

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: Members of Licensing Hearing Sub Committee

Councillors: S Walmsley (Chair), G Marsden & G McGill.

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:	Wednesday, 14 September 2022
Place:	Virtual meeting via Microsoft Teams
Time:	3.30 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:	To view the virtual meeting online, please email m.cunliffe@bury.gov.uk or phone 0161 2535399 who will provide you with a link to view the meeting via MS Teams or telephone you into meeting with the option of audio only.

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 - 16)*

The Minutes of the last Licensing Hearing Sub Committee meetings held at 1.00 pm on the 13th June 2022 and 1.00 pm on the 21st June 2022 are attached.

4 AN APPLICATION FROM GREATER MANCHESTER POLICE FOR A SUMMARY REVIEW OF THE PREMISES LICENCE IN RESPECT OF THE HIDDEN BAR, UNIT B, 24 SILVER STREET, BURY, BL9 0DH *(Pages 17 - 42)*

Report from the Executive Director (Operations) is attached:

Minutes of: LICENSING HEARING SUB COMMITTEE

Date of Meeting: 13 June 2022

Present: Councillor G McGill (in the Chair)
Councillors S Donnelly and G Marsden

Also in attendance: M Bridge (Licensing)
M Cunliffe (Democratic Services)
J. Witkowski (Legal)
Ms K Maher (For the Applicant)
Mr and Mrs N Rose

Public Attendance: The Hearing was held virtually and interested members of the public were provided with a link to access the hearing online via Microsoft Teams or could be telephoned into the meeting via audio only. No other members of the public were in virtual attendance.

Apologies for Absence: L Jones (Deputy Licensing Manager)
Mr S Lyons
Mr M Murray

1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by L Jones, Deputy Licensing Manager, Mr S Lyons and Mr M Murray.

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 1.00pm on the 25th April 2022 were attached to the agenda.

Resolved:- That the minutes of the Licensing Hearing Sub Committee held virtually at 1.00pm on the 25th April 2022 be approved as a correct record.

4 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF NORTHERN SOCIAL, 275 BURY NEW ROAD, WHITEFIELD, M45 8QP

The Licensing Authority received an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Northern Social, 275 Bury New Road, Whitefield, M45 8QP.

The Applicant for the licence in respect of the above premises is Robert Peel Limited registered address, 35 St Thomas Road, Chorley, PR7 1HP and the Designated Premises Supervisor (DPS) at these premises is Kirsty Maher of 56 Granite Court, Prestwich, M25 1GW.

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

Representations were received within the appropriate period by the Licensing Authority from three interested parties.

The representations were contained within appendix 2 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 operating schedule was as follows:

Supply of alcohol – For consumption on and off the Premises.

Monday to Sunday 12:00 to 03:00

Provision of Recorded Music - Indoors

Monday to Sunday 23:00 to 03:00

Provision of Late-Night Refreshment - Indoors

Monday to Sunday 23.00 to 03:00

Hours open to the Public

Monday to Sunday 12:00 to 04:00

The conditions contained in the operating schedule submitted by the Applicant were contained at Appendix 1 of the report.

The Licensing Unit Manager presented the report, which was agreed on behalf of the Applicant by Ms Maher.

Ms Maher then presented the application to the sub-committee. She referred to the application and reported that the later hours licence requested may not always be used but were requested for any events the Applicant may wish to run during those hours in the future. Ms Maher went on to state that the Applicant was happy to compromise and scale back opening hours and that the Applicant fully understood its duties and responsibilities. She referred to the fact the Applicant operates another business called the Northern Craffthouse, very close by and has done for over six years with no issues have been reported. Ms Maher advised that she and the Applicant work closely with the licensing authority and police to ensure their business runs smoothly and keeps people safe. She stated that the location was chosen as it was not near any residential properties and was based around businesses. In relation to the representations received, Ms Maher noted that the opening hours in her view would not impact on the business of Mr Rose and any music would be recorded music only, so as to create a relaxed atmosphere. The representation was from an accountancy business and it was felt the working times of the two establishments would not see a clash. Background music would be played in the venue and a noise survey had been undertaken with the building being in the middle of commercial properties close to good public transport links. The business would be casual dining and create a number of jobs and would be run in a professional way such as the Craffthouse. Discussions had also taken place with an Officer from GMP advising on door

security for the venue. She also advised that the emptying of bins would still be undertaken at certain restricted times.

The Licensing Unit Manager enquired if any agreements had been made with GMP and it was reported that the discussions had been held over the telephone and they were happy with the proposals.

Clarification was sought from the Council's legal representative that the conditions contained in the operating schedule submitted by the applicant in appendix 1 were a summary version displayed in bullet points and would follow in full the Council's licensing policy. Ms Maher agreed this was correct and apologised if this had caused confusion. She went on to state that the Applicant would follow the licensing objectives in full and the Licensing Unit Manager would attach these in full to the licence.

Members enquired as to the need for opening until 4.00am every night of the week and again Ms Maher indicated they were happy to compromise. She reported that the business was a different model and concept to the Crafthouse with a different customer base and there would be no entry after a certain time. If the hours were required to be scaled back then last entry at 1.00am would be preferred with closure at 2.00am.

A Member asked about the target customer base and Ms Maher advised that it would be aged 21-30 who live locally offering different food and drink such as a pizza oven and craft premium beers. She also referred to the provision of table games.

The representor, Mr Rose presented his position and commented that whilst he had an upstairs office next door to the proposed business, sounds travel through the building and it would affect his business during the day until his closed at 6pm. In addition, he stated that upon retirement he may wish to turn that into a residential use and this could prove problematic with a late night entertainment venue. Mr Rose went on to state that he felt there were establishments nearby that catered for this age range and asked for more information on the entertainment. Ms Maher reported that there would be no pool table or darts and items such as giant jenga, ping pong and shuffle boards would be available.

Mr Rose also queried if sound proofing could be installed in the building and stated that currently, after a weekend, used alcohol bottles were discarded on the floor outside his business and the situation could get worst. Mrs Rose added they would like a guarantee on soundproofing works and preferred an earlier closing time as they also rent out the ground floor shop which could be turned into residential use. She further added that a late licence could be applied as and when required for any events. Mr Rose also stated that an earlier closing time would be more suitable as there are residential premises close by which may be affected by music and crowds gathering at the premises, as well as leaving to go home.

Ms Maher responded that any building works would be conducted under relevant building regulation requirements and no development would be taking place to the upstairs of the building. The noise survey had been undertaken already and a copy would be provided to the Licensing Department.

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, the Sub-Committee found there were causes for concern so far as the promotion of the licensing objectives were concerned, namely the objective of prevention of public nuisance, in that public nuisance would be caused to local residents from noise from people leaving the premises in the early hours of the morning and gathering outside the premises.

It was therefore agreed unanimously, that the Sub-Committee grant the application for the Premises Licence subject to the following hours and conditions being attached, as set out in the Council's Licensing policy, in so far as they relate to the matters set out in the Operating Schedule attached to the application, at Appendix 1 of agenda:-

1. Licensed hours;

Supply of alcohol – For consumption on and off the Premises.

Monday to Sunday	12:00 to 02:00
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Provision of Recorded Music - Indoors

Monday to Sunday	23:00 to 02:00
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Provision of Late-Night Refreshment - Indoors

Monday to Sunday	23.00 to 02:00
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Hours open to the Public

Monday to Sunday	12:00 to 02:00
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Last Entry	01.00
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2. Licensed conditions;

The premises licence holder must ensure that:

- (i) CCTV cameras are located within the premises to cover all public areas including all entrances and exits [The location of cameras could also be specified on the plan attached to the premises licence].
- (ii) The system records clear images

- (iii) The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
- (iv) The CCTV system operates at all times while the premises are open for licensable activities [or specify timings].
- (v) All equipment must have a constant and accurate time and date generation.
- (vi) The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
- (vii) There are members of trained staff at the premises during operating hours able to provide viewable copies on request to police or authorised local authority officers as soon as is reasonably practicable in accordance with the Data Protection Act 1998 (or any replacement legislation).

All staff authorised to sell alcohol shall be trained in:-

- (i) Relevant age restrictions in respect of products
- (ii) Prevent underage sales
- (iii) Prevent proxy sales
- (iv) Maintain the refusals log
- (v) Enter sales correctly on the tills so the prompts show as appropriate
- (vi) Recognising signs of drunkenness and vulnerability
- (vii) How overservice of alcohol impacts on the four objectives of the Licensing Act 2003
- (viii) How to refuse service
- (ix) The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment
- (x) Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
- (xi) The conditions in force under this licence.
- (xii) Challenge 25

Training must include evidence that the trainee has gained knowledge and understanding of the training, which may consist of a test or quiz, completed and signed by the trainee.

Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Bury Council.

The premises licence holder must use toughed glassware.

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

No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.

There shall be no noise or odours caused by the kitchen extraction equipment that gives rise to a nuisance.

The premises licence holder must have suitable risk assessments.

The premises licence holder must adopt the best practice guidance.

The premises licence holder must conduct regular testing of procedures.

The premises licence holder shall display prominent signage indicating [at any point of sale, at the entrance to the premises and in all areas where alcohol is located that the Challenge 25 scheme is in operation.

The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.

The premises licence holder must ensure that no customer will be permitted to enter the premises after 01.00.

The premises licence holder must have a limitation on when minors are allowed on the premises.

The premises licence holder must ensure that all children on the premises must be accompanied by an adult.

Outside the premises, must be swept and/or washed, and litter and sweepings collected and stored.

Where the premises provide late night refreshments for consumption off the premises sufficient waste bins must be provided at or near the exits, to enable the disposal of waste.

Empty bottles which have been collected must be placed into locked bins when deposited outside

All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

The dispersal of customers from the premises must be managed in accordance with the following:

- (i) Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.
- (ii) All drinks and glass vessels must be removed from patrons as they leave to ensure no glass leaves the premises.

COUNCILLOR G MCGILL
Chair

(Note: The meeting started at 1.00pm and ended at 2.33pm)

Minutes of: LICENSING HEARING SUB COMMITTEE

Date of Meeting: 21 June 2022

Present: Councillor G McGill (in the Chair)
Councillors J Grimshaw and G Marsden

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

Mr Daubney (For the Applicant)
Mr Blackmore and Mr Edwards (Representors)

Public Attendance: The Hearing was held virtually and interested members of the public were provided with a link to access the hearing online via Microsoft Teams or could be telephoned into the meeting via audio only. No other members of the public were in virtual attendance.

1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Mr B Thomson, Head of Public Protection.

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 MAJOR HOTEL, 158-160 BOLTON STREET, RAMSBOTTOM, BL0 9JA

The Licensing Authority received an application to vary a Premises Licence under section 34 of the Licensing Act 2003 in relation to the Major Hotel, 158-160 Bolton Street, Ramsbottom, BL0 9JA in respect of which representations had been received from a Responsible Authority and 7 interested parties.

The Applicant for the variation to the licence in respect of the above premises is The Elephants Trunk Ltd, registered address of 2 Longsight Road, Holcombe Brook, Ramsbottom, BL0 9TD. The Designated Premises Supervisor (DPS) is Ms Leigh Ann Wilson of Old White Horse, 12 Church Street, Ainsworth, BL2 5RT.

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

The Licensing Unit Manager presented the report and explained the application is for the variation of a Premises Licence under Part 3 of the Licensing Act 2003. The nature

of the variation is to extend the current premises licence to cover the land adjacent (existing car park) to use this for the consumption of alcohol and also for the retail sale of alcohol by way of a temporary structure that will be used as a service station (Bar). Different hours are proposed for activities both inside and outside the premises. The application also requested the removal of the current restriction for Good Friday and an increase of one hour on the terminal hour for British Summertime, Christmas Eve, New Years Eve and Bank Holidays.

It was noted that the timings on this licence predate the implementation of the Live Music Act 2012 which now permits licensed premises to have regulated entertainment (Live Music and Recorded Music) Monday to Sunday between 8.00 until 23.00.

It was reported that Greater Manchester Police had been mediating during the representation period with the Applicant prior to the hearing and they have accepted the conditions contained at Appendix 1 of the report. In addition, the Applicant has volunteered further conditions on the Operating Schedule to the application, which was attached at Appendix 2 of the report.

The Licensing Unit Manager went on to report that a representation from the Environmental Health Service had been made against the application (specifically against the sale of alcohol in the outside area between 12.00 to 21.00). Full details of the representation was contained at Appendix 3 of the report which in summary referred to;

- Outside seating area very close proximity to residential properties
- Noise created will carry to the properties causing a potential nuisance
- Generator to power outside bar has potential to cause a noise nuisance
- No barriers to deflect or reduce the noise.

It was further reported that seven relevant representations from interested parties had been made against the application. Full details of the representations were contained at Appendix 4 of the report which in summary related to;

- Nowhere to park with car park being used for seating area
- Noise and disturbance to residents
- Anti-social behaviour from customers
- Rubbish

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 Unit Manager clarified the proposed variation of the opening hours requested within the Operating Schedule was as follows:

Hours open to the Public

Indoor Area

Monday to Sunday 11.00 until 00.30

Outdoor Area	
Monday to Sunday	12.00 until 21.00
Non-Standard Timings	One extra hour for British Summertime, Christmas Eve, New Years Eve and Bank Holidays
Supply of Alcohol - For consumption On and Off the Premises	
Indoor Area	
Monday to Sunday	11.00 until 00.00
Outdoor Area	
Monday to Sunday	12.00 until 20.30
Non-Standard Timings	One extra hour for British Summertime, Christmas Eve, New Years Eve and Bank Holidays
Indoor Sport	
Monday to Sunday	11.00 until 00.00
Non-Standard Timings	One extra hour for British Summertime, Christmas Eve, New Years Eve and Bank Holidays
Live Music Indoors and Outdoors	
Saturday	8.00 until 23.00
Non-Standard Timings	One extra hour for British Summertime, Christmas Eve, New Years Eve and Bank Holidays
Recorded Music Indoors and Outdoors	
Monday to Sunday	23.00 until 00.00
Non-Standard Timings	One extra hour for British Summertime, Christmas Eve, New Years Eve and Bank Holidays

The Applicant was represented by Mr Daubney, who presented the application to the Sub-Committee and stated that financial investment was being made to make the pub a friendly place to attend. The use of the land adjacent, which was currently the car park, would be utilised in the summer months for customers to sit outside. There would be no big bands performing music outside, it was just for use as a beer garden until it closed at 9.00pm. He informed the meeting that last week he had delivered information by way of letters to local residents to outline the plans and would like to be approachable and deal with any complaints if they arose.

He went on to state that he felt the outdoor venue would improve the area and stop anti social behaviour on the car park along with improving the appearance of overgrown grassed areas. He advised the sub-committee that he managed 4 other pubs and was happy to work with neighbours and pointed to the example of moving a

proposed generator to the other end of the land following a discussion with a neighbour.

Mr Neatis from the Council's Environmental Health Department advised the Sub-Committee that the original representation was based upon concerns that the terraced houses were less than 30 meters away from the outdoor area and may result in being affected by noise which may amount to a statutory nuisance. However, he reported that there a number of temporary event notices had been applied for and events held in recent weeks. He stated that only one complaint had been made received from a resident via a local Councillor in relation to noise nuisance and they could not hear their radio when in the garden of their property. He went on to state that as those events had taken place and only the single complaint made, the Officer felt there was not great potential for noise nuisance and therefore had no objections to the application.

Mr Edwards made representations to the Sub-Committee that he had spoken to a Councillor on the Licensing Committee and stated that had he been informed of the relevant Council department he would have sent his complaint direct.

Mr Blackmore also stated to the Sub-Committee that he chose to go away for 2 days whilst the temporary events took place and he would also have made a complaint direct to an Officer had he known the relevant contact details.

The Licensing Manager provided information on the dates of the 4 temporary event notices.

Mr Edwards then set out his representations to the Sub-Committee and stated that he felt that there would be intrusive noise level from the car park area if used for customers of the pub and some terraced homes were only a few metres away. In relation to temporary events held recently, he stated that the noise levels generated could be heard throughout his house and that he could not read a book in peace or even enjoy the television. Whilst he had no problems with food or drink being used in a beer garden, live or recorded music would interfere and disrupt local residents. He reported that one neighbour was in tears over the music and people would be driven out of their homes having to sell properties at a devalued rate. He asked the Sub-Committee to protect local residents as it would prove excessive and extreme whilst damaging the local community's quality of life. He referred to the fact that residents including his wife, are very upset and stressed at the prospect of further noise disrupting the use of their homes. He stated that this could also affect people selling their homes.

Mr Daubney questioned if it would be acceptable to hold events on bank holidays a few times throughout the year and Mr Edwards stated whilst not desirable people would be able to live with the very limited number.

Mr Blackmore then made representations and reported that he had purchased a noise reading machine and over 50 and up to 78 decibels were recorded in his house when music and a generator were in operation. He stated that a letter had been received from the pub but this was 2 weeks after the first event had taken place. He stated that previous landlords had made efforts in the past informing them with prior notice for events such as a beer festival and this gave him the option to spend a couple of nights away from his home if he chose to do so. He also stated he had had concerns with the removal of the car parking facility which could accommodate 16 vehicles and these would be parked on already busy residential streets and causing obstruction on double yellow lines. It had recently caused a problem for putting bins out and people walking

with open drink containers would generate litter in the street and broken glass was evident in the area.

The Licensing Unit Manager advised the Sub-Committee that if the licence was granted, a review process can be undertaken if several complaints are made and there are problems promoting the licensing objectives. He also confirmed that the car park could still be used to consume alcohol and also that parking provisions is not a relevant consideration.

In summing up, Mr Neatis referred to the fact noise complaints can be raised.

Mr Edwards and Mr Blackmore referred to their previous comments and the impact upon the community.

Mr Daubney stated in summing up that he wished to work with public and not against them as his neighbours were his closest customers. If there were any problems he would try and resolve them by working with people to reduce any nuisance and operate a nice business in the area.

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 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 in respect of the indoor provision. However, the Sub-Committee did have cause for concern as to the application regarding the outdoor provision.

It was therefore agreed unanimously, to amend or modify existing or proposed conditions for indoor use only and refuse the element of the application for outdoor use on the grounds of prevention of public nuisance, in that public nuisance would be

caused to local residents from noise emanating from the proposed use of the carpark, from voices, live and recorded music. This is because of the proximity of the carpark area to local residences, which the Sub-Committee was satisfied would be affected.

The Sub-Committee therefore granted the variation of the premises licence with the new timings and to include the removal of the current Good Friday restricted hours:-

Hours open to the Public

Indoor Area

Monday to Sunday 11.00 until 00.30

Non-Standard Timings One extra hour for the end of British Summertime, Christmas Eve, New Years Eve and Bank Holidays

Supply of Alcohol - For consumption On and Off the Premises

Indoor Area

Monday to Sunday 11.00 until 00.00

Non-Standard Timings One extra hour for the end of British Summertime, Christmas Eve, New Years Eve and Bank Holidays

Indoor Sport

Monday to Sunday 11.00 until 00.00

Non-Standard Timings One extra hour for the end of British Summertime, Christmas Eve, New Years Eve and Bank Holidays

Live Music Indoors

Saturday 8.00 until 23.00

Non-Standard Timings One extra hour for Christmas Eve, New Years Eve and Bank Holidays

Recorded Music Indoors

Monday to Sunday 23.00 until 00.00

Non-Standard Timings One extra hour for the end of British Summertime, Christmas Eve, New Years Eve and Bank Holidays

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

The Prevention of Crime and Disorder

- The premises including the outside areas will operate a fully functioning and effective CCTV system.
- All CCTV footage will be maintained for a minimum of 28 days and will be made available to responsible authorities on request.

- Any CCTV malfunction will be brought to the attention of the GMP licensing officer ASAP and in any case within 12 hours of the malfunction being identified.
- The premises will employ SIA door security on key dates such as New Year's Eve, Boxing day, the last Friday before Christmas day and on Sunday's of a bank holiday weekends during times deemed necessary by the DPS. The Designated Premises Supervisor will dynamically risk assess the requirement for door staff on other dates.
- The Designated Premises supervisor will keep and maintain an incident and refusals register. All incidents and refusals will be recorded in the register ASAP and in any case before the close of business on the day of the incident/refusal. The register will be maintained on the premises and made available for inspection to responsible authorities.
- The premises will operate a challenge 25 age verification policy. Any person appearing to be under the age of 25 will be required to provide photographic ID in order to establish that they are 18 years or over.
- The only acceptable forms of ID will be Passport, UK driving licence or any photographic ID bearing the holographic PASS logo.
- The Designated Premises Supervisor will ensure that any unattended glass wear will be removed from all outside area's as soon as practicable.

And also;

- Windows and doors to be kept closed whilst live music is on.

COUNCILLOR G MCGILL
Chair

(Note: The meeting started at 1.00pm and ended at 2.16pm)

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Classification	Item No.
Open	

Meeting:	Licensing Hearings Sub-Committee
Meeting date:	14 September 2022
Title of report:	An application from Greater Manchester Police for a Summary Review of the premises licence in respect of the Hidden Bar, Unit B, 24 Silver Street, Bury, BL9 0DH
Report by:	Executive Director (Operations)
Decision Type:	Council
Ward(s) to which report relates	East

Executive Summary:

This report relates to an application by the Chief Constable of Greater Manchester Police in respect of the licence premises the Hidden Bar, Unit B, 24 Silver Street, Bury, BL9 0DH for a Summary Review of the Premises Licence and for interim steps to be taken in advance of that review in accordance of that review in accordance with Sections 53A to 53C of the Licensing Act. The reason for the application is because the police believe that the premises are associated with serious crime and/or disorder.

Recommendation

Options & recommended option

- To consider whether to impose interim steps

The steps available are:

- To modify the conditions of the licence
- To exclude the retail sale of alcohol from the licence
- To remove the Designated Premises Supervisor from the licence
- To suspend the licence.

Key considerations

This is a Council Function that is delegated to the Licensing Hearings Sub-Committee 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:

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.

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
DPS	Designated Premises Supervisor

Background papers:

Current Premises Licence
Section 53A application, Certificate and supporting evidence
Bury Council's Licensing Policy
Guidance issued under Section 182 of the Licensing Act 2003
Licensing Act (Hearings) Regulations 2005

1.0 INTRODUCTION

- 1.1 This report relates to an application by the Chief Constable of Greater Manchester in respect of licensed premises known as the Hidden Bar, Unit B, 24 Silver Street, Bury, BL9 0DH, for a summary review of the premises licence due to the premises being associated with serious crime or serious disorder or both. The Licensing Authority must consider whether interim steps are required pending a full summary review hearing.
- 1.2 Summary reviews can be undertaken when the police consider that the premises concerned are associated with serious crime or serious disorder (or both). The summary review process allows interim conditions to be quickly attached to a licence and for the review of the licence to be fast tracked

- 1.3 A 10 working-day public consultation exercise is undertaken in accordance with Licensing Act 2003 regulations, requiring the application to be advertised by the displaying of a blue notice at or on the premises and details of the application to be published on the Council's website.
- 1.4 Under section 53C of the Licensing Act 2003, the licensing authority must hold a full review of the premises licence and determine the review within 28 days after the day of receipt of the application
- 1.5 Following the review under section 53C, the licensing authority must then review the interim steps in place and determine whether it is appropriate for the promotion of the licensing objectives for the steps to remain in place, or if they should be modified or withdrawn.
- 1.6 The premises licence in respect of the Hidden Bar has been held by Hidden Bar Bury Limited since 30 September 2020. Mr Paul Sarnoe has been the Designated Premises Supervisor since 26th May 2022 and is also a Director of the company.
- 1.7 The Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) and the Licensing Act (Hearings Regulations) is the relevant legislation.
- 1.8 The Local Authority is required to consider interim steps should be imposed for the promotion of the licensing objectives and what the steps should be. Any such measures and the reasons for them must be immediately notified to the premises licence holder.
- 1.9 The Panel will make a decision in relation to interim steps on the day of the hearing and the parties will be notified subsequently of the decision and the reasons for it by letter from the Licensing Office.

2.0 BACKGROUND

- 2.1 The Chief Superintendent has issued a certificate under section 53A (1)(b) of the Licensing Act 2003 in which he states the following:-

These premises are associated with serious crime and Serious Disorder.

At 03.31 hours on the morning of Saturday the 10th of September 2022 an incident of disorder occurred immediately outside the above premises resulting in numerous customers from the premises fighting, reviving punches and being knocked to the ground.

The disorder continued along Broad Street (which is the street where the main entrance/exit is situated) with several flashpoints of disorder. As a result one male whom was also a perpetrator to the disorder received a puncture wound to his upper left thigh resulting in loss of blood and the victim being taken to hospital.

It is my opinion that an expedited review of the premises licence is necessary to allow the licence authority to review/amend the licence conditions and prevent a reoccurrence of such serious crime and disorder.

Attached to this report at Appendix 1 (Application by Greater Manchester Police for the Summary Review) and Appendix 2 (Certificate issued by the Chief Superintendent) respectively. Greater Manchester Police have supplied further supporting evidence for this application which includes CCTV footage of the incident that took place on 10 September 2022. This footage will be made available for the Members of the Sub-Committee to view at the hearing.

3.0 CURRENT LICENSABLE ACTIVITIES

- 3.1 The Premises Licence shows the current licensable activities and conditions is attached at Appendix 3.

4.0 DETERMINING THE APPLICATION FOR INTERIM STEPS TO BE IMPOSED

- 4.1 In determining whether or not to impose interim steps, pending the summary review of the premises licence which must be held within 28 days from the date of the application being received, members must consider the information presented in relation to serious crime and or serious disorder. If members decide to impose interim steps, the following options are available to the Licensing Authority:
- a. To modify the Conditions attached to the licence
 - b. The exclusion of the sale of alcohol from the scope of the licence.
 - c. The removal of the Designated Premises Supervisor from the licence.
 - d. Suspension of the premises licence
- 4.2 For the purposes of subsection 4.1a, the conditions of a premises licence are modified if any of them are altered or omitted or any new condition is added.

5.0 THE SECRETARY OF STATES GUIDANCE TO THE LICENSING ACT 2003

- 5.1 The Secretary of State's Guidance to the Licensing Act 2003 is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality.
- 5.2 Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.
- 5.3 Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

6.0 CONCLUSION

- 6.1 A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:
- the prevention of crime and disorder
 - public safety;
 - the prevention of public nuisance; and

- the protection of children from harm.

- 6.2 In reaching the decision, regard must be had to relevant provisions of the national guidance and the Council's licensing policy statement.
- 6.3 The Sub-Committee must consider what steps are appropriate for the promotion of the licensing objectives.
- 6.4 In making its decision with regard to this interim steps hearing, the steps the Sub-Committee can take are:
- a) To modify the conditions of the licence;
 - b) To exclude any of the licensable activities from the licence;
 - c) To remove the designated premises supervisor;
 - d) To suspend the licence
- 6.5 The conditions of the licence, with the exception of mandatory conditions of the premises licence, may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.
- 6.6 All licensing determinations should be considered on the individual merits of the application.
- 6.7 The Sub-Committee's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.
- 6.8 It is important that a licensing authority should give comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal.
- 6.9 The Sub-Committee is asked to determine what steps, as set out in 6.4 above, are appropriate for the promotion of the licensing objectives.

GREATER MANCHESTER POLICE

SCHEDULE 8A

Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime, serious disorder or both)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary

I. Police Constable 15913 Peter Eccleston

(on behalf of) the chief officer of police for the police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details**Postal address of premises.**

Hidden Bar, Unit B 24 Silver Street,

Post town: Bury

Postcode: BL9 0DH

2. Premises licence details

Name of Premises licence holder (if known);
Paul Sarnoe

Number of Premises Licence

PLA 1140

3. Certificate under section 53A(1)(b) of the Licensing Act 2003

I confirm that a certificate has been given by a senior member of the police force for the police area above, that in his opinion the above premises are associated with serious crime or serious disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

X ☐

4. Details of association of the above premises with serious crime, serious disorder or both:

At 03.31 hours on the morning of Saturday the 10th of September 2022 an incident of Serious disorder occurred immediately outside the above premises. I have reviewed the premises CCTV footage (included in the application) and it clearly shows numerous customers from the premises fighting, receiving punches, and being knocked to the ground.

The serious disorder continued along Broad Street (which is the street where the main entrance/exit is situated) with several flashpoints of disorder. As a result, one male who was also a perpetrator to the disorder received a puncture wound to his upper left thigh resulting in loss of blood and the victim being taken to hospital.

In total the disorder continued for approximately 14 minutes and albeit the serious disorder occurred immediately outside the premises and within full view of the door staff employed by the premises, no one from the premises notified the police of this prolonged incident which resulted in serious violence and involving numerous members of the public.

Furthermore, knowing that one male was receiving medical attention by paramedics, staff from Hidden bar started to wash down the blood from the street which would potentially interfere with a police investigation.

Following a conversation with the licensee police officers sought a voluntary closure to prevent a reoccurrence of any serious disorder. The licensee agreed that he would not reopen for the remainder of the weekend

It is my opinion that an expedited review of the premises licence is necessary to allow the licence authority to review/amend the licence conditions and prevent a reoccurrence of such serious crime and disorder

Signature of Applicant:

 PC 15913

Date: 12TH September 2022

Capacity: Police Licensing Officer

Contact details for matters concerning this application:

Address; Divisional Licensing Officer, Greater Manchester Police, Dunster Rd, Bury, BL9 0RD

Telephone number: 0161 856 2256

Email: 15913@gmp.police.uk

ANNEX B

Greater Manchester Police, Bury, BL9 0RD

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime / serious disorder / both serious crime and serious disorder¹.

*Premises*²:

Hidden Bar, Unit B 24 Silver Street, Bury, BL90DH

Premises licence number (if known): PLA 1140

Name of premises supervisor (if known): Paul Sarnoe

I am a Chief Superintendent³ in the Greater Manchester police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁴:

These premises are associated with serious crime and Serious Disorder.

At 03.31 hours on the morning of Saturday the 10th of September 2022 an incident of disorder occurred immediately outside the above premises resulting in numerous customers from the premises fighting, receiving punches and being knocked to the ground.

The disorder continued along Broad Street (which is the street where the main entrance/exit is situated) with several flashpoints of disorder. As a result one male whom was also a perpetrator to the disorder received a puncture wound to his upper left thigh resulting in loss of blood and the victim being taken to hospital.

¹ Delete as applicable.

² Include business name and address and any other relevant identifying details.

³ Insert rank of officer giving the certificate, which must be superintendent or above.

⁴ Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

It is my opinion that an expedited review of the premises licence is necessary to allow the licence authority to review/amend the licence conditions and prevent a reoccurrence of such serious crime and disorder



(Signed)

12/01/22

(Date)

**BURY COUNCIL**

Licensing Unit
3 Knowsley Place
Duke Street
Bury
BL9 0EJ

Telephone 0161 253 5208

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Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Hidden Bar

Unit B, 24 Silver Street, Bury, Lancashire, BL9 0DH.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday - Sunday	Noon	3:45am
F. Playing of recorded music (Indoors)	Monday - Sunday	Noon	3:45am
I. Late night refreshment (Indoors)	Monday - Sunday	11:00pm	3:45am
J. Supply of alcohol for consumption ON the premises only	Monday - Sunday	Noon	3:15am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday - Sunday	Noon	3:45am

WHERE THE LICENCE AUTHORIZES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Hidden Bar Bury Ltd
psarnoe@outlook.com

Unit B, 24 Silver Street, Bury, Lancashire, BL9 0DH.
Telephone 07546619837



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REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Hidden Bar Bury Ltd

12769576

**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE
AUTHORISES THE SUPPLY OF ALCOHOL**

Paul SARNOE

35 Hollins Drive, Bolton, Greater Manchester, BL2 1DH.

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR
WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL**

Licence No. 138469

Issued by Bolton



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ANNEXES

LICENSING ACT 2003

CONDITIONS ATTACHED TO THE GRANT OF THIS LICENCE

This licence is granted subject to any Mandatory Conditions imposed by the Licensing Act 2003, and conditions volunteered on the application form to be undertaken by the applicant and where necessary, conditions imposed by the Licensing Authority in order to promote the Licensing Objectives.

Mandatory Conditions:

a No supply of alcohol may be made under the Premises Licence at a time when there is no Designated Premises Supervisor (DPS) in respect of the Premises Licence OR at a time when the Designated Premises Supervisor does not hold a Personal Licence or his/her Personal Licence has been suspended.

b Every supply of alcohol under the Premises Licence must be made or authorized by a person who holds a Personal Licence.

c Any Door Security staff employed to carry out a security activity at the premises must be licensed with the Security Industry Authority (SIA).

d. In respect of the exhibition of films as mentioned below:

1 The admission of children to the exhibitions of any film is restricted as follows:

2 Where the film classification body is specified in the licence, unless 3(b) below applies, the admission of children is restricted in accordance with any recommendation of that body.

3 Where:-

(a) the film classification body is not specified in this licence, or

(b) the licensing authority has notified the holder of the licence that this subsection applies to the film in question,
the admission of children is restricted in accordance with any recommendation made by the licensing authority.

4 In relation to the above:

"children" means persons under the age of 18 years; and

"film classification body" means the persons or person designated as the authority under section 4 of the Video Recordings Act 1984.



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Mandatory Conditions pursuant to The Licensing Act 2003
Mandatory Licensing Conditions (Amendment) Order 2014

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise)

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.



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3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:

- (a) a holographic mark, or
- (b) an ultraviolet feature.

4. The responsible person must ensure that:

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

- (i) beer or cider: ½ pint
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml, and
- (iii) still wine in a glass: 125 ml

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises, and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Definition:

Responsible person - as defined by section 153 (4) Licensing Act 2003 -

- (a) In relation to a licensed premises -
 - (i) the holder of a premises licence in relation to a premises

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- (ii) the designated premises supervisor (if any) under such a licence
- (iii) any individual aged 18 or over who is authorised for the purposes of this section by such a holder or supervisor.
- (b) In relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables him to prevent the supply in question.

The Licensing Act 2003 (Mandatory Conditions) Order 2014

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula-

where-

$$P = D + (D \times V)$$

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions Agreed with Greater Manchester PoliceTo Prevent Crime & Disorder

1/ The premise is to operate a CCTV system which is to be maintained in good working order at all times the premises is open for business, such system and the positioning of the cameras to be to the reasonable satisfaction of Greater Manchester Police. The recording medium (e.g. discs / tapes / hard drive etc) and associated images are to be retained and securely stored for a minimum period of 28 days and are to be made available to the police / authorised officers of the Licensing Authority upon request. A member of staff trained in the use of the CCTV system must be available (but not necessarily at the premises) at all times that the premises are open to the public to provide copies of data, subject to Data Protection legislation, upon request and as soon as reasonably practicable following a 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 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 or malfunction as soon as is reasonably practicable and in any event within 24 hours.

2/ A daily log must be maintained at the premises showing the full name, date of birth and

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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.

3/ Staff training shall take place on the Licensing Act and Licensing objectives upon commencement of employment 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.

4/ The licence holder and/or the designated premises supervisor or a person nominated by them shall be a member of and attend at the meetings of the Pub and Club watch scheme for the area within which the premises is located.

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

6/ No person in possession of a drink in a sealed or unsealed container shall be allowed to enter the premises except for the purposes of delivery or from moving from one part of the premises to another.

7/ 2 security staff must be employed at the premises on Friday and Saturday and on days preceding Bank Holidays between the hours of 23.00 and close of business.

8/ Security staff are to use their best endeavours to prevent persons loitering outside the premises.

9/ 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 must be linked to a system of communication with the Police and other licensed premises as agreed with the Police and Licensing.

10/ The communication system must be used to report information likely to be of interest to other parties to the network as soon as possible.

Public Safety



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11/Customers are to be prevented from leaving the premises with glasses or open bottles. Empty bottles must be placed into locked bins so as to prevent them from being used as weapons.

To Prevent Public Nuisance

12/ Management and staff are to use their best endeavours to prevent persons loitering at the premises and to ensure that persons refused entry or ejected are asked to leave the vicinity of the premises.

13/ 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.

14/ 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.

15/ After 2100hrs all external doors and windows are to be kept closed when live entertainment or recorded music is in progress.

16/ At an appropriate time before closing time, announcements should be made reminding customers to leave quietly.

17/ On occasions when the premises are used / hired to hold an 18th birthday party, at least one SIA registered security staff is to be employed at the premises for the duration of the function. In addition, on such occasions, the sale of alcohol and the provision of regulated entertainment is to cease no later than 23.00hrs.

The Protection from Children from Harm

18/ 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 to be accepted as proof of age.

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19/ The premises is to maintain a refusals 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. The book must be made available to the police/authorised officers of the Licensing Authority on request.

20/ That ALL alcohol be displayed/stored in an area not accessible to the public or in locked storage.

Conditions added at the licensing hearing sub committee March 2022 following an application to vary the premises license.

Drugs Policy Conditions - Zero tolerance policy to drugs

21/ 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.

22/ 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.

23/ 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.

24/ 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.

25/ 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



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in such circumstances.

26/ Any persons supplying controlled drugs shall be detained where it is possible and safe to do so and the police shall be informed.

27/ 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.

28/ A lockable box for storage of confiscated substances will be installed on the premises the contents of which handed to the police.

Search Policy

28/ When employed, door staff will monitor customers as they queue and enter the premises.

29/ 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.

30/ 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.

31/ 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.

32/ 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.

33/ 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

**BURY COUNCIL**

Licensing Unit
 3 Knowsley Place
 Duke Street
 Bury
 BL9 0EJ

Telephone 0161 253 5208

12/09/2022

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PL1140

ANNEXES continued ...

immediately by contacting 101. The matter will then be dealt with by Greater Manchester Police in the course of daily business.

34/ 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.

35/ 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.

36/ All seizures will be fully recorded by the CCTV system and will be entered into the premises' incident log book.

37/ 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

38/ 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.

39/ 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



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ANNEXES continued ...

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

Micha

Signature of Authorised Officer

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Licensing Act 2003

Premises Licence Summary**PL1140**

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Hidden Bar

Unit B, 24 Silver Street, Bury, Lancashire, BL9 0DH.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday - Sunday	Noon	3:45am
F. Playing of recorded music (Indoors)	Monday - Sunday	Noon	3:45am
I. Late night refreshment (Indoors)	Monday - Sunday	11:00pm	3:45am
J. Supply of alcohol for consumption ON the premises only	Monday - Sunday	Noon	3:15am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday - Sunday	Noon	3:45am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON the premises only

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Hidden Bar Bury Ltd

Unit B, 24 Silver Street, Bury, Lancashire, BL9 0DH.



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REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Hidden Bar Bury Ltd

12769576

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Paul SARNOE

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Not applicable

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Signature of Authorised Officer

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