open to the Public

Monday to Sunday 07.00 until 21.00

The Licensing Manager clarified that a paragraph within the report should be removed which stated conditions contained in the operating schedule submitted by the Applicant were contained at Appendix 1.

It was also reported that GMP had been mediating during the representation period with the Applicant prior to the hearing and they have agreed and accepted the conditions contained at Appendix 1.

The Licensing Manager presented the report and noted that Appendix 2 of the agenda pack contained information in relation to the interested parties who had made representations to this application, in addition to GMP.

It was reported that a written statement had been circulated to Members of the panel prior to the hearing from Mr Grunert the solicitor representing the Applicant.

The Licensing Manager confirmed with Members that a video clip which had been emailed with the agenda pack had been viewed by all.

The Licensing Unit Manager then sought clarification from Mr Grunert on behalf of the Applicant, as to the details of the current application as it was noted that the written statement made reference to a change in the proposed hours of the licence, additional conditions and also to agreement having been reached with GMP as to further additional conditions. Mr Grunert confirmed to the Sub-Committee that the proposed operating schedule set out in the original application had been amended and the new hours of operation are as follows:

Supply of Alcohol - For consumption Off the Premises

Monday to Sunday 09.00 until 17.00

Hours open to the Public

Monday to Sunday

09.00 until 17.00

Mr Grunert then provided the meeting with an overview of the business which was aimed at the online sale of high quality spirits. He stated that the 3 Directors were local to Manchester and that no large HGV's would be required in association with this business and loading/unloading would be conducted in the private car park. The problems with HGV's that had been referenced in the representations from members of the public, he stated were linked to another business at the location although that company would hopefully be relocating with the next 6 months. There would be no public footfall at the Whisky Stock, sales would be online, with physical sales conducted with trade only customers. The Challenge 25 scheme would be in operation and the Applicant had tried to consider the representations and put in changes designed to deal with the concerns and not compromise against the business requirements.

The Council's legal representative sought further clarification that the proposed new hours are now part of the application and that sales could only be undertaken during that period and so packing of items ordered online for picking, packing and dispatch could only occur during this time. Mr Grunert confirmed that the change of hours and all the proposed conditions were acceptable and that it was understood that the licenced hours were for appropriation of sales.

Members of the panel were invited to ask questions of the Applicant and raised concerns to the photographs and video clip circulated with the agenda pack showing a number of different HGV's parking on residential streets and blocking driveways to a number of houses.

Mr Grunert went on to confirm that only smaller transit-type vehicles would be used for collection and dispatch from the Whisky Stock. This would be done in the carpark and only during the proposed hours of business.

Mr Rind a Director spoke on behalf of the Applicant and confirmed these were linked to an existing business at the location, of which he was also a director. He provided some background information on why this may occur when 2 HGV's were already at the site. He also confirmed that the proposal is to move that business to another location in the coming months.

Mr Lonsdale, a representor who was in attendance enquired as to what might happen if the business moves and another company moves onto the site. Mr Rind stated he was unable to say. He then confirmed he had no further questions and no further comments other than to state that he was happy with the amended operating hours and the smaller vehicles to be allowed onto the site, which would help with his children's routine as part of their family life. He noted that the situation with vehicles had improved.

All parties were invited to sum up.

The Sub-Committee then duly retired to consider the application.

The Members of the Panel were advised by the Legal Officer as to their duties under Section 4 of the Licensing Act 2003 to at all times consider the promotion of the Licensing Objectives, these being:

a) the prevention of crime and disorder

- b) public safety
- c) the prevention of public nuisance
- d) the protection of children from harm

The Members were also advised of their duties in carrying out those functions in relation to:

- a) the Council's published Statement of Licensing Policy
- b) the Guidance issued by the Secretary of State as contained in section 182 of the Licensing Act 2003, which was updated in April 2018

In addition, Members were advised to give appropriate weight to the steps that are appropriate to promote the licensing objectives together with relevant representations presented by all parties.

Delegated decision

All of the evidence was considered with care, and it was established that having understood the application and equally noting and understanding the representations and assurances made by the Applicant and in view of the amended hours, additional conditions proposed and the agreement reached for further conditions to be added to the application, between the Applicant and the Responsible Authority (GMP), the Sub-Committee found there were no causes for concern so far as the promotion of the licensing objectives were concerned.

It was therefore agreed unanimously, that the Sub-Committee grant the application for the Premises Licence, for the sale of alcohol for consumption off the premises for the amended hours of 9.00am to 5.00pm Monday to Sunday, subject to the conditions proposed by GMP in the report (Appendix 1) being attached to the Licence together with the additional conditions added by the Applicant and listed in the letter circulated prior to the meeting, namely;

- All courier vehicles will be loaded and unloaded within the premises' private car park.
- Courier vehicles will not knowingly be permitted to park on Lodge Close.
- Courier vehicles servicing the Whisky Stock shall be limited to 'Light goods vehicles' (3.5 tonnes max gross weight) class only

In addition, it agreed that the following conditions to be applied :-

- 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 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 12 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 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 person will be able to purchase products of any alcoholic nature in person at the site, all purchases from the premises will be made via online sales.
(DRAFT)
- When alcohol is purchased online and delivered to a customer's address. Persons who appear to be under the age of 25 must produce for thorough scrutiny by staff, proof of identity/age before being 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 parcel must be marked as age restricted. The parcel cannot be delivered unless signed for by a person over the age of 18. The customer must be made aware at point of order that a person over the age of 18 must sign for the delivery or the products will be returned to the point of sale.
- The above criteria [condition 4] will be highlighted on the company terms and conditions.

COUNCILLOR T HOLT
Chair

(Note: The meeting started at 11.00am and ended at 12.16pm)

This page is intentionally left blank

Minutes of: LICENSING HEARING SUB COMMITTEE

Date of Meeting: 29 March 2022

Present: Councillor T Holt (in the Chair)
Councillors G McGill and Y Wright
J. Witkowski (Legal)
J. Willis (Legal)
M. Bridge (Licensing)
M. Cunliffe (Democratic Services)

Also in attendance: Mr Paul Sarnoe (Applicant)
Mr Danny Langford (Representor)

Public Attendance: No members of the public were present at the meeting.

1 APOLOGIES FOR ABSENCE

There were no apologies for absence submitted.

2 DECLARATIONS OF INTEREST

There were no declarations of interest made.

3 APPLICATION FOR A VARIATION TO A PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT OF HIDDEN BAR, UNIT B, 24 SILVER STREET, BURY, BL9 0DH

The Licensing Authority received an application to vary a Premises Licence under section 34 of the Licensing Act 2003 in relation to Hidden Bar, Unit B, 24 Silver Street, Bury, BL9 0DH. Representations had been received from a Responsible Authority, namely Greater Manchester Police (GMP) and one interested party.

The Applicant in respect of the above premises is Hidden Bar Bury Limited, Unit B, 24 Silver Street, Bury, BL9 0DH. The Designated Premises Supervisor (DPS) is Miss Stephanie Halton of 17 Seymour Court, Radcliffe, M26 2UE.

The Applicant had complied with all the necessary procedural requirements laid down by the Act.

Representations were received within the appropriate period by the Licensing Authority from GMP and 1 other interested party.

All representations were contained within the written submissions provided in the report to the Sub-Committee.

All documentary evidence provided with the agenda pack comprising the application, the report and representations were served on all parties in advance of the hearing.

The Licensing Manager presented the report . This explained the proposed variation of the operating schedule requested was originally as follows:

Supply of alcohol – For consumption On the Premises.

Monday to Sunday 12noon to 04.00am

Provision of Live Music (Indoors)

Monday to Sunday 12noon to 04.00am

Provision of Recorded Music

Monday to Sunday 12noon to 04.00am

Provision of Late-Night Refreshment

Monday to Sunday 23.00 to 04.00am

Hours open to the Public

Monday to Sunday 11.00am to 04.00am

It was reported that the Applicant and GMP had undertaken mediation during the representation period, prior to the hearing and that the Applicant has accepted the proposals from GMP in relation to the varied hours and also additional conditions contained in Appendix 1 of the report. Therefore, the Applicant confirmed the revised application was as follows;

Proposed variation of opening and operating hours;

Supply of alcohol – For consumption On the Premises.

Monday to Sunday 12noon to 03.15am (Last orders)

Provision of Live Music (Indoors)

Monday to Sunday 12noon to 03.45am

Provision of Recorded Music

Monday to Sunday 12noon to 03.45am

Provision of Performances of Dance

Monday to Sunday 12noon to 03.45am

Provision of Late-Night Refreshment

Monday to Sunday 23.00 to 03.45am

Hours open to the Public

Monday to Sunday 12noon to 03.45am

Together with the conditions at Appendix 1 of the report.

The Licensing Manager sought clarification from the representor, a Mr Danny Langford as to their role at the adjacent Venue business. Appendix 2 of the report contained information in relation to the representations made to this application by Mr Langford. He confirmed that he is part owner and general manager of Venue Bar.

The Applicant, Mr Paul Sarnoe then presented the application and confirmed to the Sub-Committee that the application was now made as per the change of hours agreed with GMP and additional GMP conditions. He advised that the changed hours and additional conditions were intended to deal with the issues raised by GMP and they ensured an earlier closing time than the original hours proposed. Clientele would then leave the area from 3:45am. He queried the objection under crime and disorder as the other premises closed later at 4.00am.

Mr Langford made representations to the Sub-Committee that due to the close location of the exits at Hidden Bar and Venue as they are both in the same building, dispersal from both venues into the alleyway at 3.45am could cause issues and concern for the public in terms of crime and disorder.

The Licensing Manager queried whether when the public exit the Venue Bar, there would be door staff dealing with any issues. Mr Langford confirmed there would be.

A Member asked if the Venue was open 7 days a week. Mr Langford advised that whilst the premises was licensed to operate all week, it was only open Thursday to Sunday.

Mr Sarnoe enquired if the objection was made as a member of the public or because Mr Langford is manager of the neighbouring bar. Mr Langford confirmed that it was from himself as the Venue manager and he had concerns about dispersal issues and fighting on the street.

The Licensing Manager reported for information that each licensed premises has to promote the 4 licensing objectives and if there were issues with any of these then the police could become involved and a review process undertaken to tackle specific problems.

Mr Langford in summing up, added that the Hidden Bar security staff finish at 3.45am and the security issues after this time would fall under the responsibility of Venue's door staff.

Mr Sarnoe stated in summing up, that there had been no major issues reported in the past and any that occurred related to Venue Bar. He also pointed out that following a long meeting with GMP they had agreed to change the hours of closing to 3.45am, so that those conditions would meet the Licensing Act and objectives.

The Sub-Committee then duly retired to consider the application.

The Members of the Panel were advised by the Legal Officer as to their duties under Section 4 of the Licensing Act 2003 to at all times consider the promotion of the Licensing Objectives, these being:

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

The Members were also advised of their duties in carrying out those functions in relation to:

- a) the Council's published Statement of Licensing Policy

b) the Guidance issued by the Secretary of State as contained in section 182 of the Licensing Act 2003, which was updated in April 2018

In addition, Members were advised to give appropriate weight to the steps that are appropriate to promote the licensing objectives together with relevant representations presented by all parties.

Delegated decision

All of the evidence was considered with care, and it was established that having understood the application and equally noting and understanding the representations and changes made by the Applicant and in view of the agreement reached between the Applicant and the Responsible Authority (GMP), the Sub-Committee found there were no causes for concern so far as the promotion of the licensing objectives were concerned.

It was therefore agreed unanimously, to grant the application for the variation of the Premises Licence as requested, subject to the conditions proposed by GMP in the report (Appendix 1) being attached to the Licence together with the matters set out within the Operating Schedule within the application, where they are not otherwise covered by the conditions at Appendix 1;

The Sub-Committee therefore granted the variation of the licence with the new timings:-

Supply of alcohol – For consumption On the Premises.

Monday to Sunday 12noon to 03.15am (Last orders)

Provision of Live Music (Indoors)

Monday to Sunday 12noon to 03.45am

Provision of Recorded Music

Monday to Sunday 12noon to 03.45am

Provision of Performances of Dance

Monday to Sunday 12noon to 03.45am

Provision of Late-Night Refreshment

Monday to Sunday 23.00 to 03.45am

Hours open to the Public

Monday to Sunday 12noon to 03.45am

In addition, it agreed that the following additional conditions to be applied :-

Drugs Policy Conditions - Zero tolerance policy to drugs

- All staff will complete drugs awareness training within 1 month of commencing employment, evidence of such training will be documented and signed by both the DPS and member of staff to confirm such training has taken place.

- Customers displaying any signs of being under the influence of drugs will be refused entry to the premises. If drugs of any sort are seized during any search, the items will be evidenced on the CCTV camera at the entrance to the premises and the police will be notified by contacting 101 from time to time (although this will not apply in every case, for example if a small amount of cannabis for personal use is confiscated). Greater Manchester Police will deal with the matter as part of daily business.
- Self-sealed numbered bags will be used to safely and securely store any drugs that are seized. Wherever possible, the bag will be sealed and signed in the presence of the individual(s) from who they were seized.
- Internal patrols shall be carried out in areas which are vulnerable to drug taking or supply, such as toilets or poorly lit areas as a minimum requirement every 30 minutes. The patrols will record within the incident book should any drugs be found on persons within the premises or drugs paraphernalia found within the toilets or other vulnerable areas.
- Staff will not approach any persons suspected of supplying controlled drugs. They shall be kept under observation and the duty manager or security personnel should be informed, the duty manager or security personnel should immediately contact the police for assistance in such circumstances.
- Any persons supplying controlled drugs shall be detained where it is possible and safe to do so and the police shall be informed.
- Any customer displaying signs of being under the influence of drugs within the premises will be cared for by a member of staff until assistance arrives.
- A lockable box for storage of confiscated substances will be installed on the premises the contents of which handed to the police.

Search Policy

- When employed, door staff will monitor customers as they queue and enter the premises.
In order to deter customers from bringing drugs and/or offensive weapons into the premises, no less than 1 in 10 customers entering the premises shall be searched.
- Signage will be placed outside the premises to advise patrons that they will be subject to searches from door staff and that the searches will be monitored by CCTV. Refusal to be searched will result in no entry to the premises.
- A CCTV camera and TV monitor will be placed at the entrance to the premises where searches are to be undertaken so that individuals who have drugs seized from their person can be identified. This will also provide evidential footage if any items are seized from the patron and act as a deterrent for patrons not to bring items into the premises.
- Those displaying signs of being under the influence of drugs or alcohol will be refused entry to the premises. If drugs of any sort are seized, they will be shown and evidenced on the CCTV camera at the entrance to the premises. The police will then be notified of items seized by the premises contacting 101 from time to time (although this will not apply in every case, for example if a small amount of cannabis for personal use is confiscated).

The matter will then be dealt with by Greater Manchester Police within the course of daily business.

- If weapons are seized or if anyone is reasonably suspected of carrying a weapon, the weapon will be shown and evidenced on the CCTV camera. The police will be notified immediately by contacting 101. The matter will then be dealt with by Greater Manchester Police in the course of daily business.
- Door staff will be vigilant to the fact that adapted articles can be used as weapons but can be more difficult to detect. If any such items (e.g. jewellery, belt buckles) give cause for concern, access to the premises will be denied.
- Self-sealed numbered bags will be used to safely and securely store any drugs/weapons that are seized. Wherever possible, the bag will be sealed and signed in the presence of the individual(s) from who they were seized.
- All seizures will be fully recorded by the CCTV system and will be entered into the premises' incident log book.
- The items which are seized will be securely stored on the premises so that police officers can subsequently collect the items from the premises following the seizures.

TO PREVENT CRIME AND DISORDER

- The premises must be linked to a system of communication with the Police and other licensed premises as agreed with the Police and Licensing Authority. The system shall be kept in good working order at all times. When the premises are open to the public, the communications link to the Police and other licensed premises shall be switched on and available to and monitored by the Designated Premises Supervisor or a nominated member of staff. The system to be used to report incidents and warn each other of the presence of potential trouble makers in the area.
- The Premises will employ SIA door security staff which will be approved by the GMP licensing officer. A daily log must be maintained at the premises showing the full name, date of birth and SIA badge number of the Door Security Staff on duty, the time when they started and ended their shift and the details of any incidents that take place to include incidents when a member of the public is refused entry to the premises. The log is to be made available to the Police, to SIA inspectors & to Authorised Officers of the Licensing Authority on request. The Premises will employ SIA door security and be approved by the GMP licensing officer.

PUBLIC SAFETY

- Clientele must not be admitted to the premises after 0300hrs.

COUNCILLOR T HOLT
Chair

(Note: The meeting started at 10.30am and ended at 11.12am)



Classification	Item No.
Open	

Meeting:	Licensing Hearings Sub-Committee
Meeting date:	25 April 2022
Title of report:	Application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Dixy Chicken, 41 Blackburn Street, Radcliffe, M26 1NR
Report by:	Executive Director (Operations)
Decision Type:	Council
Ward(s) to which report relates	Radcliffe East

Executive Summary:

This report relates to an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Dixy Chicken, 41 Blackburn Street, Radcliffe, M26 1NR

Recommendation

Options & recommended option

- To grant the application in the terms requested
- To grant the application subject to conditions
- To amend or modify existing or proposed conditions
- To refuse the application

Key considerations

This is a Council Function that is delegated to the Licensing and Safety Panel by the Council's Constitution.

Community impact / Contribution to the Bury 2030 Strategy

Not applicable

Equality Impact and considerations:

A GM-wide Equality Impact Assessment has been undertaken and a copy is available on request.

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

The public sector equality duty requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

The Licensing Service have considered the Equality Act 2010 and due to each application being dealt with on its own merits there is no positive or negative on any of the protected characteristics

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
Not applicable	

Consultation:

Not applicable

Legal Implications:

Under the legislation the Council is required to determine representations. The report is in accordance with the appropriate legislation.

Financial Implications:

There are no specific issues from the report other than potential costs/risks associated with legal appeals

Report Author and Contact Details:

M Bridge
Licensing Unit Manager
3 Knowsley Place
Duke Street
Bury
BL9 0EJ Tel: 0161 253 5209 Email: m.bridge@bury.gov.uk

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
PLH	Premises Licence Holder

Background papers:

Application form
Representation received
Plan

1.0 BACKGROUND

- 1.1 The Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations are 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 Adeel Khalid of 35 Clegg Street, Brierfield, Nelson, BB9 5JQ.

- 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:-
- the prevention of crime and disorder
 - public safety
 - prevention of public nuisance and
 - 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. Late Night Refreshment – Indoors and Outdoors

Monday to Sunday 23:00 to 01:00

b. Hours open to the Public

Monday to Sunday 11:00 to 01:00

The conditions contained in the operating schedule submitted by the applicant are contained at Appendix 1.

4.0 REPRESENTATIONS FROM AN INTERESTED PARTY

- 4.1 One relevant representation, from an interested party has been received against this application. A summary of this is detailed below:-
- Young people may congregate late into the evening
 - Noise pollution
 - Litter

- 4.2 The representation is attached at Appendix 2.

5.0 Observations

- 5.1 After hearing the representation 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.

Appendix 1

The Prevention of Crime and Disorder

The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

- (a) all crimes reported to the venue, or by the venue to the Police
- (b) all ejections of patrons
- (c) any incidents of disorder

Staff shall be trained to deal with challenging customers and customers who are under the influence of intoxicants. This training shall be repeated at no greater than 6 monthly intervals. There will be a zero tolerance to Drugs, appropriate notices will be displayed

Public Safety

The premises will be set up to ensure customer safety.
CCTV cameras will be in place to protect both staff and customers.

The Prevention of Public Nuisance

Customers will be encouraged to keep noise to a minimum when leaving the premises. Notices will be displayed

Deliveries will be organised in such a manner as to ensure the minimum practical disturbance caused. As per the planning condition if applicable, otherwise deliveries shall take place between the hours of 07:00 and 18:00 hours Monday to Friday and between 08:30 and 18:00 hours on Saturdays. Not at all on Sundays or Bank Holidays.

The Protection of Children from Harm

Whilst there is no alcohol being provided, staff will be trained to look out for vulnerable young persons and to understand what action can be taken

Appendix 2

From: XXXXXXXX

Sent: 08 March 2022 16:14

To: Licensing <Licensing@bury.gov.uk>

Subject: Dixie chicken

I would like to object to the application to change the shop to a Dixie Chicken. Does Radcliffe need another take away? I believe that it will become a place for young people to congregate late into the evening. It will cause not only noise pollution but litter as well.

XXXXXXXXXX

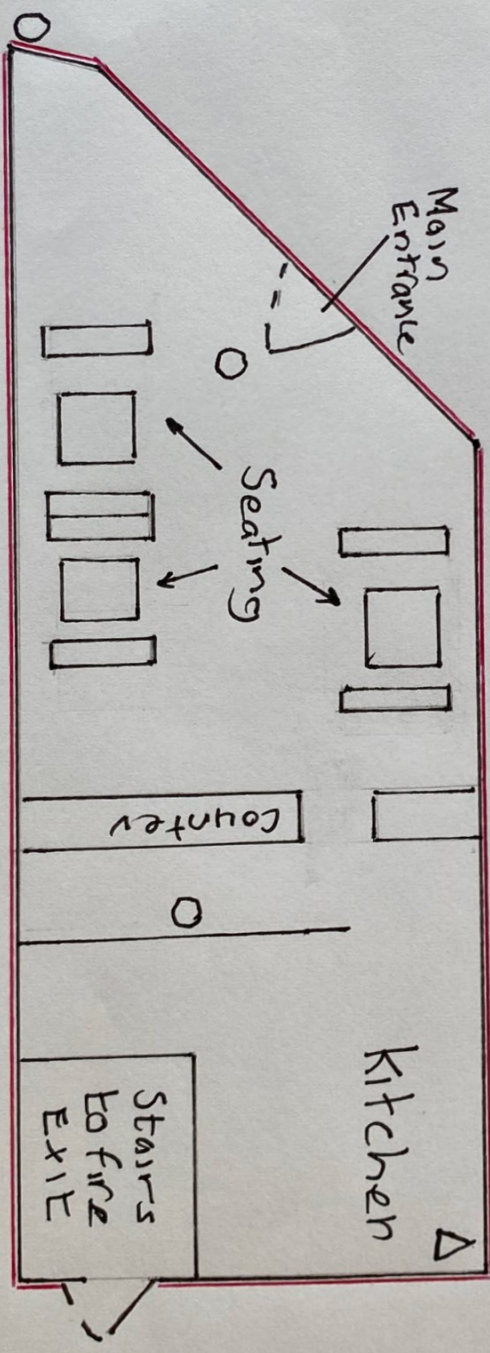
XXXXXXXXXX close

Radcliffe

Plan Drawn to support Premises Licence Application
Dixy Chicken 41 Blackburn Street Rochliffe M26 1NR

To Scale 1 cm = 1 metre

- = Area to be licensed
- Δ = Fire Extinguishers
- = CCTV cameras



This page is intentionally left blank



Bury
Application for a premises licence
Licensing Act 2003

For help contact
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

Not Currently In Use

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

ADEEL

* Family name

KHALID

* E-mail

ADEELMIAN89@ICLOUD.COM

Main telephone number

07597074317

Include country code.

Other telephone number

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- ☐ 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

*Continued from previous page...***Address**

* Building number or name	<input type="text" value="35"/>
* Street	<input type="text" value="CLEGG STREET"/>
District	<input type="text" value="BRIERFIELD"/>
* City or town	<input type="text" value="NELSON"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="BB95JQ"/>
* Country	<input type="text" value="United Kingdom"/>

Agent Details

* First name	<input type="text" value="TONY"/>
* Family name	<input type="text" value="DALES"/>
* E-mail	<input type="text" value="DUE DILIGENCE MATTERS@OUTLOOK.COM"/>
Main telephone number	<input type="text" value="07875284030"/>
Other telephone number	<input type="text"/>

Include country code.

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

Are you:

- ☒ An agent that is a business or organisation, including a sole trader
☐ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Is your business registered outside the UK?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

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

Business name	<input type="text" value="DUE DILIGENCE MATTERS"/>
VAT number	<input type="text" value="-"/> <input type="text" value="NONE"/>
Legal status	<input type="text" value="Sole Trader"/>
Your position in the business	<input type="text" value="LICENSING CONSULTANT"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

*Continued from previous page...***Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name	<input type="text" value="47"/>
Street	<input type="text" value="MANCHESTER ROAD"/>
District	<input type="text"/>
City or town	<input type="text" value="CHAPEL EN LE FRITH"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="SK239SR"/>
Country	<input type="text" value="United Kingdom"/>

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	<input type="text" value="DIXY CHICKEN"/>
Street	<input type="text" value="41 BLACKBURN STREET"/>
District	<input type="text"/>
City or town	<input type="text" value="RADCLIFFE"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="M261NR"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text" value="07597074317"/>
Non-domestic rateable value of premises (£)	<input type="text" value="10,500"/>

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**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- ☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

ADEEL

Family name

KHALID

Is the applicant 18 years of age or older?

- ☐ Yes ☐ No

*Continued from previous page...***Current Residential Address**

Is the address the same as (or similar to) the address given in section one?

☒ Yes
 ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="35"/>
Street	<input type="text" value="CLEGG STREET"/>
District	<input type="text" value="BRIERFIELD"/>
City or town	<input type="text" value="NELSON"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="BB95JQ"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes
 ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="ADEELMIAN89@ICLOUD.COM"/>
Telephone number	<input type="text" value="07597074317"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text" value="17"/> / <input type="text" value="04"/> / <input type="text" value="1989"/> dd mm yyyy
* Nationality	<input type="text" value="BRITISH CITIZEN"/>
Right to work share code	<input type="text"/>

Documents that demonstrate entitlement to work in the UK
 Right to work share code if not submitting scanned documents

Section 5 of 21**OPERATING SCHEDULE**

When do you want the premises licence to start?	<input type="text" value="05"/> / <input type="text" value="04"/> / <input type="text" value="2022"/> dd mm yyyy
If you wish the licence to be valid only for a limited period, when do you want it to end	<input type="text"/> / <input type="text"/> / <input type="text"/> dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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.

DIXY CHICKEN IS A HOT FOOD TAKEAWAY WITH LIMITED SEATING AREA

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](#)

Continued from previous page...

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?

☐ Yes ☒ No

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

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of late night refreshments 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.

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☐ Yes ☒ No

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

Continued from previous page...

☐ 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.

NONE

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.

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

Continued from previous page...

SUNDAY

Start

End

Start

End

State any seasonal variations

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

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.

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)

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

THE PREMISES WILL OPERATE A DUE DILIGENCE FOLDER. CONTAINING POLICIES RELATING TO LATE NIGHT REFRESHMENT. STAFF TRAINING RECORDS. ALL STAFF ON INDUCTION AND 6 MONTHLY THEREAFTER WILL RECEIVE REFRESHER TRAINING,

b) The prevention of crime and disorder

The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment will be covered, enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recording shall be kept available and unedited for a minimum of 28 days with the date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce / download / burn CCTV images upon request by a police officer or an authorised officer of the licensing authority. Any footage must be in a format so it can be played back on a standard personal computer or standard DVD player. Where the recording is on a removable medium (i.e. compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:

- (a) all crimes reported to the venue, or by the venue to the Police
- (b) all ejections of patrons
- (c) any incidents of disorder

Staff shall be trained to deal with challenging customers and customers who are under the influence of intoxicants. This

Continued from previous page...

training shall be repeated at no greater than 6 monthly intervals.
There will be a zero tolerance to Drugs, appropriate notices will be displayed

c) Public safety

THE PREMISES WILL BE SETUP TO ENSURE CUSTOMER SAFETY.
CCTV CAMERAS WILL BE IN PLACE TO PROTECT BOTH STAFF AND CUSTOMERS

d) The prevention of public nuisance

Customers will be encouraged to keep noise to a minimum when leaving the premises. Notices will be displayed
Deliveries will be organised in such a manner to ensure the minimum practical disturbance caused. As per the planning condition if applicable, otherwise deliveries shall take place between the hours of 07:00 and 18:00 hours Monday to Friday and between 08:30 and 18:00 hours on Saturdays. Not at all on Sundays or Bank Holidays.

e) The protection of children from harm

WHILST THERE IS NO ALCOHOL BEING PROVIDED, STAFF WILL BE TRAINED TO LOOK OUT FOR VULNERABLE YOUNG PERSONS AND TO UNDERSTAND WHAT ACTION CAN BE TAKEN

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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 birth or adoption certificate issued 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 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.

Continued from previous page...

- 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.
- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

Continued from previous page...

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.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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

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 you 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

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

DECLARATION

Continued from previous page...

- * Please visit www.bury.gov.uk/privacy to read our recently updated Privacy Policy which explains how Bury Council uses and shares your personal data to give you the best possible experience across our services.

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. (Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership) I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition

- * preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

☒ 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

[Add another signatory](#)

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

OFFICE USE ONLY	
Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)