

**AGENDA FOR  
LICENSING HEARING SUB COMMITTEE**



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**To: All Members of Licensing Hearing Sub Committee**

**Councillors :** I Rizvi (Chair), G Marsden and 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:-

<b>Date:</b>	Tuesday, 25 June 2024
<b>Place:</b>	Virtual meeting via Microsoft Teams
<b>Time:</b>	1.00 pm
<b>Notes:</b>	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 AN APPLICATION FROM GREATER MANCHESTER POLICE FOR A SUMMARY REVIEW OF THE PREMISES LICENCE IN RESPECT OF SKY BAR, UNIT 4, KAY GARDENS, BURY, BL9 0BL *(Pages 3 - 26)***

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



<b>Classification</b>	<b>Item No.</b>
Open	

<b>Meeting:</b>	Licensing Hearings Sub-Committee
<b>Meeting date:</b>	25 June 2024
<b>Title of report:</b>	An application from Greater Manchester Police for a Summary Review of the premises licence in respect of Sky Bar, Unit 4, Kay Gardens, Bury, BL9 0BL
<b>Report by:</b>	Executive Director (Operations)
<b>Decision Type:</b>	Council
<b>Ward(s) to which report relates</b>	East

### Executive Summary:

This report relates to an application by the Chief Constable of Greater Manchester Police in respect of the licensed premises, Sky Bar, Unit 4, Kay Gardens, Bury, BL9 0BL 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 serious 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.

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**Community impact / Contribution to the Bury 2030 Strategy**

Not applicable

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**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*

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**Assessment of Risk:**

The following risks apply to the decision:

<b>Risk / opportunity</b>	<b>Mitigation</b>
Not applicable	

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**Consultation:**

Not applicable

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**Legal Implications:**

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

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**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.

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**Report Author and Contact Details:**

L Jones  
Deputy Licensing Officer  
3 Knowsley Place  
Duke Street  
Bury  
BL9 0EJ      Tel: 0161 253 7206      Email: laura.j.jones@bury.gov.uk

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**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 the licensed premises known as Sky Bar, Unit 4, Kay Gardens, Bury, BL9 0BL, for a summary review of the premises licence due to the premises being associated with serious crime and serious disorder. 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 Sky Bar has been held by Sky Bar (Bury) Ltd since 9 December 2019. Michael Wood and Kieley Neill are Directors of the limited company. Michael Wood is also the Designated Premises Supervisor and has been since 21 September 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:-

These premises are associated with Serious Crime and Serious Disorder.

At 00:14 hours on the morning of Friday the 21st of June 2024 an incident of serious disorder occurred at the above premises resulting in a customer being struck by an advertising board and seemingly being knocked unconscious and a female member of staff being punched to the face which knocked off her feet resulting in her colliding with a lamp post.

The offenders in this case have then fled the scene after being approached by another customer and threatened with a large adjustable spanner which was taken from behind the bar at the venue. A few minutes later, several customers from Sky Bar (one which was still carrying the adjustable spanner), and two members of staff have pursued the two males onto Bury Interchange. A brief exchange has taken place before both males are attacked. The male from the initial assault outside Sky Bar has attempted to flee, however he trips and is then beaten 7 to 8 times in the head by one of the pursuing customers, with the adjustable spanner causing significant injuries to his head and face resulting in a complete loss of consciousness and a substantial loss of blood.

Whilst on the floor unconscious, the same offender kicks the male in the torso and one of the staff members hits the customer with what appears to be a bag. All parties then flee the scene leaving the male in a serious condition and the second member of staff, flees with the customer responsible for the assault. During the investigation, it transpires that this second member of staff is responsible for discarding the weapon in a bin at the far side of the interchange before returning to the premises and continuing with his duties.

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 is the Application by Greater Manchester Police for the Summary Review and at Appendix 2 the Certificate issued by the Chief Superintendent.

### **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 the 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 the 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 the 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)**

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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

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(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.**

SKY BAR, UNIT 4 KAY GARDENS, BURY, BL9 0BL

**Post town:** BURY

**Postcode:** BL9 0BL

**2. Premises licence details**

**Name of Premises licence holder (if known);**

MR MICHAEL WOODS

**Number of Premises Licence**

PL 1161

**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:**

Between 00:14 and 00:18 hours on the morning Friday 21<sup>st</sup> of June 2024, an incident of Serious Disorder and Serious Crime occurred immediately outside and in the nearby Bury Interchange is associated to SKY BAR.

Two customers were confronted outside the venue after they were seen to be drinking alcohol from glassware in a public place. The glasses were removed from the customers by a member of staff, who at the time was not on duty and had been drinking alcohol themselves. The two males have then followed the member of staff back into the bar, at which point a verbal exchange has taken place and they are escorted out of the premises by both staff and other customers.

Whilst immediately outside, one of the ejected customers has picked a wooden advertising board and proceeded to hit another male customer over the head twice resulting in him being knocked unconscious. Following this initial assault, a female member of staff who was present, is punched once in the face by the same male customer which knocks her backwards off her feet and into one of the support stanchions for the canopy outside hitting her head in the process.

As the two customers were being escorted off the premises, another customer, who is the partner of one of the bar managers, picks up a large adjustable wrench which had been left behind the bar and following the assaults, threatens the two ejected customers resulting in them fleeing the scene and onto the nearby interchange.

Two to three minutes later, two members of bar staff and several other customers, including the customer holding the wrench, pursues the males onto the interchange. There is a brief verbal exchange before one of the customers present, takes hold of the adjustable wrench and lunges at the two ejected customers. Both males try to flee, however in doing so, one of the male's trips and falls to floor at which point the male customer, who is now holding the wrench, approaches and proceeds to beat this male in the face and over the head seven or eight times with said wrench before proceeding to kick him in the torso. At this point, one of the members of staff joins in and hits him with what appears to be a small shoulder bag whilst lying helpless and unconscious in the middle of the road.

Following this serious assault, those present flee the scene, with the majority returning to the premises however, the male customer responsible for the assault with the wrench and a member of staff, flee in the opposite direction. During the investigation, officers have been able to establish that this member of staff is responsible for disposing of the weapon in a bin on the far side of the interchange.

Fortunately, the male customer who was beaten with the wrench, survived the attack however as a result, he was for one of a better word, left for dead. He had lost a substantial amount of blood from his head, ears, nose, and mouth along with several teeth.

In the immediate aftermath, two individuals were arrested and were questioned by police and as investigating officers tried to piece together evidence in relation to this incident, a request was made to SKY BAR for a copy of their CCTV footage however, on the night they were told by staff that there was no one present who had access to the CCTV system and therefore could not produce a copy there and then. Footage has been recovered since, along with footage from Bury Council and TFGM with regards to the interchange.

It is the opinion of Greater Manchester Police 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.

**Date: 24<sup>th</sup> June 24**

**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**

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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 disorder<sup>1</sup>.

*Premises*<sup>2</sup>:

SKY BAR, UNIT 4 KAY GARDENS, BURY, BL9 0BL

Premises licence number (if known): PL 1161

Name of premises supervisor (if known): MR MICHAEL WOODS

I am a Superintendent<sup>3</sup> 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, because<sup>4</sup>:

These premises are associated with serious crime and Serious Disorder.

At 00:14 hours on the morning of Friday the 21st of June 2024 an incident of serious disorder occurred at the above premises resulting in a customer being struck by an advertising board and seemingly being knocked unconscious and a female member of staff being punched to the face which knocked off her feet resulting in her colliding with a lamp post.

The offenders in this case have then fled the scene after being approached by another customer and threatened with a large adjustable spanner which was taken from behind the bar at the venue. A few minutes later, several customers from Sky Bar (one which was still carrying the adjustable spanner), and two members of staff have pursued the two males onto Bury Interchange. A brief exchange has taken place before both males are attacked. The male from the initial assault outside Sky Bar has attempted to flee, however he trips and is

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<sup>1</sup> Delete as applicable.

<sup>2</sup> Include business name and address and any other relevant identifying details.


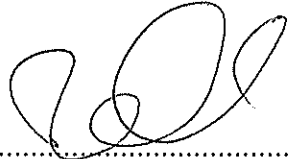
<sup>3</sup> Insert rank of officer giving the certificate, which must be superintendent or above.

<sup>4</sup> 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.

then beaten 7 to 8 times in the head by one of the pursuing customers, with the adjustable spanner causing significant injuries to his head and face resulting in a complete loss of consciousness and a substantial loss of blood.

Whilst on the floor unconscious, the same offender kicks the male in the torso and one of the staff members hits the customer with what appears to be a bag. All parties then flee the scene leaving the male in a serious condition and the second member of staff, flees with the customer responsible for the assault. During the investigation, it transpires that this second member of staff is responsible for discarding the weapon in a bin at the far side of the interchange before returning to the premises and continuing with his duties.

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) (Date) 24/06/24  
D. Supt  
1795

Licensing Act 2003  
**Premises Licence**

# PL1161

## Part 1 - Premises Details

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

#### Sky Bar

Unit 4, Kay Gardens, Bury, Lancashire, BL9 0BL.

Telephone 01617614304

### 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	11:00pm	3:00am
	New Years Eve		Until opening time the following day
F. Playing of recorded music (Indoors)	Monday - Sunday	11:30pm	3:00am
	New Years Eve		Until opening time the following day
I. Late night refreshment (Indoors)	Monday - Sunday	11:00pm	3:00am
	New Years Eve		Until opening time the following day
J. Supply of alcohol for consumption ON the premises only	Monday - Sunday	9:30am	3:00am
	New Years Eve		Until opening time the following day

### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday - Sunday	9:30am	3:30am
New Years Eve		Until opening time the following day



**BURY COUNCIL**

Licensing Unit  
3 Knowsley Place  
Duke Street  
Bury  
BL9 0EJ

Telephone 0161 253 5208

24/06/2024

Licensing Act 2003  
**Premises Licence**

**PL1161**

**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**

Sky Bar (Bury) Ltd 10 Leemans Hill Street, Tottington, Lancashire, BL8 3DU.  
Telephone 01617614304

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

Sky Bar (Bury) Ltd 11641426

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

Michael Robert WOOD 10-12 Leemans Hill Street, Tottington, Bury, Lancashire, BL8 3DU.

**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. BUR2595 Issued by Bury



Licensing Act 2003  
**Premises Licence**

# PL1161

## 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**

# PL1161

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**

# PL1161

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**

# PL1161

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**

# PL1161

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 with Greater Manchester Police

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 31 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 and the CCTV must be working before the premises is re-opened.

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.

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## ANNEXES continued ...

Public safety

3. Customers 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.
4. The premises should operate at a maximum capacity as to the square footage of the premises.
5. No admittance to the premises after 0200 hours when closing at 0300. No admittance to the premises after midnight when closing at 0100.
6. The DPS or premises licence holder must develop and operate a dispersal policy for clientele leaving the premises. (This may include links to taxis and other transport providers).

Prevention of public nuisance

7. 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.
9. 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.
10. All external doors and windows are to be kept closed when live entertainment or recorded music is in progress.
11. The outside area is not to be used for licensable activities or for the consumption of alcohol.

The protection of children from harm

12. 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

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## ANNEXES continued ...

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.

13. 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.

14. All alcohol be displayed/stored behind the counter.

15. No person under the age of 18 shall be permitted access to the premises when entertainment of an adult nature is taking place.

16. No person under the age of 18 shall be permitted to remain on the premises after 1900 hours.

Variation application November 2021

Condition amended

8. Should the premises be used of hired for a 18<sup>th</sup> Birthday party, At least one member of SIA door staff be employed at the premises for the duration of the event whilst two other SIA registered door staff preform their normal duties. In addition, on such occasions, the sale of alcohol and the provision of regulated entertainment is to cease no later than 02:00 hours.

Condition added

17. Gambling machines regularly monitored and placed in sight of bar to ensure they can be monitored for underage use.

Conditions agreed with Greater Manchester Police

18. No entry to the premises will be permitted after 2am or in any case no later than 1 hour before the intended close of business.

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**ANNEXES continued ...**

19. The premises will employ a minimum of 3 door supervisors each Friday and Saturday night, and Sunday of bank holiday weekends. As well as other key dates throughout the year such as New Year's Eve, Mad Friday and Boxing Day. The door supervisors will be employed from 8pm until premises close.

**Micha**

Signature of Authorised Officer



Licensing Act 2003

## Premises Licence Summary

# PL1161

### Premises Details

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

### Sky Bar

Unit 4, Kay Gardens, Bury, Lancashire, BL9 0BL.

Telephone 01617614304

#### 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 New Years Eve	11:00pm	3:00am	Until opening time the following day
F. Playing of recorded music (Indoors)	Monday - Sunday New Years Eve	11:30pm	3:00am	Until opening time the following day
I. Late night refreshment (Indoors)	Monday - Sunday New Years Eve	11:00pm	3:00am	Until opening time the following day
J. Supply of alcohol for consumption ON the premises only	Monday - Sunday New Years Eve	9:30am	3:00am	Until opening time the following day

#### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To	
Monday - Sunday New Years Eve	9:30am	3:30am	Until opening time the following day



**BURY COUNCIL**

Licensing Unit  
3 Knowsley Place  
Duke Street  
Bury  
BL9 0EJ

Telephone 0161 253 5208

24/06/2024

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**Premises Licence Summary**

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**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**

Sky Bar (Bury) Ltd

10 Leemans Hill Street, Tottington, Lancashire, BL8 3DU.

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

Sky Bar (Bury) Ltd

11641426

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

Michael Robert WOOD

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

Not applicable

Signature of Authorised Officer