

Classification	Item No.
Open / Closed	

Meeting:	Licensing Hearings Sub-Committee
Meeting date:	27 February 2025
Title of report:	Application to vary the Premises Licence to specify a change of Designated Premises Supervisor in respect of Venezia, 5 Square Street, Ramsbottom, BL0 9BE
Report by:	Executive Director (Operations)
Decision Type:	Council
Ward(s) to which report relates	Ramsbottom

Executive Summary:

This report relates to an application under section 37 of the Licensing Act 2003, from 5 Rams Limited, to vary the Premises Licence held by them, in respect of Venezia, 5 Square Street, Ramsbottom to specify a change of Designated Premises Supervisor (DPS). The Greater Manchester Police in their capacity as 'A Responsible Authority' have made a representation in respect of the application.

Recommendation(s)

- To grant the application
- To refuse the application and remove the DPS

1.0 INTRODUCTION

- 1.1 The Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations are the relevant legislation.
- 1.2 The Licensing Hearings Sub-Committee 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.

- 1.3 Under the provisions of section 37(5) of the Act, where the chief officer of police notified of an application to specify an individual as a DPS, is satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective, he must give the relevant Licensing Authority a notice stating the reasons he is so satisfied.

2.0 BACKGROUND

- 2.1 The applicant has complied with all the necessary procedural requirements laid down by the Act.
- 2.2 On the application form it has been requested that the application have immediate effect under section 38 of the Act which allows the premises to continue to sell alcohol until such time that this application is determined or withdrawn.

3.0 THE APPLICATION

- 3.1 Paragraph 4.3 of the Guidance issued under Section 182 of the Licensing Act 2003, states: -

Any premises at which alcohol is sold or supplied where the requirement for a personal licence holder does apply may employ one or more such licence holders. For example, there may be one owner or senior manager and several junior managers holding a personal licence. However, the requirement that every sale of alcohol must at least be authorised by a personal licence holder does not mean that the licence holder has to be present on the premises or oversee each sale; it is sufficient that such sales are authorised.

- 3.2 The application from 5 Rams Limited names Mr Paul Sarnoe of 35 Hollins Drive, Bolton, BL2 1DH as the new DPS. It is confirmed that Mr Paul Sarnoe is the holder of a Personal Licence granted by Bolton Council.

4.0 REPRESENTATIONS FROM GREATER MANCHESTER POLICE

- 4.1 Greater Manchester Police will shortly give their reasons for their representation in relation to this application in which they request the Panel to refuse the application. The representation is attached at Appendix One.

5.0 OBSERVATIONS

- 5.1 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.
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Community impact/links with Community Strategy

Not Applicable

Equality Impact and considerations:

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.

Equality Analysis	<i>Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.</i>
<i>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.</i>	

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
There are no specific issues from the report other than potential costs/risks associated with legal appeals.	

Consultation:

Not Applicable

Legal Implications:

Yes, 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:

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

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Bury
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Background papers:

List of Background Papers:-
Application form
Representation received

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning

Appendix One

Greater Manchester Police Representation with Appendices

Bury Metropolitan Borough Council

The Licensing Act 2003

Responsible Authority Representation Form

Section 1 - Application Details

We object to the following Application:

VENEZIA
5 Square Street
Ramsbottom
BL0 9BE

Type of application.

Application to vary the DPS

Application Number (if known):

Section 2 – Responsible Authority's Details

Responsible Authority's Details:

Please tick appropriate box:

<input checked="" type="checkbox"/>	Police
<input type="checkbox"/>	Fire Authority
<input type="checkbox"/>	Planning Authority
<input type="checkbox"/>	Health and Safety

	Environmental Health Service	
	Child Protection	
	Weights and Measures	
	Licensing Authority	
	Immigration	
	Public Health Department	
Full name:	Peter Eccleston	
Job Title:	Bury District Licensing Officer	
Tele number:	07774219071 / 0161 856 2256	
Email:	peter.eccleston@gmp.police.uk	
Address:	<p>Bury Police Station Dunster Road Bury BL9 0RD</p>	

Section 3 – Representations	
x	We object to the application being granted at all
	We object to the application being granted in its current form *
<p>*If you choose this option remember to tell us in section 3B what changes you would like to see.</p>	
<p>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).</p>	

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

To prevent crime and disorder

Please accept this as a formal representation from Greater Manchester Police with regards to the application for a variation to the DPS at Venezia, 5 Square Street, Ramsbottom.

The proposed Designated Premises Supervisor (DPS), Paul Sarnoe has been the Premises Licence Holder / DPS at two premises in the Greater Manchester area over the last few years and on both occasions expedited reviews were authorised and following the full review hearings, the decision of the Licensing Sub-Committee at both Bury and Bolton were to revoke the premises licenses.

With regards to Bury, Mr Sarnoe was the sole director of Hidden Bar Bury Ltd. Hidden Bar Bury Ltd was the license holder of Hidden Bar, 24 Silver Street, Bury between October 2020 and October 2022. During this period, there were two changes to the DPS with Mr Sarnoe, nominating himself in June 2022.

During the two-year period, When Mr Sarnoe had overall responsibility for the premises, there were several incidents ranging from the following:

- Lack of ID checks resulting in numerous young people under the age of 18 being allowed in the premises and sold alcohol. It was becoming more like a youth club than a bar for adults.
- Breaches of licensing conditions such as allowing individuals to leave the premises with alcohol and glass receptacles
- Not adhering to the operating schedule and was allowing entry past the last entry time.
- Being obstructive to police officers conducting visits to licensed premises.
- Positive drug wipes from inside the premises.
- Customers using nitrous oxide from balloons in sight of security staff and being allowed entry
- Incidents of serious crime and serious disorder with the most serious resulting in a customer receiving a puncture wound to his leg. During this large-scale disorder there were multiple injuries to various individuals, the door staff did very little to intervene and there was a serious lack of effective management at the premises which is demonstrated by Mr Sarnoe when he instructed staff to wash down the scene with buckets of water resulting in the loss of any forensic evidence. This ultimately resulted in the request by Greater Manchester Police for a summary and full review of the premises licence.

The expedited review took place on the 14th September 2022 and the decision of the Licensing Sub Committee was to impose interim steps and suspend the premises licence immediately in-order to promote the licensing objectives and in the interests of public safety. The full review took place on the 6th October 2022 and based on the information provided, the licensing sub-committee decided to revoke the premises licence and extend the interim steps to prevent any further incidents occurring during the appeals period.

In April 2022, Mr Sarnoe appointed himself as the director of 2 Stories Bolton Limited which became the premises licence holder of 2 Stories, 73-75 Bradshawgate, Bolton which was another licenced premises.

On the 20th December 2023, a further expedited review hearing took place following another incident of serious crime and disorder which occurred on the 16th December 2023. The brief circumstances being that a customer received serious injuries including after being glassed which resulted in a laceration which went through to the bone of the face resulting in nerve damage and a requirement for plastic surgery.

During the course of the investigation, officers noted that:

- The premises has failed in upholding the licensing objectives.
- Lack of cooperation obtaining the premises CCTV.
- The DPS (Mr Sarnoe) being heavily intoxicated at the time of the incident.
- Mr Sarnoe being obstructive towards police.
- Breach of licencing conditions.
- Lack of Town Centre Radio Link despite previous interventions.

The decision of the of the Licensing Sub-Committee was to suspend the licence pending a full review hearing.

The full review hearing was heard on the 15th January 2023 during which, further issues were highlighted such as:

- Irresponsible drinks promotions.
- Underage customers being found on the premises.
- Being in breach of planning condition.

Despite numerous interventions from various responsible authorities it was noted that Mr Sarnoe, did very little to make any relevant changes and after careful consideration, the Licensing Sub-Committee decided to revoke the premises licence and extend the interim steps during the appeals period

To conclude, Mr Sarnoe has been the License Holder and DPS at two different venues in two different town and although the circumstances outlined above are brief, there are some similarities he operated both premises ranging from underage customers, failure to uphold licencing conditions under the four licensing objectives and a clear lack of effective

	<p>management which culminated in the two very serious incidents involving serious crime and disorder. For that reason, it is the opinion of Greater Manchester Police that the application to vary the DPS should be rejected on the bases of promoting the licensing objectives namely the prevention of crime and disorder, public safety and the protection of children from harm.</p> <p>Included within the representation are the following which will provide further details relating to information outlined above:</p> <p>APPENDIX A:</p> <p>Minutes from Bury Council Licensing Sub-Committee regarding the Expedited Review Hearing relating to HIDDEN BAR, BURY.</p> <p>APPENDIX B:</p> <p>Statement of PC Eccleston (Bury District Licensing Officer).</p> <p>APPENDIX C:</p> <p>Minutes from the Bury Council Licensing Sub-Committee regarding the Full Review Hearing relating to HIDDEN BAR, BURY.</p> <p>APPENDIX D:</p> <p>Minutes from Bolton Council Licensing Sub-Committee regarding the Expedited Review Hearing relating to 2 STORIES</p> <p>APPENDIX E:</p> <p>Minutes from Bolton Council Licensing Sub-Committee regarding the Full Review Hearing relating to 2 STORIES</p>
Public safety	Please state your reasons:
To prevent public nuisance	<i>Please state your reasons:</i>

<p>The protection of children from harm</p>	
<p>Section 3B – Suggestions/Further information</p>	
<p>It is quite clear from the history relating to both licensed premises which Mr Sarnoe has been responsible for, that he is not fit and proper to ever be involved in a licensed premises again and it is the opinion of Greater Manchester Police that should the premises license be granted, the licensing objectives will almost certainly be undermined and public safety will become a very real concern.</p>	

Signed.....P. Eccleston..... dated: 29/01/2025

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