REPORT FOR DECISION



Agenda Item

DECISION OF:	LICENSING HEARINGS PANEL		
DATE:	1 ST APRIL 2020		
SUBJECT:	APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF HUB BAR AT 1 HASLAM STREET, BURY		
REPORT FROM:	EXECUTIVE DIRECTOR (OPERATIONS)		
CONTACT OFFICER:	MR M BRIDGE		
TYPE OF DECISION:	COUNCIL		
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain		
SUMMARY:	This report relates to an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Hub Bar at 1 Haslam Street, Bury, in respect of which representations have been received.		
OPTIONS & RECOMMENDED OPTION	 To grant the application in the terms requested To grant the application subject to conditions To amend or modify existing or proposed conditions To refuse the application 		
IMPLICATIONS:			
Corporate Aims/Policy Framework: Statement by the S151 Officer: Financial Implications and Risk Considerations: Statement by Executive Director of Resources:		Do the proposals accord with the Policy Framework? Yes No There are no specific issues from the report other than potential costs/risks associated with legal appeals 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.	

Equality/Diversity implications:	Yes No (see paragraph below)
Considered by Monitoring Officer:	Under the legislation the Council is required to determine representations. The report is in accordance with the appropriate legislation.
Wards Affected:	Moorside
Scrutiny Interest:	Internal Scrutiny Panel

TRACKING/PROCESS

DIRECTOR:

ember/Chair		
Committee	Council	duetosa do say.
	ember/Chair Committee	

1.0 BACKGROUND

- 1.1 The Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations is the relevant legislation.
- 1.2 The Panel will make a decision on the day of the hearing and the parties will be notified subsequently of the decision and the reasons for it by letter from the Licensing Office.

2. BACKGROUND

- 2.1 The applicant for the licence in respect of the above premises is Miss Natalie Cummings, of 23 Roch Crescent, Whitefield, M45 8LR. Miss Cummings is also the proposed Designated Premises Supervisor (DPS).
- 2.2 The applicant has complied with all the necessary procedural requirements laid down by the Act.
- 2.3 As part of the statutory process the Responsible Authorities and interested parties are entitled to make representations in relation to the grant of a licence. Where representations are made and not withdrawn Members are required to determine them.
- 2.4 Representations must be relevant to the licensing objectives defined within the Act. The objectives are:
 - a) the prevention of crime and disorder
 - b) public safety
 - c) prevention of public nuisance and
 - d) protection of children from harm

3. THE APPLICATION

3.1 The application is for the grant of a Premises Licence under Part 3 of the Licensing Act 2003:

The operating schedule shows the following:

a. Supply of alcohol - For consumption On the Premises only.

Sunday to Thursday 07.00 until 21.30 Friday and Saturday 07.00 until 22.30 Bank Holidays 07.00 until 22.30

b. Opening Times.

Sunday to Thursday 07.00 until 22.00 Friday and Saturday 07.00 until 23.00 Bank Holidays 07.00 until 23.00

4.0 REPRESENTATIONS FROM GREATER MANCHESTER POLICE

- 4.1 Greater Manchester Police will shortly give their reason(s) for their representations in relation to this application which they request the Panel to refuse. If the Panel is minded not to refuse the requested conditions are attached at Appendix 1.
- 4.2 Greater Manchester Police have indicated that they may request the members of the Panel to consider an application under Regulation 14(2) of the Licensing Act 2003 (Hearings) Regulations to exclude the public from all or part of the hearing.

All the representations were received before the end of the objection period.

5.0 INTERESTED PARTY

5.1 The interested party will shortly give their reason(s) for their representations in relation to this application which they request the Panel to refuse.

6.0 OBSERVATIONS

6.1 After hearing the representations made and the evidence presented, Members are obliged to determine the application with a view to promoting the licensing objectives and having regard to the Authority's Licensing Policy and National Guidance.

List of Background Papers:-

Application form Representation received Plan

For further information on the details of this report, please contact:

Mr M Bridge Licensing Office 3 Knowsley Place Duke Street Bury

Telephone No: 0161 253 5208

Email: m.bridge@bury.gov.uk

Appendix One

- 1. The premises are to operate an effective CCTV system which is to be maintained in good working order at all times the premises is open for business. The recording medium (e.g. disks / tapes / hard drive, etc.) and associated images are to be retained and securely stored for a minimum period of 28 days and are to be made available to the police / authorised officers of the Licensing Authority upon request. The premises licence holder or designated premises supervisor is to provide the police with the contact details of at least two members of staff (or other person(s)) who are trained and familiar with the operation of the equipment so that, at the expense of the premises licence holder, they are able to check that the equipment is operating properly and that they are able to provide copies of recorded data upon request and within no more than 12 hours from the time of the request. The premises licence holder or the Designated Premises Supervisor must notify the licensing office or the Police in the event of CCTV breakdown or malfunction as soon as is reasonably practicable and in any event within 24 hours.
- 2. Staff training shall take place on the Licensing Act and Licensing objectives upon commencement of employment and every six months thereafter, a written record of this training is to be maintained and made available to the police and any authorised officer of the Council for inspection on request.
- 3. A personal licence holder must be on the premises at all times when open to the public.
- 4. Door staff employed at the premises must be SIA registered and a daily log must be maintained at the premises showing the full name, date of birth, contact telephone number and SIA badge number of the Door Security Staff on duty, the time when they started and ended their shift and the details of any incidents that take place to include incidents when a member of the public is refused entry to the premises. The log is to be made available to the police, to SIA inspectors and to Authorised Officers of the Licensing Authority on request.
- 5. Two Door security staff must be employed at the premises on Friday and Saturday between the hours 20.00 hours and close of business.
- 6. Door security staff to use their best endeavours to prevent persons loitering outside the premises.
- 7. The licence holder and/or the designated premises supervisor or a person nominated by them shall be a member of and attend at the meetings of the Pub and Club watch scheme for the area.
- 8. No person in possession of a drink in a sealed or unsealed container shall be allowed to enter the premises except for the purposes of delivery or from moving from one part of the premises to another.
- 9. There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials.
- 10. Customers are to be prevented from leaving the premises with glasses or open bottles. No drink shall be removed from the premises in an unsealed container.

- 11. The premises should operate at a maximum capacity of 30 persons including staff members.
- 12.Clientele must not be admitted to the premises after 23.00 hrs or within one hour of the end of licensable activity.
- 13. The DPS or premises licence holder must develop and operate a dispersal policy for clientele leaving the premises. [this may include links to taxis and other transport providers.
- 14. The DPS/ Licence holder must ensure members of staff are adequately trained with regard to First Aid.
- 15. Prominent clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.
- 16.Music and associated other noise sources (e.g. DJs and amplified voices) shall not be generally audible inside noise sensitive property at any time. The DPS or a member of staff is to carry out noise level checks of the surrounding outside area whenever entertainment is being provided taking action to reduce noise levels where there is a potential for nuisance to be caused.
- 17.All external doors and windows are to be kept closed when live entertainment or recorded music is in progress.
- 18. The outside area is not to be used for licensable activities or for the consumption of alcohol.
- 19.On occasions when the premises are used/hired to hold a party, At least one SIA registered security staff is to be employed at the premises for the duration of the function.
- 20.On such occasions, the sale of alcohol and the provision of regulated entertainment is to cease no later than 23.00hrs.
- 21.At an appropriate time before closing time, announcements should be made reminding customers to leave quietly.
- 22.No refuse shall be disposed of or collected from the premises between the hours of 00.00 and 0700 where such disposal or collection is likely to cause disturbance to local residents.
- 23. The premises shall be closed to customers 30 minutes after licensable activity has ceased.
- 24. The premises will operate a "Challenge 25" proof of age policy, and signage to this effect is to be prominently displayed within the premises. Persons who appear to be under the age of 25 must produce for thorough scrutiny by staff, proof of identity/age before being sold/supplied alcohol. Only a passport or photo-card driving licence or a proof of age card bearing the official 'PASS' accreditation hologram should be accepted as proof of age.
- 25. The premises is to maintain a refusals / incident book to record the details of incidents / descriptions of individuals whenever a member of staff has refused to sell alcohol to a person suspected of being under the age of 18 and record

the circumstances of any incident. The book must be made available to the police / authorised officers of the Licensing Authority on request.

- 26.All alcohol must be displayed/stored behind the counter.
- 27.No person under the age of 18 shall be permitted to remain on the premises after 20.00 hours and no unsupervised access for children at any time.

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Bury
Application for a premises licence
Licensing Act 2003

For help contact licensing@bury.gov.uk Telephone: 0161 253 5208

		* required information
Section 1 of 21		
You can save the form at any	time and resume it later. You do not need to	be logged in when you resume.
System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference		You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on behalf of the applicant? Yes No		Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
Applicant Details		
* First name	Natalie	
* Family name	Cummings	
* E-mail	natalie_765_c@hotmail.com	
Main telephone number	07919492924	Include country code.
Other telephone number		
☐ Indicate here if you wo	uld prefer not to be contacted by telephone	
Are you:		
 Applying as a business or organisation, including as a sole trader Applying as an individual 		A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page		
Your Address		Address official correspondence should be
* Building number or name	23	sent to.
* Street	Roch Crescent	
District	Whitefield	
* City or town	Manchester	
County or administrative area		
* Postcode	M45 8LR	
*Country	United Kingdom	
Section 2 of 21		
PREMISES DETAILS		
I/we, as named in section 1, ap described in section 2 below (t in accordance with section 12 of	ply for a premises licence under section 17 of th he premises) and I/we are making this application of the Licensing Act 2003.	e Licensing Act 2003 for the premises on to you as the relevant licensing authority
Premises Address		
Are you able to provide a postal address, OS map reference or description of the premises?		
Postal Address Of Premises		
Building number or name	1	
Street	Haslam Street	
District	Bury	
City or town	Lancashire	
County or administrative area		
Postcode	BL9 6EQ	
Country	United Kingdom	
Further Details		
Telephone number		
Non-domestic rateable value of premises (£)	0	

	Section 3 of 21				
	APPLICATION DETAILS				
	In w	hat capacity are you apr	plying for the premises licence?		
] An individual or individuals			
		A limited company / limited liability partnership			
		A partnership (other th	nan limited liability)		
		An unincorporated asso	ociation		
		Other (for example a st	catutory corporation)		
		A recognised club			
		A charity			
		The proprietor of an ed	ducational establishment		
		A health service body			
			ered under part 2 of the Care Standards Act f an independent hospital in Wales		
		A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England			
		The chief officer of police of a police force in England and Wales			
(Confirm The Following				
		I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities			
		l am making the application pursuant to a statutory function			
	,	I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative			
_		on 4 of 21			
NDIVIDUAL APPLICANT DETAILS					
	Applicant Name s the name the same as (or similar to) the details given in section one? If "Yes" is selected you can re-use the details				
ŧ	Ye	es	← No	from section one, or amend them as required. Select "No" to enter a completely new set of details.	
-irst name Natalie		Natalie			
-	amily name		Cummings		
5	the a	the applicant 18 years of age or older?			
			○ No		

Continued from previous page			
Current Residential Address			
Is the address the same as (or s	similar to) the address given in section one?	If "Yes" is selected you can re-use the details	
Yes	○ No	from section one, or amend them as required. Select "No" to enter a completely new set of details.	
Building number or name	23		
Street	Roch Crescent		
District	Whitefield		
City or town	Manchester		
County or administrative area			
Postcode	M45 8LR		
Country	United Kingdom		
Applicant Contact Details			
Are the contact details the sam	ne as (or similar to) those given in section one?	If "Yes" is selected you can re-use the details	
	○ No	from section one, or amend them as required. Select "No" to enter a completely new set of details.	
E-mail	natalie_765_c@hotmail.com		
Telephone number	07919492924		
Other telephone number			
* Date of birth	17 / 12 / 1993 dd mm yyyy		
* Nationality	British	Documents that demonstrate entitlement to work in the UK	
Right to work share code		Right to work share code if not submitting scanned documents	
,	Add another applicant]	
Section 5 of 21			
OPERATING SCHEDULE			
When do you want the premises licence to start?	30 / 01 / 2020 dd mm yyyy		
If you wish the licence to be valid only for a limited period, dd mm yyyyy			
Provide a general description of	of the premises		

Continued from previous page
For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.
Bar contained within commercial premises used to carry out licensable activities and supply alcohol on premises only.
If 5,000 or more people are
expected to attend the premises at any one time,
state the number expected to
attend
Section 6 of 21
PROVISION OF PLAYS
See guidance on regulated entertainment
Will you be providing plays?
C Yes © No
Section 7 of 21
PROVISION OF FILMS
See guidance on regulated entertainment
Will you be providing films?
C Yes No
Section 8 of 21
PROVISION OF INDOOR SPORTING EVENTS
See guidance on regulated entertainment
Will you be providing indoor sporting events?
C Yes No
Section 9 of 21
PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS
See guidance on regulated entertainment
Will you be providing boxing or wrestling entertainments?
C Yes No
Section 10 of 21
PROVISION OF LIVE MUSIC
See guidance on regulated entertainment
Will you be providing live music?
← Yes ← No
Section 11 of 21
PROVISION OF RECORDED MUSIC
See guidance on regulated entertainment

Continued from previous	s page	
Will you be providing r	ecorded music?	
← Yes	No	
Section 12 of 21		
PROVISION OF PERFO	RMANCES OF DANCE	
See guidance on regula	ated entertainment	
Will you be providing p	performances of dance?	
← Yes	No	
Section 13 of 21		
PROVISION OF ANYTH	IING OF A SIMILAR DESCRIPT	TION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF
See guidance on regula		
Will you be providing a performances of dance	anything similar to live music, r ??	recorded music or
← Yes	No No	
Section 14 of 21		IN THE PROPERTY AND ASSESSMENT ASSESSMENT AND ASSESSMENT AND ASSESSMENT ASSESS
LATE NIGHT REFRESH	MENT	0.0
Will you be providing la	ate night refreshment?	
← Yes	No	
Section 15 of 21		liphotest copy to hardest our subsequence
SUPPLY OF ALCOHOL		10.01
Will you be selling or su	upplying alcohol?	i e
Yes	← No	
Standard Days And Ti	mings	
MONDAY		
	Start 07:00	Give timings in 24 hour clock. End 21:30 (e.g., 16:00) and only give details for the days
		of the week when you intend the premises
	Start	End to be used for the activity.
TUESDAY		* · · · · · · · · · · · · · · · · · · ·
	Start 07:00	End 21:30
	Start	End
WEDNESDAY	\	
	Start 07:00	End 21:30
	Start	End
THURSDAY		
	Start 07:00	End 21:30
	Start	End

Continued from previous page	1		
FRIDAY			
Start	07:00	End 22:30	
Start		End	
SATURDAY			
Start	07:00	End 22:30	
Start		End	
SUNDAY			
Start	07:00	End 21:30	
Start		End	
Will the sale of alcohol be for o	onsumption:		If the sale of alcohol is for consumption on
On the premises	C Off the premises	Both	the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away
			from the premises select both.
State any seasonal variations			
For example (but not exclusive	ely) where the activity will occu	ır on additional da	ys during the summer months.
Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below			
	ely), where you wish the activity	y to go on longer o	on a particular day e.g. Christmas Eve.
Public Holidays 07:00- 22:30			
State the name and details of t licence as premises supervisor	· · · · · · · · · · · · · · · · · · ·	to specify on the	
Name			
First name	Natalie		
Family name	Cummings		
Date of birth	17 / 12 / 1993 dd mm yyyy		
	dd mm yyyy		

Continued from previous page			
Enter the contact's address			
			1
Building number or name	23		
Street	Roch Crescent		
District	Whitefield		
City or town	Manchester		
County or administrative area			
Postcode	M45 8LR		
Country	United Kingdom		
Personal Licence number (if known)	2484		
Issuing licensing authority (if known)	Bury Council		
PROPOSED DESIGNATED PRE	MISES SUPERVISOR CONSE	NT	
How will the consent form of the be supplied to the authority? Electronically, by the property.	ne proposed designated prem posed designated premises su		
As an attachment to this a	application		
Reference number for consent form (if known)			If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.
Section 16 of 21			
ADULT ENTERTAINMENT			
Give information about anythin	concern in respect of children og intended to occur at the pro ldren, regardless of whether y	emises or ancillary ou intend childre	t or matters ancillary to the use of the to the use of the premises which may give to have access to the premises, for example
Gambling Machine	eminidate, minis for restricted	a age groups etc g	ambling machines etc.
Odmbing Machine			
Section 17 of 21			
HOURS PREMISES ARE OPEN T	O THE PUBLIC		
Standard Days And Timings			
MONDAY			Give timings in 24 hour clock.
Start (End 22:00	(e.g., 16:00) and only give details for the days of the week when you intend the premises
Start		LIIU	to be used for the activity.

Continued from previous p	age	
TUESDAY		
	Start 07:00	End 22:00
	Start	End
WEDNESDAY		
	Start 07:00	End 22:00
	Start	End
THURSDAY		
	Start 07:00	End 22:00
	Start	End
FRIDAY		
:	Start 07:00	End 23:00
	Start	End
SATURDAY		
:	Start 07:00	End 23:00
:	Start	End
SUNDAY		
	Start 07:00	End 22:00
	Start	End
State any seasonal variati		
For example (but not excl	lusively) where the activity will occ ———————————————————————————————————	ur on additional days during the summer months.
Non standard timings. Wh those listed in the column	nere you intend to use the premise n on the left, list below	s to be open to the members and guests at different times from
For example (but not excl	usively), where you wish the activi	ty to go on longer on a particular day e.g. Christmas Eve.
Public Holidays 07:00-23:	00	
Section 18 of 21		
LICENSING OBJECTIVES		
Describe the steps you int	tend to take to promote the four li	censing objectives:
a) General – all four licens	ing objectives (b,c,d,e)	

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

Ensure all staffs have basic emergency, general safety precautions and procedure knowledge.

b) The prevention of crime and disorder

Clear CCTV and alarm system noticing, both inside and outside the premises.

Accurately recorded incident book, ensure all staffs are aware of process.

Strict Anti-Drug Policy- Zero tolerance, clearly displayed

c) Public safety

Promote intoxicated person refusal both for their own and public safety.

Ensure maximum capacity is never breached - 30 persons

No irresponsible drinks promotion

Readily available drinking water.

Emergency Exits clear signage

d) The prevention of public nuisance

Less than 30 people at any one time, clear sign-age promoting responsible and respectful manner when in an leaving the premises, particularly monitoring noise levels.

Regular patrols overseeing conduct both inside and out.

Keep all doors and windows closed to minimize noise pollution

e) The protection of children from harm

Strict Check 25 Policy

Monitoring and control of results of alcohol consumption

No unsupervised access for children at any time, supervised access until 8pm

CCTV

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK



Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is A British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national
 of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement
 indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in
 the UK, when produced in combination with an official document giving the person's permanent National
 Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an
 official document giving the person's permanent National Insurance number and their name issued by a
 Government agency or a previous employer.

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder
 with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not
 subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity
 when produced in combination with an official document giving the person's permanent National Insurance
 number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK
 with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or
 reasonable evidence that the person has an appeal or administrative review pending on an immigration
 decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but
 who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in
 the UK including:-
 - evidence of the applicant's own identity such as a passport,
 - evidence of their relationship with the European Economic Area family member e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one
 of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

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

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

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

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

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

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 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided 0 by or on behalf of the local authority:
 - any entertainment taking place on the hospital premises of the health care provider where the 0 entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or O on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling 0 circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/ business rates/index.htm

Band A - No RV to £4300 £100 00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32.000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

100.00

DECLARATION

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

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application. (Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership) I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition

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

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

Natalie Danielle Cummings

* Capacity

Individual Applicant

* Date

30 / 01 / 2020

dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

- 1. Save this form to your computer by clicking file/save as...
- 2. Go back to https://www.gov.uk/apply-for-a-licence/premises-licence/premises-licence/bury/apply-1 to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

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Consent of individual to being specified as premises supervisor

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Whitefield Manchester	
Lancashire	
M45 8LR	
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Bury Lancashire	
or 1 Haslam Street Bury Lancashire BL9 6EQ	

Natalie Cummings		
concerning the supply of	alcohol at	
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Bury Lancashire BL9 6EQ		
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0089 GROUND FLOOR AREA STORAGE CELLAR BAR 24400 26254 Cafe/Bistro D - FIRE EXTINGUISHE · SHOKE ALARMS Proposed Ground Floor Plan 1-3 Hoslam Street Restaurant / Cafe 0000 - 0004 PATE TOTAL MEDICAL

Notes

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Co-diller?

Stansfield, David

From: Walmsley, Sandra Cllr.

Sent: 04 March 2020 17:21

To: Licensing; Bridge, Michael

Subject: Licensing Objection Application No: 1173 The Hub Bar, 1 Haslam Street, Bury.

Good afternoon,

I am writing on behalf of residents who have contacted us to oppose the license to serve alcohol application for The Hub Bar, 1 Haslam Street, Bury (Reference 1173).

Residents are concerned about the noise, light, traffic, disruption, litter and potential crime and disturbance that this premises may cause if given a licence, in what is a predominant residential area. Indeed, we are aware that the owners of this business have so far breached two of their planning regulations, including the use of tables and chairs being used on a public highway. Whilst this may not be in direct contravention to licence agreements, we believe it demonstrates a lack of due regard for legislation and therefore creates a lack of confidence that licencing regulations will be properly adhered to. In addition, we argue that, by using tables and chairs without permission, the business is not carrying out their licensing duties in preventing public nuisance. In addition, under the terms of the Prevention of Public Nuisance, we believe that an alcohol license here will adversely affect the area with noise, congestion, litter and car parking in close proximity to residential properties already struggling with insufficient parking.

We also believe that public safety and the prevention of public nuisance will be adversely affected due to the requirement under the Crime and Disorder Act 1998 of having light outside the business, which in turn will create intrusive light into residents properties at night. In addition, the noise from such an establishment, both from inside and outside the building - both with patrons entering and leaving and smoking outside, will also be intrusive to local residents at night when ambient noise levels are much lower. Indeed, several residents have advised me that they have young children whose bedroom windows overlook the front or back of the business and they are concerned about how this will affect them. There needs to be a clear distinction drawn in considering this licence application in that it is in a predominant residential area and is in our view, wholly unsuitable to host licensing activity.

Under the Protection of Children from Harm regulations, serious consideration needs to be given. This business is directly adjacent to a young people's care home in which extremely vulnerable and impressionable people live and visit. These vulnerable young people will be exposed to alcohol and the affects of alcohol on their doorstep if this were to go ahead. Notwithstanding the risk of underage drinking, the proximity and exposure of these young people to such an establishment could disrupt the work taking place on integration, rehabilitation, trauma, mental health and wellbeing and we do not want this good work to be undone.

It should also be noted that the location of the business at 1 Haslam Street is on a busy through road on a blind bend, in particular when there are a high number of cars parked. Patrons and staff using the business premises are likely to cause more traffic problems and increased risks. In addition, consideration ought to be given to the taxis that will be picking up/dropping off in this area and to bin collections and stock deliveries. All these factors create an adverse effect to the environmental quality for the residential amenity and character of the area.

Due consideration should also be given to absence of appropriate infrastructure or resources to regulate activity in public areas beyond the responsibility of the licences for example; policing,

ambulance services, public transport, car parking and litter collections. All adding pressure to already financially stretched public services.

We understand that temporary events notices have been provided to this business since the New Year and would like to say; firstly, this is not an appropriate way to bypass the licensing process to serve alcohol long term and secondly, an absence of issue during this period does not constitute acceptance that all of the above considerations are adequately covered or prepared for.

I trust these comments will be assessed carefully in light of the application.

Yours sincerely,

Cllr Sandra Walmsley Moorside Ward

Clir Sandra Walmsley Councillor for Moorside Ward Bury Metropolitan Borough Council

Tel: 07793 628 266

Email: Sandra.Walmsley@bury.gov.uk

Twitter: @Sandra Walmsley

The Licensing Act 2003

Responsible Authority Representation Form

Section 1 - Application Details		
We object to the following Applic HUB BAR 1 Haslam Street BURY. BL9 6EQ	cation:	
Type of application. Application for	r a premises licence.	
New Premises Licence		
Application Number (if known):	Not Known	

Section 2 – Responsible Authority's Details		
Please tick approx Police Fire Autorical Planning Health a Environ Child Prox Planning Child Prox Planning Prox Prox Prox Prox Prox Prox Prox Prox		
Full name:	PC 14484 Greg Scott	
Job Title:	Licensing Officer.	
Tele number:	0161-856-8111	
Email:	BuryPartnershipTeam@gmp.police.uk	
Address: Partnership Team Bury Police Division Headquarters. Dunster Road, BL9 0RD		

Section 3 - Representations

Χ

We object to the application being granted at all We object to the application being granted in it's current form*

*If you choose this option remember to tell us in section 3B what changes you would like to see.

You need to complete the boxes below as fully as possible. If you do not then the Licensing Sub-Committee may not understand why you have made a representation (objection).

Please attach supporting documents/further pages as necessary. Please number all extra pages and add the applicant's name and your name to each page.

Section 3A – The Objectives

Please state your reasons:

TO PREVENT CRIME AND DISORDER

Mrs Natalie Cummins (McVay) has submitted an application for a premises licence at 1 Haslam Street, Bury, BL9 6EQ

Within the Premises licence application she has proposed various conditions that aim to provide steps she intends to take to promote the four licensing objectives.

However the conditions are to be rephrased into more detailed acceptable terminology in order for the licence application to be approved.

Conditions to be applied:-

The premises are to operate an effective CCTV system which is to be maintained in good working order at all times the premises is open for business. The recording medium (e.g. disks / tapes / hard drive, etc.) and associated images are to be retained and securely stored for a minimum period of 28 days and are to be made available to the police / authorised officers of the Licensing Authority upon request. The premises licence holder or designated premises supervisor is to provide the police with the contact details of 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.

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.

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

Door staff employed at the premises must be SIA registered and a daily log must be maintained at the premises showing the full name, date of birth, contact telephone number and SIA badge number of the Door Security Staff on duty, the time when they started and ended their shift and the details of any incidents that take place to include incidents when a member of the public is refused entry to the premises. The log is to be made available to the police, to SIA inspectors and to Authorised Officers of the Licensing Authority on request.

Two Door security staff must be employed at the premises on Friday and Saturday between the hours 20.00 hours and close of business.

Door security staff to use their best endeavours to prevent persons loitering outside the premises.

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

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

There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials.

PUBLIC SAFETY

Customers are to be prevented from leaving the premises with glasses or open bottles. No drink shall be removed from the premises in an unsealed container.

The premises should operate at a maximum capacity of 30 persons including staff members.

Clientele must not be admitted to the premises after 23.00 hrs or within one hour of the end of licensable activity.

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.

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

PREVENTION OF PUBLIC NUISANCE

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.

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.

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

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

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

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

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

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

THE PROTECTION OF CHILDREN FROM HARM

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

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.

All alcohol must be displayed/stored behind the counter.

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

Section 3B – Suggestions/Further information

With regard to this application although section 3A has been completed asking for acceptable conditions.

I, PC 14484 Greg Scott Licensing Officer for the Bury Division appose the application in its entirety for the following reasons,

The applicant is married to a male that is the subject of a number of pieces of police intelligence and has a number of court convictions.

The applicant has applied for her personal licence and premises licence in her maiden name and although this in its self is not an issue, it gives the impression that there has been an attempt to avoid declaring her relationship with a known criminal.

The intelligence suggests that should a premises licence be granted then problems would arise from the granting of the licence with regard to crime and disorder, this in turn would bring into doubt the ability of the premises and the applicant to be able to adhere to the licensing objectives.

Due to GDPR I am not at liberty to go into more detail with regard to the intelligence the police have. I would request that part of the hearing be heard in private consisting of myself, legal representative for GMP, partner agencies and the committee.

Greater Manchester Police would also ask the committee to consider the supply of alcohol hours, the applicant has asked for the following hours Monday to Thursday 07.00 to 21.30 hours Friday and Saturday 07.00 to 22.30 hours Sunday 07.00 to 21.30 hours.

Given that the premises is in a residential street the applied for hours are unsuitable and Greater Manchester Police would ask that a time of 11.00 hours be given instead of 07.00 hours each day for the supply of alcohol.

Pc 14484 Greg Scott

N.B if you do make a representation you will be expected to attend the Licensing Sub-Committee hearing and any subsequent appeal proceedings.