

**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:-

Date:	Friday, 19 July 2024
Place:	Virtual meeting via Microsoft Teams
Time:	1.00 pm
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 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 - 46)

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



Classification	Item No.
Open	

Meeting:	Licensing Hearings Sub-Committee
Meeting date:	19 July 2024
Title of report:	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
Report by:	Executive Director (Operations)
Decision Type:	Council
Ward(s) to which report relates	East

Executive Summary:

This report relates to an application by a Detective Superintendent 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 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 for a period not exceeding 3 months.
- To revoke the licence.

- Following the review under section 53C, Members of the Licensing Hearings Sub-Committee must review the interim steps that are currently 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.

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:

L Jones
Deputy Licensing Officer
3 Knowsley Place
Duke Street
Bury
BL9 0EJ Tel: 0161 253 7206 Email: laura.j.jones@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
Licensing Hearings Sub Committee Report (interim steps hearing) – 25 June 2024
Licensing Hearings Sub Committee Minutes (interim steps hearing) – 25 June 2024

1.0 INTRODUCTION

- 1.1 On the 24 June 2024, Greater Manchester Police submitted an application to the Licensing Authority for a Summary Review in respect of Sky Bar, Unit 4, Kay Gardens, Bury, BL9 0BL because they believe that the premises are associated with serious crime and serious disorder.
- 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 a fast-track licence review.
- 1.3 A 10 working-day public consultation exercise has been 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 published on the Council’s website.

- 1.4 Within 48 hours of receiving a summary review application, under s53B of the Licensing Act 2003 the licensing authority must consider whether it is necessary to take interim steps pending the review of the licence for the promotion of the licensing objectives.
- 1.5 On 25 June 2024, a Licensing Hearings Sub Committee interim steps hearing was held, following receipt of the Summary Review application from Greater Manchester Police, Members of the Licensing and Safety Panel considered whether interim measures should be taken in respect of the Premises Licence for the purpose of promoting the Licensing Objectives.
- 1.6 The Panel resolved that in order to promote the said licensing objectives, it was necessary to impose interim steps and that these would be to modify the conditions to state that SIA registered door staff to be on duty at the Premises from 20:00 every night. The reasons for the Sub-Committee's decision are attached at Appendix 1.
- 1.7 The premises licence holder may make representations against the interim steps taken by the licensing authority. Under s53B of the Licensing Act 2003 the licensing authority must within 48 hours of the time of its receipt of the representations, hold a hearing to consider those representations.
- 1.8 The premises licence holder has not made representations against the interim steps taken by the licensing authority.
- 1.9 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.
- 1.10 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.
- 1.11 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..
- 1.12 The Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) and the Licensing Act (Hearings Regulations) 2005 (as amended) is the relevant legislation.
- 1.13 The Panel will make a decision on the day of the hearing and the parties will be notified subsequently of the decision and the reasons for it by letter from the Licensing Office.

2.0 BACKGROUND

- 2.1 A Detective 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 are, at Appendix 2 (Application by Greater Manchester Police for the Summary Review) and Appendix 3 (Certificate issued by the Detective Superintendent) respectively.

3.0 REPRESENTATIONS

- 3.1 As part of the statutory process the Responsible Authorities and interested parties are entitled to make representations in relation to the review of a licence. The Licensing Authority has given Notice of this review by placing a Notice on the premises, at the Council Offices and on the Council web-site. Where further representations are made by either the Responsible Authorities or from local residents / businesses and not withdrawn, Members are required to determine them. Greater Manchester Police will give evidence at the hearing.
- 3.2 Representations must be relevant to the licensing objectives defined within the Act. The objectives are:-
- a. The prevention of crime and disorder
 - b. Public safety
 - c. Prevention of public nuisance
 - d. Protection of children from harm
- 3.3 No further representations were received, however 3 emails in support were received from customers of the premises. These are attached at Appendix 4.

4.0 CURRENT LICENSABLE ACTIVITIES

- 4.1 The premises licence which shows the current licensable activities and conditions is attached at Appendix 5.

5.0 THE SECRETARY OF STATE'S 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 considering the matter, the Sub-Committee should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant. In reaching the decision, regard must also 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 taking into account any change in circumstances since any interim steps were imposed, any relevant representations, and review the interim steps already taken (if any).
- 6.4 In making its final determination, the steps the Sub-Committee can take are:
- To modify the conditions of the premises licence
 - To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - To remove the designated premises supervisor from the licence;
 - To suspend the licence for a period not exceeding 3 months;
 - To revoke the premises 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.

- 6.10 The Sub-Committee's determination of the review does not have effect until the end of the 21 day period given for appealing the decision, or until the disposal of any appeal that is lodged.
- 6.11 To ensure that there are appropriate and proportionate safeguards in place at all times, the licensing authority is required to review any interim steps that it has taken that are in place on the date of the final review hearing. This is to be done immediately after the determination of the review under s53C. In reaching its decision, the panel must consider any relevant representations made.
- 6.12 The steps available to the Sub-Committee are:
- To modify the conditions of the licence;
 - To exclude the sale of alcohol by retail from the scope of the licence;
 - To remove the designated premises supervisor from the licence; and
 - To suspend the licence.
- 6.13 Upon the determination of the licence review, the Sub-Committee is asked to 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

Appendix One

Decision and Reasons for Decision at the Interim Steps Hearing on 25 June 2024

Appendix Two

Application by Greater Manchester Police for the Summary Review

Appendix Three

**Certificate issued by Detective
Superintendent**

Appendix Four

Emails in support of the Premises

Appendix Five

Premises Licence for Sky Bar

DECISION NOTICE
Bury Council
Licensing Sub-Committee

**Summary review of Premises licence at Sky Bar Unit 4, Kay Gardens, Bury,
BL9 0BL pursuant to Section 53A Licensing Act 2003**
25th June 2024

In reaching its decision, the Licensing Sub-Committee (“LSC”) considered:

- Certificate under Section 53A (1) (B) of the Licensing Act 2003 issued by Detective Superintendent Rawlinson of the Greater Manchester Police Service 24th June 2024
- Form for Applying for a Summary Licence Review submitted by P.C. 15913 Eccleston of the 24th June 2024
- The Council’s Statement of Licensing Policy
- The Licensing Act 2003 and the Regulations made thereunder,
- Section 53A Licensing Act 2003 Home Office Summary Review Guidance
- Guidance issued by the Secretary of State under S.182 of that Act
- Human Rights Act 1988.

Having considered all written representations, evidence, and oral submissions, the LSC resolved to add by way of an interim step the following condition to the licence:

- SIA registered door staff to be on duty at the Premises from 20:00 every night.

Basis of Decision

The LSC considered the Certificate under Section 53A (1)(b) Licensing Act 2003 from Detective Superintendent Rawlinson of the Greater Manchester Police Service. This was received by Bury Council on June 24th 2024.

Detective Superintendent Rawlinson’s certificate pleaded that pursuant to Section 53A (1)(b) Licensing Act 2003, in his opinion the premises were associated with serious crime and serious disorder.

The facts of the 21st June 2024 when officers attended the premises and the area of the town centre are clearly outlined in Detective Superintendent Rawlinson’s certificate and P.C. 15913 Eccleston’s application.

The LSC considered that involvement of two members of staff from the Premises and the use of a weapon, an adjustable spanner, which was at the Premises.

The LSC considered the explanation given by the solicitor for the Premises and the representations by the owner of the business Michael Wood.

P.C. 15913 Eccleston confirmed that although the C.C.T.V. from the Premises was unavailable on the night of the incident due to lack of staff with knowledge of the system, this was supplied the following day with no problems.

The LSC considered the circumstances surrounding the incident which commenced on the Premises and continued to outside of the Premises in the nearby town centre, resulting in a violent incident with use of the adjustable spanner from the Premises which caused serious injury to one male.

The LSC were concerned that the adjustable spanner was available to be obtained from the Premises. It was considered that such a tool, which was accepted as being used to change barrels in the cellar, should not have been stored within the bar area.

Having determined that the offence being investigated was causing grievous bodily harm with intent, pursuant to section 18 Offences against the Person Act 1861, the maximum penalty for this offence being life imprisonment, the LSC considered the criteria for Serious crime were met.

Section 53A Licensing Act 2003 and Home Office Summary Review Guidance at Paragraph 2.3 states the key definition used to determine the kinds of conduct that amount to serious crime are set out in section 81(2) and (3) (a) and (b) of the Regulation of Investigatory Powers Act 2000. Those tests are that the conduct:

(a) constitutes an offence for which a person who is 21 years of age or over with no previous convictions could reasonably be expected to be sentenced to imprisonment for 3 years or more; and (b) Involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

The violence used throughout the prolonged incident was considered to meet the criteria of serious disorder.

The LSC considered Section 53A Licensing Act 2003 Home Office Summary Review Guidance at 2.6. This states that in triggering the summary review process, the police will wish to take into account the fact that an intended use of the power is to tackle the use of dangerous weapons and the violence they fuel. For example, in appropriate circumstances the police might want to make representations to the licensing authority suggesting that they modify the conditions of the premises licence to require searches of customers for offensive weapons upon entry. Under the powers in sections 53A to 53C, this could be done on an interim basis pending a full hearing of the issues within the prescribed 28-day timeframe.

It was acknowledged that such measures were already in place and that the weapon originated from an article lawfully albeit carelessly positioned within the Premises.

The LSC were satisfied that Detective Superintendent Rawlinson's had had regard to 2.4 of Home Office Section 53A Licensing Act 2003 Summary Review Guidance in considering what added value will use of the expedited process bring and how would any interim steps that the licensing authority might take effectively address the problem.

The LSC determined that the following licensing objectives were not met:

- Prevention of crime and disorder
- Public safety

Pursuant to section 53B (3) (d) Licensing Act 2003 the LSC determined to take the following interim steps:

- SIA registered door staff to be on duty at the Premises from 20:00 every night.

The LSC considered that the interim steps were required to effectively address the problem and that no alternative power would adequately address the situation and to protect the public and meet the licensing objectives.

The Premises Licence Holder may make representations against the interim steps taken by the licensing authority. There is no time limit for the premises licence holder to make representations on the interim steps, although in practice this would at some point be superseded by the full review which would have to be completed within 28 days of the application being received by the licensing authority. On receipt of such representations, the licensing authority must (if the representations are not withdrawn) hold a hearing within 48 hours of their receipt. When calculating the 48-hour period, any non-working day can be disregarded.

Pursuant to Section 53C (2) Licensing Act 2003 Bury Council must hold a hearing to consider the application for the review and any relevant representations and take such steps as it considers appropriate for the promotion of the licensing objectives.

The review must take place within 28 days after the day of receipt by Bury Council of the Certificate pursuant to Section 53A (1)(b) Licensing Act 2003 from the Greater Manchester Police Service of June 24th 2024.

The review is set for 1:00 pm July 19th 2024.

Date of Meeting: 25th June 2024, 1.00pm

Present: Councillor I. Rizvi (in the Chair)
Councillors G. Marsden and G. McGill

L. Jones (Licensing Unit)
M. Cunliffe (Democratic Services)
C Riley (Legal Services)

Also in attendance: PC P. Eccleston (Greater Manchester Police)
M. Wood (Premises Licence Holder)
M. Ireland (Legal representative for the Premises Licence Holder)
A. Clark (Press)
C. Gee (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 were submitted by M. Bridge (Licensing Unit Manager) and C. Smith, (Head of Public Protection).

2 DECLARATIONS OF INTEREST

There were no declarations of interest submitted although one Member of the Committee placed on record that they were a Councillor in the ward the premises was located within.

4 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

The Licensing Authority received 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. This was 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.

The nature of the application and consideration of options was detailed in the report which was presented to the Members of the Sub-Committee by the Licensing Unit Officer, Ms L. Jones.

The options available were to consider whether to impose interim steps, which are as follows:-

- 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.

Attention was drawn to background papers which included:

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

On the 24th June 2024, Greater Manchester Police submitted an application to the Licensing Authority for a Summary Review in respect of the Sky Bar, Unit 4, Kay Gardens, Bury, BL9 0BL, because they believed that the premises was associated with Serious Crime and/or Disorder. The Licensing Authority must consider whether interim steps are required pending a full summary review hearing.

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 a fast-track licence review.

A 10 working-day public consultation exercise will be 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 published on the Council's website.

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

Following the review under section 53C, the licensing authority must then review any 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.

The premises licence in respect of Sky Bar has been held by Sky Bar (Bury) Ltd since the 9th 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 the 21st September 2021.

The Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) and the Licensing Act (Hearings Regulations) is the relevant legislation.

Within 48 hours of receiving a summary review application, under s53B of the Licensing Act 2003 the licensing authority must consider whether it is necessary to take interim steps pending the review of the licence for the promotion of the licensing objectives.

The Local Authority is required to consider what 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

The Panel will make a decision in relation to interim steps on the day of the hearing and the parties will be verbally notified of that decision. That decision will have immediate effect unless otherwise provided for by the Panel. The parties will also receive written notification of that decision, together with the reasons for it, by letter from the Licensing Office as soon as reasonably practicable following the hearing.

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

The premises are associated with serious crime and serious disorder.

Attached to the agenda packs at Appendix 1 was the Application by Greater Manchester Police for the Summary Review. Appendix 2 was the Certificate issued by the Chief Superintendent respectively.

The Premises Licence attached to the agenda pack at Appendix 3 showed the current licensable activities and conditions.

Circulated to the panel prior to the hearing were a number of support letters and emails from customers of the premises.

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

For the purposes of option a, the conditions of a premises licence are modified if any of them are altered or omitted or any new condition is added.

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.

PC P. Eccleston from Greater Manchester Police provided a summary of the application for a review at the meeting.

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.

A number of CCTV footage was played by Greater Manchester Police to those in attendance and this was from:-

- Inside the premises
- Outside the premise from the Town Centre CCTV system
- Bury interchange CCTV
- Members of the public mobile phone footage

PC Eccleston highlighted key points of interest from all the clips and there was no audio with the footage.

A Member of the panel enquired about the health of the member of staff that was punched and the person was who had been hit with an A-Board outside the premises. It was reported that the member of staff went back to work later that night and the customer went to hospital but was discharged and had no long-lasting injuries.

A Member asked about when the emergency services were contacted and it was reported that the initial call came from Sky Bar after the customer was hit by the A Board.

A Member enquired about the 2 arrests that had been made and it was reported that this involved the male carrying the spanner and the person who commits the assault. The victim once better would be approached in relation to the original assaults outside the premises.

PC Eccleston and GMP were of the opinion that the licensing objectives had not been met and door staff on duty could have stopped the incidents occurring. Whilst the venue have door staff on a Friday and Saturday, this was a Thursday and with the England football game having taken place in the evening, all town centre bars had been sent a letter of advice to review and update their security arrangements in advance of the tournament.

The legal representative for the premises licence holder, Mr M. Ireland provided background information about the type of venue Sky Bar operated for the last 4 years. It had a focus on the local community with fund raising events for charity and the letters of

support from customers circulated, demonstrated this.

The bar would continue to work with the police and their investigations with witness statements in relation to the horrific incident.

The premises licence holder had left the premises after the football finished and the bar was not busy then but with people drinking before a 5.00pm kick off having no door staff was a decision the bar got wrong.

The premises licence holder's daughter who was not on duty along with her partner had approached 2 individuals outside saying you can't drink there and took away their refreshments. This had created a situation with the 2 people requesting a free drink as a result of her actions and other customers telling them to go away.

She is embarrassed by her actions and this has led to one of the individuals to hit another customer with an A Board. Her partner then located a spanner behind the bar area to wield as a threat after the individuals had allegedly said they had a knife.

Following the individuals into the interchange a scuffle had taken place with one individual running away and the other falling over and being assaulted with the spanner causing significant injuries. One person was responsible for the assault but as part of that group, this included one off duty member of staff, one on duty member of staff, the partner of the premises licence holder's daughter and a customer.

The on-duty member of staff is seen on CCTV collecting the spanner and disposing it in a nearby waste bin but this was done so it was away from the scene and not used again.

The off-duty member of staff had struck the assault victim with his cap when he was laid on the ground.

The premises licence holder had found out about the incidents at 1.00am and had offered to come into the bar and provide the CCTV but was informed it could wait until the morning.

The staff involved had been suspended from work duties as they had shown disregard for the welfare of the victim and other staff would be trained on how to access the CCTV from the bar. Gaps in staff training would also be looked at so the request would be to consider modifying the conditions of the licence rather than excluding alcohol sales or a suspension of the licence.

This was a one-off incident and no re-occurring problems have been reported at the bar with them scoring highly in the Best Bar None scheme.

An internal risk assessment at the venue had indicated that a minimum of one door staff should be on duty at the premises from 8.00pm each day.

A Member questioned the hiring process of staff and the premises licence holder, Mr M. Wood stated previous bar experience and good character references are taken into account. He wanted families to come to the bar and had attended all the pub watch meetings in the past. On Friday, Saturday and Sunday nights the venue had door staff who used entry wands. Any staff guilty of offences would be released from employment.

A Member asked about staff training records and Mr Wood reported there are regular staff meetings and first aid training was renewed.

A Member had serious concerns on the location of the spanner and where it was stored

in the bar and added that de-escalation training could be undertaken for staff.

The Sub-Committee then duly retired to consider the matter and all of the information provided.

The Members of the Sub-Committee were advised by the Legal Adviser 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:

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

The Members were also advised of their duties in carrying out those functions in relation to relevant provisions of national guidance and the Council's licensing policy statement.

In addition, Members were advised to give appropriate weight to the steps that are appropriate to promote the licensing objectives and consider the representations presented at the meeting.

DELEGATED DECISION

The Sub-Committee carefully considered the representations and evidence provided which demonstrated serious crime and disorder. It was therefore unanimously **resolved to modify the conditions of the licence** in order to promote the licensing objectives.

The Sub-Committee was therefore satisfied that there was sufficient evidence to mean interim steps were necessary for amendments to the current premises licence under the licensing objectives:-

- That at least one SIA registered door staff must be on duty at the premises from 8.00pm every night.

The evidence presented at the meeting had demonstrated the following licensing objectives had not been met:-

- The prevention of crime and disorder
- Public Safety

The reasons by the sub-committee, included:-

- The interim steps were required to effectively address the problem and that no alternative power would adequately address the situation and to protect the public and meet the licensing objectives.
- The violence used throughout the prolonged incident was considered to meet the criteria of serious disorder.

COUNCILLOR IRIZVI
Chair

(Note: The meeting started at 1.00pm and ended at 2.45pm)

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GREATER MANCHESTER POLICE

Appendix 2

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.

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 21st 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: 24th 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 disorder¹.

*Premises*²:

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 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 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

¹ Delete as applicable.

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


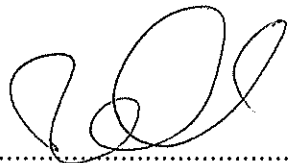
³ Insert rank of officer giving the certificate, which must be superintendent or above.

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.

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

Appendix 4

-----Original Message-----

From:

Sent: Thursday, July 4, 2024 2:42 PM

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

Subject: Sky bar bury

To whom it may concern,

I want to write to let you know my absolute support for the Sky Bar in Bury. I come in here with my sister and sister in law at least twice a month and have never felt more safe and more welcome anywhere. Mick and his staff have always been fabulous, very friendly and make it very clear they accept no nonsense.

We once had a time when a lad came in stinking of weed and within minutes, Mick had him thrown out, telling him he doesn't accept anyone that does that, or smells of that. We have never ever seen any trouble at all.

We have a brilliant time each time. We are here today for drinks to celebrate his 4 year anniversary and my sisters birthday, and have been shocked to hear about recent incidents. I do not accept they could be anything to do with Micks bar. We work hard and look forward to coming here for some relaxing time off. Bury would suffer hugely without this place, certainly for us.

I hope this helps to clarify that this is a good and reputable establishment

Regards

From:

Sent: Thursday, July 4, 2024 2:18 PM

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

Subject: Sky bar bury reference

To whom it may concern,

I have been asked to give a character reference in regards to sky bar in bury.

I understand that the licence for the Venue is possibly under consideration to be removed.

I feel this would be detrimental to bury and the local community.

I myself regularly take my son there to play pool and meet family members on weekday afternoons and have done for a few years.

I do this as we have always been made to feel welcome and safe in the venue.

The landlord and venue also do many events for charity and attempt to bring the local community together.

I feel with the loss of many other venues attempting to do this in bury and the loss of many other public houses in the area this could further add to the decline of bury town centre.

I am a professional member of the community in full time work and if any further information is required or further character reference are need please feel free to contact me.

From:

Sent: Thursday, July 4, 2024 2:40 PM

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

Subject: Re: Sky bar

Good afternoon,

I am writing in support of the Sky bar in Bury. I have been a customer of the sky bar for many years and have always felt very safe, the management and staff here have always ensured they prioritise customer safety. Mick has a zero tolerance to any trouble and strives to ensure a safe environment for all.

Many thanks

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Licensing Act 2003
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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

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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
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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.

Licensing Act 2003
Premises Licence

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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.

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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

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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.

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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.

Licensing Act 2003
Premises Licence**PL1161**

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

Licensing Act 2003
Premises Licence**PL1161**

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 18th 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

Licensing Act 2003

Premises Licence Summary

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

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