

**Minutes of: LICENSING HEARING SUB COMMITTEE**

**Date of Meeting:** 29 March 2022

**Present:** Councillor T Holt (in the Chair)  
Councillors G McGill and Y Wright  
J. Witkowski (Legal)  
J. Willis (Legal)  
M. Bridge (Licensing)  
M. Cunliffe (Democratic Services)

**Also in attendance:** Mr Paul Sarnoe (Applicant)  
Mr Danny Langford (Representor)

**Public Attendance:** No members of the public were present at the meeting.

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**1 APOLOGIES FOR ABSENCE**

There were no apologies for absence submitted.

**2 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**3 APPLICATION FOR A VARIATION TO A PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT OF HIDDEN BAR, UNIT B, 24 SILVER STREET, BURY, BL9 0DH**

The Licensing Authority received an application to vary a Premises Licence under section 34 of the Licensing Act 2003 in relation to Hidden Bar, Unit B, 24 Silver Street, Bury, BL9 0DH. Representations had been received from a Responsible Authority, namely Greater Manchester Police (GMP) and one interested party.

The Applicant in respect of the above premises is Hidden Bar Bury Limited, Unit B, 24 Silver Street, Bury, BL9 0DH. The Designated Premises Supervisor (DPS) is Miss Stephanie Halton of 17 Seymour Court, Radcliffe, M26 2UE.

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

Representations were received within the appropriate period by the Licensing Authority from GMP and 1 other interested party.

All representations were contained within the written submissions provided in the report to the Sub-Committee.

All documentary evidence provided with the agenda pack comprising the application, the report and representations were served on all parties in advance of the hearing.

The Licensing Manager presented the report . This explained the proposed variation of the operating schedule requested was originally as follows:

**Supply of alcohol – For consumption On the Premises.**

Monday to Sunday 12noon to 04.00am

**Provision of Live Music (Indoors)**

Monday to Sunday 12noon to 04.00am

**Provision of Recorded Music**

Monday to Sunday 12noon to 04.00am

**Provision of Late-Night Refreshment**

Monday to Sunday 23.00 to 04.00am

**Hours open to the Public**

Monday to Sunday 11.00am to 04.00am

It was reported that the Applicant and GMP had undertaken mediation during the representation period, prior to the hearing and that the Applicant has accepted the proposals from GMP in relation to the varied hours and also additional conditions contained in Appendix 1 of the report. Therefore, the Applicant confirmed the revised application was as follows;

**Proposed variation of opening and operating hours;**

**Supply of alcohol – For consumption On the Premises.**

Monday to Sunday 12noon to 03.15am (Last orders)

**Provision of Live Music (Indoors)**

Monday to Sunday 12noon to 03.45am

**Provision of Recorded Music**

Monday to Sunday 12noon to 03.45am

**Provision of Performances of Dance**

Monday to Sunday 12noon to 03.45am

**Provision of Late-Night Refreshment**

Monday to Sunday 23.00 to 03.45am

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Together with the conditions at Appendix 1 of the report.

The Licensing Manager sought clarification from the representor, a Mr Danny Langford as to their role at the adjacent Venue business. Appendix 2 of the report contained information in relation to the representations made to this application by Mr Langford. He confirmed that he is part owner and general manager of Venue Bar.

The Applicant, Mr Paul Sarnoe then presented the application and confirmed to the Sub-Committee that the application was now made as per the change of hours agreed with GMP and additional GMP conditions. He advised that the changed hours and additional conditions were intended to deal with the issues raised by GMP and they ensured an earlier closing time than the original hours proposed. Clientele would then leave the area from 3:45am. He queried the objection under crime and disorder as the other premises closed later at 4.00am.

Mr Langford made representations to the Sub-Committee that due to the close location of the exits at Hidden Bar and Venue as they are both in the same building, dispersal from both venues into the alleyway at 3.45am could cause issues and concern for the public in terms of crime and disorder.

The Licensing Manager queried whether when the public exit the Venue Bar, there would be door staff dealing with any issues. Mr Langford confirmed there would be.

A Member asked if the Venue was open 7 days a week. Mr Langford advised that whilst the premises was licensed to operate all week, it was only open Thursday to Sunday.

Mr Sarnoe enquired if the objection was made as a member of the public or because Mr Langford is manager of the neighbouring bar. Mr Langford confirmed that it was from himself as the Venue manager and he had concerns about dispersal issues and fighting on the street.

The Licensing Manager reported for information that each licensed premises has to promote the 4 licensing objectives and if there were issues with any of these then the police could become involved and a review process undertaken to tackle specific problems.

Mr Langford in summing up, added that the Hidden Bar security staff finish at 3.45am and the security issues after this time would fall under the responsibility of Venue's door staff.

Mr Sarnoe stated in summing up, that there had been no major issues reported in the past and any that occurred related to Venue Bar. He also pointed out that following a long meeting with GMP they had agreed to change the hours of closing to 3.45am, so that those conditions would meet the Licensing Act and objectives.

The Sub-Committee then duly retired to consider the application.

The Members of the Panel were advised by the Legal Officer as to their duties under Section 4 of the Licensing Act 2003 to at all times consider the promotion of the Licensing Objectives, these being:

- a) the prevention of crime and disorder
- b) public safety
- c) the prevention of public nuisance
- d) the protection of children from harm

The Members were also advised of their duties in carrying out those functions in relation to:

- a) the Council's published Statement of Licensing Policy

b) the Guidance issued by the Secretary of State as contained in section 182 of the Licensing Act 2003, which was updated in April 2018

In addition, Members were advised to give appropriate weight to the steps that are appropriate to promote the licensing objectives together with relevant representations presented by all parties.

### **Delegated decision**

All of the evidence was considered with care, and it was established that having understood the application and equally noting and understanding the representations and changes made by the Applicant and in view of the agreement reached between the Applicant and the Responsible Authority (GMP), the Sub-Committee found there were no causes for concern so far as the promotion of the licensing objectives were concerned.

It was therefore agreed unanimously, to grant the application for the variation of the Premises Licence as requested, subject to the conditions proposed by GMP in the report (Appendix 1) being attached to the Licence together with the matters set out within the Operating Schedule within the application, where they are not otherwise covered by the conditions at Appendix 1;

The Sub-Committee therefore granted the variation of the licence with the new timings:-

#### **Supply of alcohol – For consumption On the Premises.**

Monday to Sunday 12noon to 03.15am (Last orders)

#### **Provision of Live Music (Indoors)**

Monday to Sunday 12noon to 03.45am

#### **Provision of Recorded Music**

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#### **Provision of Performances of Dance**

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#### **Hours open to the Public**

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

#### Drugs Policy Conditions - Zero tolerance policy to drugs

- All staff will complete drugs awareness training within 1 month of commencing employment, evidence of such training will be documented and signed by both the DPS and member of staff to confirm such training has taken place.

- Customers displaying any signs of being under the influence of drugs will be refused entry to the premises. If drugs of any sort are seized during any search, the items will be evidenced on the CCTV camera at the entrance to the premises and the police will be notified by contacting 101 from time to time (although this will not apply in every case, for example if a small amount of cannabis for personal use is confiscated). Greater Manchester Police will deal with the matter as part of daily business.
- Self-sealed numbered bags will be used to safely and securely store any drugs that are seized. Wherever possible, the bag will be sealed and signed in the presence of the individual(s) from who they were seized.
- Internal patrols shall be carried out in areas which are vulnerable to drug taking or supply, such as toilets or poorly lit areas as a minimum requirement every 30 minutes. The patrols will record within the incident book should any drugs be found on persons within the premises or drugs paraphernalia found within the toilets or other vulnerable areas.
- Staff will not approach any persons suspected of supplying controlled drugs. They shall be kept under observation and the duty manager or security personnel should be informed, the duty manager or security personnel should immediately contact the police for assistance in such circumstances.
- Any persons supplying controlled drugs shall be detained where it is possible and safe to do so and the police shall be informed.
- Any customer displaying signs of being under the influence of drugs within the premises will be cared for by a member of staff until assistance arrives.
- A lockable box for storage of confiscated substances will be installed on the premises the contents of which handed to the police.

#### Search Policy

- When employed, door staff will monitor customers as they queue and enter the premises.  
In order to deter customers from bringing drugs and/or offensive weapons into the premises, no less than 1 in 10 customers entering the premises shall be searched.
- Signage will be placed outside the premises to advise patrons that they will be subject to searches from door staff and that the searches will be monitored by CCTV. Refusal to be searched will result in no entry to the premises.
- A CCTV camera and TV monitor will be placed at the entrance to the premises where searches are to be undertaken so that individuals who have drugs seized from their person can be identified. This will also provide evidential footage if any items are seized from the patron and act as a deterrent for patrons not to bring items into the premises.
- Those displaying signs of being under the influence of drugs or alcohol will be refused entry to the premises. If drugs of any sort are seized, they will be shown and evidenced on the CCTV camera at the entrance to the premises. The police will then be notified of items seized by the premises contacting 101 from time to time (although this will not apply in every case, for example if a small amount of cannabis for personal use is confiscated).

The matter will then be dealt with by Greater Manchester Police within the course of daily business.

- If weapons are seized or if anyone is reasonably suspected of carrying a weapon, the weapon will be shown and evidenced on the CCTV camera. The police will be notified immediately by contacting 101. The matter will then be dealt with by Greater Manchester Police in the course of daily business.
- Door staff will be vigilant to the fact that adapted articles can be used as weapons but can be more difficult to detect. If any such items (e.g. jewellery, belt buckles) give cause for concern, access to the premises will be denied.
- Self-sealed numbered bags will be used to safely and securely store any drugs/weapons that are seized. Wherever possible, the bag will be sealed and signed in the presence of the individual(s) from who they were seized.
- All seizures will be fully recorded by the CCTV system and will be entered into the premises' incident log book.
- The items which are seized will be securely stored on the premises so that police officers can subsequently collect the items from the premises following the seizures.

#### TO PREVENT CRIME AND DISORDER

- The premises must be linked to a system of communication with the Police and other licensed premises as agreed with the Police and Licensing Authority. The system shall be kept in good working order at all times. When the premises are open to the public, the communications link to the Police and other licensed premises shall be switched on and available to and monitored by the Designated Premises Supervisor or a nominated member of staff. The system to be used to report incidents and warn each other of the presence of potential trouble makers in the area.
- The Premises will employ SIA door security staff which will be approved by the GMP licensing officer. A daily log must be maintained at the premises showing the full name, date of birth and SIA badge number of the Door Security Staff on duty, the time when they started and ended their shift and the details of any incidents that take place to include incidents when a member of the public is refused entry to the premises. The log is to be made available to the Police, to SIA inspectors & to Authorised Officers of the Licensing Authority on request. The Premises will employ SIA door security and be approved by the GMP licensing officer.

#### PUBLIC SAFETY

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

**COUNCILLOR T HOLT**  
**Chair**

**(Note: The meeting started at 10.30am and ended at 11.12am)**