

AGENDA FOR
LICENSING HEARING SUB COMMITTEE



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To: All Members of Licensing Hearing Sub Committee

Councillors : G McGill (Chair), G Marsden and M Walsh

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:	Friday, 8 September 2023
Place:	Virtual meeting via Microsoft Teams
Time:	10.00 am
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 *(Pages 3 - 4)*

The Minutes of the last Licensing Hearing Sub Committee meeting held at 10.30am on the 3rd August 2023 are attached.

4 AN APPLICATION FROM GREATER MANCHESTER POLICE FOR A SUMMARY REVIEW OF THE PREMISES LICENCE IN RESPECT OF THE HUB BAR, 1 HASLAM STREET, BURY, BL9 6EQ *(Pages 5 - 30)*

A report from the Executive Director (Operations) is attached:-

Minutes of: LICENSING HEARING SUB COMMITTEE

Date of Meeting: 3rd August 2023

Present: Councillor G McGill (in the Chair)
Councillors G Marsden and M Walsh

Also in attendance: M Bridge- (Licensing Services)
O. Osinuga (Legal Services)
M. Cunliffe (Democratic Services)

P. Makuwere (Applicant)
PC P. Eccleston- GMP (Representor)
C Gee- MEN (Press)

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 members of the public were in virtual attendance.

1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted from L. Jones (Licensing) and B. Thomson (Public Protection).

2 DECLARATIONS OF INTEREST

There were no declarations of interest made.

3 MINUTES OF THE LAST MEETING

The minutes of the last Licensing Hearing Sub Committee meeting held at 1.00pm on the 13th June 2023 were attached to the agenda.

Resolved:- That the minutes of the Licensing Hearing Sub Committee held at 1.00pm on the 13th June 2023 be approved as a correct record.

4 OBJECTION NOTICE BEING RECEIVED FROM GREATER MANCHESTER POLICE IN RESPECT OF A TEMPORARY EVENT NOTICE

The Licensing Unit Manager presented a report relating to an objection notice being given to the Licensing Authority, by Greater Manchester Police pursuant to section 104(2) of the Licensing Act 2003, in respect of a proposed temporary event to be held at Kavern Klub, 107 The Rock, Bury, BL9 0ND between the hours of 12noon to 03.00 hours on the 18 August 2023.

The Temporary Event Notice had been given by Mrs Pauline Makuwere, 27 Owlwood Drive, Little Hulton, Salford, Worsley, M38 0FG. The date of the event that the Temporary Event Notice covers is the 18th August

2023 between the hours of 12 noon to 03.00 hours for the retail sale of alcohol, the provision of regulated entertainment and late-night refreshment.

Greater Manchester Police have complied with all the necessary procedural requirements laid down by the Act.

Under the provisions of section 104(2) of the Act, where the chief officer of police are satisfied that allowing the premises to be used in accordance with the Temporary Event Notice would undermine the Crime Prevention Objective, he must give a notice stating the reasons why he is so satisfied.

Greater Manchester Police, in their capacity as a Responsible Authority, will give their reasons for their representation in respect of the Temporary Event Notice where they are satisfied that the representation would undermine the Prevention of Crime and Disorder. The representation was attached at Appendix 1 in the agenda pack along with the TEN application form.

The Secretary of State Guidance issued under section 182 of Licensing Act 2003 (December 2022 – updated 12 January 2023) was also detailed in the report attached to the agenda.

After hearing the representation and evidence presented, Members were 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.

The Sub-Committee heard oral representations and background information from the applicant Mrs P. Makuwere.

The Sub-Committee then heard representations from Greater Manchester Police via PC Peter Eccleston.

The Sub-Committee heard no other representations.

A discussion took place at the meeting between the applicant, GMP and Bury Council's Licensing Department. Upon the conclusion of these discussions and information shared between all parties, the applicant Mrs P. Makuwere (Notice giver) then verbally withdrew the application.

The Sub-Committee therefore did not have to consider the application and no decision was required to be made.

COUNCILLOR G MCGILL
Chair

(Note: The meeting started at 10.30am and ended at 11.10am)



Classification	Item No.
Open	

Meeting:	Licensing Hearings Sub-Committee
Meeting date:	8 September 2023
Title of report:	An application from Greater Manchester Police for a Summary Review of the premises licence in respect of The Hub Bar, 1 Haslam Street, Bury, BL9 6EQ
Report by:	Executive Director (Operations)
Decision Type:	Council
Ward(s) to which report relates	Moorside

Executive Summary:

This report relates to an application by the Chief Constable of Greater Manchester Police in respect of the licensed premises The Hub Bar, 1 Haslam Street, Bury, BL9 6EQ for a Summary Review of the Premises Licence and for interim steps to be taken in advance 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 Police in respect of licensed premises known as The Hub Bar, 1 Haslam Street, Bury, BL9 6EQ, for a summary review of the premises licence due to the premises being associated with serious crime. 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 Hub Bar has been held by Miss Natalie D Cummings since 15 July 2020. Mr Antony Davidson has been the Designated Premises Supervisor since 28 June 2021.
- 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 whether 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:-

The premises are associated with serious crime.

On the 1st of September officers executed a warrant under the misuse of drugs act and as a result obtained clear evidence that the premises are currently being used for the cultivation of cannabis and the supply of cocaine.

The basement of the premises as been fitted out as a cannabis farm in order to facilitate the cultivation process and a large quantity of cocaine with an approximate value of £20,000 has been recovered from the premises.

The DPS has been arrested and charged in relation to this matter. Due to the above circumstances a standard review would not be appropriate as it is likely that the premises would continue to be used for the cultivation and supply of controlled drugs.

Attached to this report at Appendix 1 is the Application by Greater Manchester Police for the Summary Review and at Appendix 2 the Certificate issued by the Chief Superintendent respectively.

3.0 CURRENT LICENSABLE ACTIVITIES

- 3.1 The Premises Licence shows the current licensable activities and conditions and 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.

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)

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 Sergeant Andrew Vernon

(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

<p>Postal address of premises.</p> <p>The Hub Bar, 1 Haslam Street</p> <p>Post town: Bury</p> <p>Postcode: BL9 6EQ</p>

2. Premises licence details

<p>Name of Premises licence holder (if known); Natalie D Cummings</p> <p>Number of Premises Licence PL1173</p>
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3. Certificate under section 53A(1)(b) of the Licensing Act 2003

<p>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.</p> <p><i>(Please tick the box to confirm)</i></p>	<input checked="" type="checkbox"/>
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4. Details of association of the above premises with serious crime, serious disorder or both:

Serious Crime.

Operation Golf is Greater Manchester Police's response targeting Organised Crime Groups based in the Borough of Bury and is centred around the supply of Class A drugs namely Cocaine.

Officers engaged in the operation identified that OCG activity involving the suspects had been in place since at least February 23. One of the suspects is also the DPS of the Hub bar where it is believed that drugs have been sold over the bar to patrons.

On the 1st of September the investigation resulted in a strike day where officers targeted various locations.

On this date police executed a search warrant at The Hub Bar and detained two people inside the premises, one of these was the Designated Premises Supervisor.

During the execution of the warrant officer found evidence of supply of Class A drugs in the form of $\frac{3}{4}$ of a kilo of cocaine, snap bags, scales, a debtors list, and cash. The cocaine was found in various places within the premises including behind the bar where small deals had already been prepared for sale to patrons.

A further search of the premises led to the discovery of a cropped cannabis farm within the basement area, with lighting and heating equipment in place for the cultivation of the cannabis. Officers then discovered 68 cannabis plants hidden behind a false wall and were drying out as part of the production process. Officers also found that the electricity at the property had been bypassed.

As a result of the evidence obtained during the execution of the warrant the DPS along with the second male were arrested on suspicion of conspiracy to supply class A drugs.

The DPS was subsequently charged with the offences of
1/ Conspiracy to supply cocaine
2/ Possession of Cocaine with intent to supply
3/ Production of cannabis

He was remanded in custody and will appear at Magistrates Court on the 7th of September 2023.

From the evidence obtained it is apparent that this licensed premises has been used for cultivation of cannabis and the supply of cocaine both of which amount to serious crime.

The meaning of serious crime-

- (a) The offence or one of the offences, which is or would be constituted by the conduct concerned is an offence for which a person has reached the age of 18 and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of 3 years or more, or
- (b) The conduct involves the use of violence, results in substantial financial gain or is a conduct by a large number of persons in pursuit of a common purpose.

Signature of Applicant:



Date: 5th September 2023

Capacity: Police Licensing Sergeant

Contact details for matters concerning this application:

Address; Bury Police Station, Dunster Rd, BL9 ORD

Telephone number: 0161 856 8177

Email: Andrew.vernon@gmp.police.uk

**Certificate under Section 53A(1)(b) of
the Licensing Act 2003 issued by
Superintendent**

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:

The Hub Bar. 1 Haslam Street, Bury, BL9 6EQ

Premises licence number (if known): PL1173

Name of premises supervisor (if known): Anthony Davidson

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:

The premises are associated with serious crime.

On the 1st of September officers executed a warrant under the misuse of drugs act and as a result obtained clear evidence that the premises are currently being used for the cultivation of cannabis and the supply of cocaine.

The basement of the premises as been fitted out as a cannabis farm in order to facilitate the cultivation process and a large quantity of cocaine with an approximate value of £20,000 has been recovered from the premises.

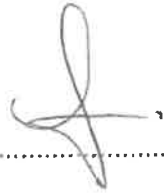
The DPS has been arrested and charged in relation to this matter. Due to the above circumstances a standard review would not be appropriate as it is likely that the premises would continue to be used for the cultivation and supply of controlled drugs.

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.

A handwritten signature in black ink, consisting of a large, stylized letter 'f' with a horizontal crossbar and a vertical stem that loops back to the left.

6/9/23

(Signed)

(Date)

**Premises Licence for The Hub Bar,
1 Haslam Street, Bury**

Licensing Act 2003

Premises Licence

PL1173

Part 1 - Premises Details

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

The Hub Bar

1 Haslam Street, Bury, Lancashire, BL9 6EQ.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- 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
J. Supply of alcohol for consumption ON the premises only	Monday - Thursday	10:00am	9:30pm
	Friday-Saturday	10:00am	10:30pm
	Sunday	10:00am	9:30pm
	Bank Holidays	10:00am	10:30pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday - Thursday	7:00am	10:00pm
Friday-Saturday	7:00am	11:00pm
Sunday	7:00am	10:00pm
Bank Holidays	7:00am	11:00pm

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

Part 2

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

Natalie D Cummings
natalie_765_c@hotmail.com

23 Roch Crescent, Whitefield, Greater Manchester, M45 8LR.

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



BURY COUNCIL

Licensing Unit
3 Knowsley Place
Duke Street
Bury
BL9 0EJ

Telephone 0161 253 5208

06/09/2023

Licensing Act 2003

Premises Licence

PL1173

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

Antony DAVIDSON

62 Massey Street, Bury, Lancashire, BL9 6BY.

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. BUR2593

Issued by Bury

Licensing Act 2003

Premises Licence

PL1173

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.

Licensing Act 2003

Premises Licence

PL1173

ANNEXES continued ...

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.

Licensing Act 2003

Premises Licence

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ANNEXES continued ...

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

Licensing Act 2003

Premises Licence

PL1173

ANNEXES continued ...

- (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.

Licensing Act 2003

Premises Licence

PL1173

ANNEXES continued ...

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 following licensing hearing July 2020

To prevent crime and disorder

1. The premises are to operate an effective CCTV system which is to be maintained in good working order at all times the premises is open for business. The recording medium (e.g. disks / tapes / hard drive, etc.) and associated images are to be retained and securely stored for a minimum period of 28 days and are to be made available to the police / authorised officers of the Licensing Authority upon request. The premises licence holder or designated premises supervisor is to provide the police with the contact details of at least two members of staff (or other person(s)) who are trained and familiar with the operation of the equipment so that, at the expense of the premises licence holder, they are able to check that the equipment is operating properly and that they are able to provide copies of recorded data upon request and within no more than 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. 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.

3. A personal licence holder must be on the premises at all times when open to the public.

Licensing Act 2003

Premises Licence

PL1173

ANNEXES continued ...

4. Door staff employed at the premises must be SIA registered and a daily log must be maintained at the premises showing the full name, date of birth, contact telephone number 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 and to Authorised Officers of the Licensing Authority on request.
5. Two Door security staff must be employed at the premises on Friday and Saturday between the hours 20.00 hours and close of business.
6. Door security staff to use their best endeavours to prevent persons loitering outside the premises.
7. 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.
8. 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.
9. There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials.

Public Safety

10. Customers are to be prevented from leaving the premises with glasses or open bottles. No drink shall be removed from the premises in an unsealed container.
11. The premises should operate at a maximum capacity of 30 persons including staff members.
12. Clientele must not be admitted to the premises after 23.00 hrs or within one hour of the end of licensable activity.
13. The DPS or premises licence holder must develop and operate a dispersal policy for

Licensing Act 2003

Premises Licence**PL1173****ANNEXES** continued ...

clientele leaving the premises, this may include links to taxis and other transport providers.

14. The DPS/ Licence holder must ensure members of staff are adequately trained with regard to First Aid.

Prevention of public nuisance

15. 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.

16. 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.

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

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

19. On occasions when the premises are used/hired to hold a party, At least one SIA registered security staff is to be employed at the premises for the duration of the function.

20. On such occasions, the sale of alcohol and the provision of regulated entertainment is to cease no later than 23.00hrs.

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

22. No refuse shall be disposed of or collected from the premises between the hours of 00.00 and 0700 where such disposal or collection is likely to cause disturbance to local residents.

23. The premises shall be closed to customers 30 minutes after licensable activity has ceased.

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Premises Licence**PL1173****ANNEXES continued ...**The prevention of children from harm

24. The premises will operate a "Challenge 25" proof of age policy, and signage to this effect is to be prominently displayed within the premises. Persons who appear to be under the age of 25 must produce for thorough scrutiny by staff, proof of identity/age before being sold/supplied alcohol. Only a passport or photo-card driving licence or a proof of age card bearing the official 'PASS' accreditation hologram should be accepted as proof of age.

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

26. All alcohol must be displayed/stored behind the counter.

27. No person under the age of 18 shall be permitted to remain on the premises after 20.00 hours and no unsupervised access for children at any time.

A stylized, bold signature in black ink that reads "Micl".

Signature of Authorised Officer

Licensing Act 2003

Premises Licence Summary

PL1173

Premises Details

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

The Hub Bar

1 Haslam Street, Bury, Lancashire, BL9 6EQ.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- 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
J. Supply of alcohol for consumption ON the premises only	Monday - Thursday	10:00am	9:30pm
	Friday-Saturday	10:00am	10:30pm
	Sunday	10:00am	9:30pm
	Bank Holidays	10:00am	10:30pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday - Thursday	7:00am	10:00pm
Friday-Saturday	7:00am	11:00pm
Sunday	7:00am	10:00pm
Bank Holidays	7:00am	11:00pm

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

Natalie D Cummings

23 Roch Crescent, Whitefield, Greater Manchester, M45 8LR.

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



BURY COUNCIL

Licensing Unit
3 Knowsley Place
Duke Street
Bury
BL9 0EJ

Telephone 0161 253 5208

06/09/2023

Licensing Act 2003

Premises Licence Summary

PL1173

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

Antony DAVIDSON

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

Not applicable

Signature of Authorised Officer