

Minutes of: LICENSING HEARING SUB COMMITTEE

Date of Meeting: 3rd August 2023

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

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

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

Public Attendance: The Hearing was held virtually and interested members of the public were provided with a link to access the hearing online via Microsoft Teams or could be telephoned into the meeting via audio only. No members of the public were in virtual attendance.

1 APOLOGIES FOR ABSENCE

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

2 DECLARATIONS OF INTEREST

There were no declarations of interest made.

3 MINUTES OF THE LAST MEETING

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

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

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

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

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

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

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

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

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

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

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

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

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

The Sub-Committee heard no other representations.

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

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

COUNCILLOR G MCGILL
Chair

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