

Minutes of: LICENSING HEARING SUB COMMITTEE

Date of Meeting: 13th November 2025

Present: Councillor T Rafiq (in the Chair)
Councillors D Green and M Walsh

L. Bell (Licensing Unit)
M. Cunliffe (Democratic Services)
D. Rice (Legal Services)

Also in attendance: PC P. Eccleston (Greater Manchester Police)
A. Johnson (Premises Licence Holder)

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 or press were in virtual attendance.

1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by B. Thomson (Assistant Director of Public Protection & Resilience) and M. Bridge (Licensing Unit).

2 DECLARATIONS OF INTEREST

There were no declarations of interest submitted.

3 AN APPLICATION FROM GREATER MANCHESTER POLICE FOR A SUMMARY REVIEW OF THE PREMISES LICENCE IN RESPECT OF OVERDRAUGHT, 28-30 BLACKBURN STREET, RADCLIFFE, M26 1NQ

The Licensing Authority received an application by the Chief Constable of Greater Manchester Police in respect of the licensed premises the Overdraught, 28/30 Blackburn Street, Radcliffe, M26 1NQ. 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 was because the police believe that the premises are associated with serious crime and/or disorder. The Panel must consider whether interim steps are required pending a full summary review hearing.

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 Deputy Licensing Unit Officer, Mrs L. Bell.

The options available were:

- 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.

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 for the review of the licence to be fast tracked

A 10 working-day public consultation exercise is 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 to be 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 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.

The premises licence in respect of Overdraught has been held by Alistair Johnson since the 18th April 2011, he has also been the Designated Premises Supervisor from the same date.

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

The Local Authority is required to consider whether 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 licence holder.

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 4 showed the current licensable activities and conditions.

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 01:21 hours on Sunday 9th November 2025, Greater Manchester Police received a report of a serious assault whereby a customer had been hit over the back of the head with a pool cue at Overdraught, 28-30 Blackburn Street, Radcliffe.

Witness statements are in the process of being obtained and the premises CCTV footage has been reviewed by attending officers. The circumstances of this incident are at approximately 01:14 hours, the perpetrator has been playing pool when he was approached by the victim. A conversation takes place between the two at which point the perpetrator strikes the victim with the pool cue. The licensee, intervenes and briefly splits the pair apart before being approached by the perpetrator once again and sustains several blows to the back of the head with the pool cue before all parties are ejected from the premises.

According to the witness, the assault has continued outside the premises a short distance away and it is alleged that the victim has been struck again by a pool cue following which a call has been made to the police to report the incident.

Officers have attended the scene and the licensee has voluntarily closed for the remainder of the evening whilst the initial investigation began. Officers report that there was no blood present at the scene.

The victim has received a deep laceration to the back of the head and a large swelling to his forearm which at the time officers believed to be broken. The victim was taken to hospital where he had to be sedated following having a seizure whilst in the Accident and Emergency Department. Officer reported from hospital that scans had been completed and fortunately there was no lasting injuries.

CCTV enquiries with Bury Council were conducted on the night however the coverage of Radcliffe Town Centre has been impacted due to the regeneration work and as such the assault outside has not been visible however the footage does capture the victim and his friend, walking down Church Street West from the direction of Blackburn Street, under the Metrolink bridge before officers are able to locate them at the junction of Bury Road and Pine Street.

At the end of March 2025, there was a report of a violent disorder within the premises whereby a male customer had been hit over the head with a glass bottle during a dispute with another customer near to the pool table. Following this incident, a meeting was arranged with Mr Johnson, Laura Bell from the Licensing Authority and myself. This was followed up with a written action plan which was emailed to Mr Johnson on the 3rd April 2025 and was included at Appendix D in the agenda pack.

A criminal offence of intending to cause grievous bodily harm has been recorded with the investigation in its infancy. It is my opinion that an expedited review of the premises licence is necessary to allow the licensing authority to review this incident, impose any interim steps and review the premises licence to prevent such incidents occurring in the future.

CCTV footage from the premises was shared with the Committee and played to those in attendance with PC Eccleston highlighting key points of interest from the clips. There was no audio with the footage and this was a recording via a body worn camera viewing a screen linked to the CCTV system. Full footage had not yet been obtained as part of the on-going investigation.

Medical notes were also not available at present nor were statements or photographs from the victim.

The Chair asked for clarification that the people involved in this incident were not the same people in relation to a previous hearing in early 2024. It was confirmed this was not the case.

Members also expressed compassion for the victim although no medical update could be provided but they were local to the area.

A Member asked how many SIA door staff need to be on the licence and it was reported none.

A question was asked if the premises reported the incident inside the premises to the police and it was stated no call was made to the police.

It was confirmed upon questioning that polycarbonate glasses had been introduced from 9.00pm as detailed on the 3rd April action plan although the closure of pool games from 10.00pm had not been adhered to.

The premises closed early after the police became involved but this was only 25 minutes before closure time.

The Legal advisor in summarising Members discussions and questions confirmed with GMP that there had been 3 incidents of violence in short period of time. The view of GMP was that given the number of violent incidents at the premises, Mr Johnson had not maintained public safety. It was felt he had too many roles at the premises to take the required responsibility. The opinion of GMP was that if door staff had been present then the incident was likely to have not occurred or may have been prevented.

A Member asked if any checks had been conducted on the recommendations of the April letter and it was reported no enforcement checks had been undertaken with a visit conducted in September this year.

Members asked for clarity on the role of a SIA registered door supervisor and this information was provided by GMP.

The premises licence holder, Mr A. Johnson stated the stabbing incident was nearly 2 years ago and this took place outside the premises with one of the offenders entering briefly but never purchasing a drink whilst the other remained outside. The second incident involving a bottle attack was reported by himself and not the victim.

He explained he did not call the police on this latest occasion as when at the bar area, the swinging of the pool cut never hit the person who later became a victim outside, so no one was injured. An account of the evening was provided and the Pool cue was taken off the male who was using it as a weapon and the other male left the unscrewed pool cue on a table near

the door which a barmaid picked up. The two males and female companion left the premises unarmed after the later victim and friend had left the premises a short time before.

Mr Johnson explained the victim had been bothering other customers earlier in the evening so he had spoken to him about his behaviour and after the pool cue incident he ushered him out of the premises and thought a situation had been averted with no injuries so the police were not informed. A door supervisor would not have made a difference as no one left with any pool cues. After this latest incident Mr Johnson had booked himself door supervision refresher training. He stated the polycarbonate glasses were in place but offered an apology for the pool table still being used and would accept the 10pm condition on the licence.

Mr Johnson added a new camera would be installed outside and along with upgrading 4 new internal cameras. He gave an overview of his roles at the premises when open for business and the doors closed at 11.30pm so door supervisors were not required even though the bar was open until 2.00am.

Members asked if any conversations could be heard from the victim or aggressors and it was reported no.

A Member asked Mr Johnson if he understood the role of a door supervisor and did he undertake those required duties on the evening in question. Other Members questioned how he operated the premises during an evening and an overview was provided to the meeting of his range of duties.

Mr Johnson alleged that the police officer in attendance later that evening had told him not to worry and he had done everything correctly.

Mr Johnson said in September he had placed a board over the pool table and locked cues away after 10.00pm for a few weeks but due to there being no pool related incidents he felt this was unnecessary.

It was revealed that some customers on rare occasions leave the premises with drinks remaining in the polycarbonate glasses.

A discussion took place about the pool teams that play on in leagues on certain nights at the premises.

The Legal advisor questioned how much experience Mr Johnson had of running a licensed premises and had he been socialising that evening at the bar or was he working, as he was viewed on CCTV sitting with customers. Mr Johnson stated he knew many regular customers and intervened in the incident once he was aware of the situation.

From discussions the premises was viewed as a local nightspot for frequenting when other licensed premises in the area closed, which could attract customers who had been drinking for a considerable period of time beforehand.

A question was raised if the later victim was drunk in the premises and it was stated by Mr Johnson that he seemed hyper but this could be due to a medical condition.

PC Eccleston summed up on behalf of GMP that Mr Johnson does not want door staff due to the associated costs but there was a risk to public safety with the number of violent related incidents. People are leaving other premises in the area to gain entry before the 11.30pm door closure to continue drinking and there were no checks at the door for levels of intoxication. The measures requested were appropriate as Mr Johnson requires help and support.

L. Bell from the Licensing Unit had nothing further to add.

Mr Johnson in his closing remarks was acceptable to the proposed extra conditions with the exception of the pool table being removed from the premises. He was happy to employ another door supervisor with himself obtaining a badge. If he was not present at the premises for whatever reason there would be 2 door staff on duty.

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 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 **resolved to modify the conditions of the licence with immediate effect** in order to promote the licensing objectives.

The Sub-Committee was therefore satisfied that there was sufficient evidence to mean immediate interim steps were necessary for amendments to the current premises licence under the licensing objectives recommended by GMP for the Prevention of Crime and Disorder:-

In addition to the current conditions:-

- A SIA registered door company will be employed by the License Holder / Designated Premises Supervisor. A minimum of two door supervisors will be employed between the times of 9pm until close of business every Friday, Saturday, Sunday of bank holidays and other key dates throughout the year including but not limited to Good Friday, Christmas eve, Boxing Day, New Years Eve.
- The Designated Premises Supervisor or on-duty manager must ensure that all door supervisors on duty at the premises are correctly displaying their current SIA accreditation and are briefed on their responsibilities and relevant company operating procedures before they commence duty.
- Any door supervisors on duty at the premises must be supplied by an SIA-Approved Contractor Scheme company.
- No further games of pool will be allowed from 10.00pm and all cues and balls will be securely stored either within the table itself or office.

- From 9pm onwards, all glassware will be swapped out for polycarbonate and all glass bottles will be decanted into said polycarbonate glasses.
- Frequent glass collecting throughout the evening to prevent any glassware being used as potential weapons.
- CCTV system to be reviewed and upgraded where required to ensure all CCTV cameras are able to record HD format at a minimum of 24 frames per second with enough storage capacity for a minimum of 28 days footage. CCTV cameras to be installed on external walls to cover all entrances/exits. DPS must ensure that the CCTV equipment has a constant and accurate date and time generation as well as regularly serviced at 3 monthly intervals which should be recorded. Said records must be made available for inspection by a police officer or authorised officer of the Licensing Authority upon request

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

- The prevention of crime and disorder

The reasons by the sub-committee, included:-

- Lack of confidence with the management of the premises.
- This was the 3rd serious incident related to the premises under a 2-year period.
- Previous advisory letters not adhered to in full.
- No industry standard door supervision in place for entry or exit of the premises.

The Full review would be held on the 3rd December at 10.30am.

COUNCILLOR T RAFIQ
Chair

(Note: The meeting started at 10.30am and ended at 12.50pm)

This page is intentionally left blank