

Classification	Item No. 3
Open / Closed	

Meeting:	Licensing Hearings Sub-Committee
Meeting date:	12 March 2025
Title of report:	An application from a Responsible Authority for a review of the premises licence under the Licensing Act 2003 in respect of Overdraught, 18/20 Blackburn Street, Radcliffe, M26 1NQ
Report by:	Executive Director (Corporate Core)
Decision Type:	Council
Ward(s) to which report relates	Radcliffe East

Executive Summary:

This report relates to an application pursuant to section 51 of the Licensing Act 2003 from a Responsible Authority for a review of the premises licence in respect of Overdraught, 28/30 Blackburn Street, Radcliffe, M26 1NQ

Recommendation(s)

That:

- The Licensing Authority recommend that the review of the premises licence in respect of Overdraught, 28/30 Blackburn Street, Radcliffe, M26 1NQ is determined due to the previous two summary reviews in respect of these premises and the recent change of premises licence holder and the variation of designated premises supervisor at the premises.
 - To revoke the licence
 - To suspend the licence for a period not exceeding three months
 - To remove the Designated Premises Supervisor
 - To exclude a licensable activity from the scope of the licence
 - To modify the conditions of the licence

1.0 BACKGROUND

- 1.1 The Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations are 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
- 1.3 At the time of the submission of this review application, the Premises Licence in respect of Overdraught, 28/30 Blackburn Street, Radcliffe, M26 1NQ, is held by Mr Alistair Johnson, 12 Ampleforth Gardens, Radcliffe, M26 3PH. He is also the designated premises supervisor. See Appendix 1.
- 1.4 Members may recall that Greater Manchester Police submitted a Summary Review (Expedited) on the 10 January 2024 due to them believing that the premises were associated with serious crime and/or disorder.
- 1.5 On 12 January 2024, a Licensing Hearings Sub Committee interim steps hearing was held, following receipt of the Summary Review application from Greater Manchester Police, Members of the Licensing and Safety Panel considered whether interim measures should be taken in respect of the Premises Licence for the purpose of promoting the Licensing Objectives.
- 1.6 The Panel resolved that to promote the said licensing objectives, it was necessary to impose interim steps and that they must modify the conditions of the licence. The reasons for the Sub-Committee's decision are attached at Appendix 2
- 1.7 Following the interim steps hearing, a full review of the premises licence was placed before the Licensing Hearings Sub-Committee on the 2 February 2024 for consideration.
- 1.8 The Sub-Committee carefully considered the representations and evidence provided which demonstrated serious crime and disorder. It was therefore unanimously resolved to modify the conditions of the licence to promote the licensing objectives.

The Sub-Committee also reviewed the interim steps and unanimously resolved to withdraw the interim steps in place due to these being included as new conditions on the licence. The reasons for the Sub-Committee's decision are attached at Appendix 3.
- 1.9 Members may recall that Greater Manchester Police submitted a Summary Review (Expedited) on the 11 November 2025 due to them believing that the premises were associated with serious crime and/or disorder.
- 1.10 On 13 November 2025, a Licensing Hearings Sub Committee interim steps hearing was held, following receipt of the Summary Review application from Greater Manchester Police, Members of the Licensing and Safety Panel considered whether interim measures should be taken in respect of the Premises Licence for the purpose of promoting the Licensing Objectives.

- 1.11 The Sub-Committee carefully considered the representations and evidence provided which demonstrated serious crime and disorder. It was therefore unanimously resolved to modify the conditions of the premises licence to promote the licensing objectives. The reasons for the Sub-Committee's decision are attached at Appendix 4.
- 1.12 Following the interim steps hearing, a full review of the premises licence was placed before the Licensing Hearings Sub-Committee on the 3 December 2025 for consideration.
- 1.13 The Sub-Committee carefully considered the representations and evidence provided which demonstrated serious crime and disorder. It was therefore unanimously resolved to modify the conditions of the premises licence to promote the licensing objectives.

The Sub-Committee also reviewed the interim steps made on the 13 November 2025 and unanimously resolved to keep the interim steps in place noting the slight amendments underlined in bold to add as the new conditions on the licence.

The Sub-Committee was therefore satisfied that there was sufficient evidence to mean modifications were necessary for some amendments to the current premises licence under the licensing objectives recommended by GMP, for the Prevention of Crime and Disorder, see Appendix 5.

- 1.14 The representation period for the review application ended at midnight on the 17 February 2026.
- 1.15 On the 17 February 2026, an application to transfer the premises was received to remove Mr Alistair Scott Johnson as premises licence holder to Overdraughtrad Limited, 28-30 Blackburn Street, Radcliffe, M26 1NQ. The transfer application was accepted on the 18 February 2026. This application has a 14 day representation period for the police to make representations if they believe the crime prevention objective would be undermined.
- 1.16 On the 19 February 2026, an application to vary the Designated Premises Supervisor from Mr Alistair Johnson to Mr Rhyse Lewis Cathcart, 9 Morris Street, Radcliffe, M26 2HF. Mr Cathcart is the Director of the company named in the transfer application above.
- 1.17 Members should note that both applications for the transfer and the variation of the Designated premises supervisor have been marked with immediate effect.

2.0 PROCEDURE

- 2.1 The Responsible Authority has complied with all the necessary procedural requirements laid down by the Act.
- 2.2 As part of the statutory process the Responsible Bodies and interested parties are entitled to make representations in relation to the review of a licence. The Licensing Authority has given Notice of the application by placing a Notice on

the premises, at the Council Offices and on the Council web site. Where further representations are made by either the Responsible Authorities or from local residents / businesses and not withdrawn, Members are required to determine them.

- 2.3 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

3.0 CURRENT LICENSABLE ACTIVITIES

3.1 The current licensable activities are as follows:

a. Retail Sale of Alcohol (On and Off the Premises)

Monday to Wednesday	11.00 to 23.00
Thursday to Saturday	11.00 to 02.00
Sunday (including Easter Sunday)	12.00 to 22.30

Non Standard Timings

Sundays prior to Bank Holiday	11.00 to 02.00
Except Easter Sunday	
Other Bank and Public Holidays	See Embedded Conditions

b. Provision of Late Night Refreshment (Indoors)

Thursday to Saturday	23.00 to 02.30
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Non Standard Timings

Sundays prior to Bank Holiday	23.00 to 02.30	Except Easter Sunday
Other Bank and Public Holidays	See Embedded Conditions	

c. Provision of Recorded Music (Indoors)

Monday to Wednesday	11.00 to 23.00
Thursday to Saturday	11.00 to 02.00
Sunday (including Easter Sunday)	12.00 to 22.30

Non Standard Timings

Sundays prior to Bank Holiday	11.00 to 02.00	Except Easter Sunday
Other Bank and Public Holidays	See Embedded Conditions	

d. Provision of Live Music (Indoors)

Monday to Wednesday	11.00 to 23.00
Thursday to Saturday	11.00 to 02.00
Sunday (including Easter Sunday)	12.00 to 22.30

Non Standard Timings

Sundays prior to Bank Holiday Sunday	11.00 to 02.00 Except Easter Sunday
Other Bank and Public Holidays	See Embedded Conditions

4.0 The conditions attached to the premises licence are contained with Appendix 6.

5.0 SECTION 182 LICENSING ACT GUIDANCE (February 2025)

Section 10.2 states the following: -

Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question. Failure to comply with any condition attached to a licence or certificate is a criminal offence, which on conviction is punishable by an unlimited fine or up to six months' imprisonment. The courts have made clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided.

Section 11.24 states the following: -

A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

Section 11.26 states the following: -

Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty

is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

Section 11.27 states the following: -

There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- For the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;

Section 11.28 states the following: -

It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

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.

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:

Mr M Bridge
Licensing Office
Town Hall
Bury
Telephone No: 0161 253 5209
Email: m.bridge@bury.gov.uk

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

Review application for Off Licence

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I PC 15913 Pete Eccleston

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

OverDraught
28/30 Blackburn Street
Radcliffe

Post town Bury

Post code (if known) M26 1NQ

Name of premises licence holder or club holding club premises certificate (if known)

Mr Alistair Johnson

Number of premises licence or club premises certificate (if known)

PL0014

Part 2 - Applicant details

I am

Please tick ✓
yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below) ☐

2) a responsible authority (please complete (C) below) ☒

3) a member of the club to which this application relates (please complete (A) below) ☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other
title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes
☐

**Current
postal
address if
different
from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address PC 15913 Peter Eccleston Greater Manchester Police Bury Police Station Dunster Road Bury BL90RD
Telephone number (if any) 07774219071
E-mail address (optional) peter.eccleston@gmp.police.uk

This application to review relates to the following licensing objective(s)

- | | |
|---|-------------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | ☒ |
| 2) public safety | ☒ |
| 3) the prevention of public nuisance | ☐ |
| 4) the protection of children from harm | ☐ |

Please state the ground(s) for review (please read guidance note 2)

Information came to light that the premises was involved in the sale / supply of alcohol beyond the times stated within the operating schedule of the premises license.

Enquiries have been made with the premises and discussions have taken place with the premises license holder / designated premises supervisor who acknowledged he authorised the sale/supply of alcohol after permitted hours when he knew full well, he was wrong to do so.

The premises has previously undergone two expedited reviews following two incidents of serious crime and disorder in just under 2 years.

Please provide as much information as possible to support the application (please read guidance note 3)

The premises has undergone two expedited reviews and subsequent full reviews in just under two years following incidents of serious crime and serious disorder.

On the last full review hearing which took place on the 3rd December 2025, the licensing sub-committee made the decision to impose additional conditions on the premises license which to Greater Manchester Police's knowledge has been upheld following a number of checks that had been conducted on the run up to the festive period.

It is only when PC Eccleston has returned to work following a period of leave, that he has become aware of information suggesting OverDraught was still open and was involved in the sale / supply of alcohol well beyond the permitted hours as per the operating schedule of the premises license on Saturday 20th December 2025 in order to show the boxing match between Jake Paul and Anthony Joshua. At no point had a Temporary Events Notice been submitted.

Following this information coming to light, PC Eccleston contacted the license holder and designated premises supervisor, Mr Alistair Johnson by phone on Friday 9th January 2026. During the telephone conversation, Mr Johnson acknowledged that once most customers had left at the normal time, he closed and locked the door leaving two or three of his friends remaining in the premises to watch the fight. To establish what exactly had occurred, PC Eccleston tried to make arrangements to view the venues CCTV footage however, Mr Johnson wasn't available at that time and therefore alternative arrangements were made for the following week.

Following this telephone conversation, Mr Johnson sent PC Eccleston a still image of his CCTV system recording from 03:27 hrs on Saturday 20th December 25. The image clearly shows at least 12 individuals still inside the venue with an assortment of glasses (predominately pint glasses) at varying levels of volume suggesting alcohol was still being sold / supplied and consumed on the premises.

As a consequence, PC Eccleston recontacted Mr Johnson and during this second conversation, Mr Johnson has openly acknowledged that there were several people still in the premises after 02:30hrs to watch the boxing. Those still present included himself, members of his family, bar staff and several close friends for which he has authorised the sale / supply of alcohol too. PC Eccleston informed Mr Johnson that regardless of his intentions, or who was present, licensable activity is only authorised up to a certain point as per the premises license and therefore required to see the premises CCTV recordings. PC Eccleston attempted to make arrangements to view the footage on Monday 12th January however Mr Johnson stated that he was unavailable and as such, PC Eccleston initially arranged to attend the venue on Wednesday 14th January however as a change of plan, PC Eccleston sent Mr Johnson an online link which could be used to upload the premises CCTV

footage. The request was for him to upload footage from 02:00hrs – 03:00hrs and 04:15hrs - 05:30hrs on the day in question which he duly complied with.

The submitted CCTV footage has been reviewed by PC Eccleston and the findings are summarised below:

- 02:00hrs = Several customers are still inside the premises finishing drinks.
- 02:50hrs = Pint being served over the bar to customer.
- 02:54hrs = Female lights cigarette and smoking inside premises.
- 02:56hrs = Male lights cigarette and smoking inside premises.
- 03:00hrs = Male customer being passed two drinks over the bar.
- 04:20hrs = Male observed walking away from the bar with a pint.
- 04:23hrs = Another male seen walking away from the bar with a pint.
- 04:24hrs = Male seen smoking cigarette at table.
- 04:26hrs = Customer smoking inside the premises.
- 04:28hrs = Female seen purchasing drinks and walking away from the bar with glasses
- 04:31hrs = Purchase of drinks and transactions visible (x2).
- 04:33hrs = Bar staff seen placing drinks on bar and pint taken to table.
- 04:35hrs = Drink taken off the bar.
- 04:42hrs = Smoking at table by customer.
- 05:14hrs = Last customer seen leaving with staff and family members remaining in the bar.
- 05:19hrs = Bar staff leaves.
- 05:25hrs = DPS leaves the premises after everyone else has left.

Following the review of CCTV footage, PC Eccleston has recontacted Mr Johnson on Wednesday 14th January 2026 and explained that a review of the premises license would be applied for based off the evidence obtained from the CCTV review. During the conversation, Mr Johnson was pleading with PC Eccleston not to review the premises license. PC Eccleston, explained to Mr Johnson that given his experience of 15 plus years in the trade, the circumstances of this incident, he had seriously undermined the licensing objectives and should know better than to have a 'lock in' as well as allowing individuals to smoke cigarettes inside the premises. Mr Johnson replied by stating that he allowed the sale of alcohol due to being closed on some of the key dates over the Xmas period and as such wanted to bring in some extra revenue to help cover the shortfall.

Given the serious breach of license, Greater Manchester Police feel that it is necessary to bring this incident to the attention of the Licensing Sub-Committee. Although Mr Johnson has openly admitted to his failings and he appears to be taking full responsibility, given that the premises has had 2 expedited reviews in just over 2 years, you would expect a very different approach from someone with his experience. Ultimately, Mr Johnson has knowingly undermined the licensing objectives and allowed this breach to

occur, knowing full well that there could be ramifications including but not limited to the suspension / revocation of the premises license.

The evidence to be used in this review application is as follows and will be circulated in due course:

1. Appendix A – Still image of OverDraught's CCTV footage provided by Mr Johnson
2. Appendix B – OverDraught's CCTV footage provided by Mr Johnson

Please tick ✓ yes

Have you made an application for review relating to the premises before



If yes please state the date of that application

Day Month Year

1	1	1	1	2	0	2	5
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If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

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

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature  PC 15913
.....

Date **20/01/26**
.....

Capacity **Responsible Authority – GMP licensing Officer**
.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Data Protection agreement

In this form, we may ask for some personal information (such as name, address, date of birth, etc.) in order to fulfil your request for information or services.

This information will be held securely and will be used to provide you with the service you have requested.

Any processing will be performed in line with the requirements of the Data Protection Act 2018 and the General Data Protection Regulation.

Bury Council is the Data Controller for the information you give us. Further details about how we process personal data can be found in our privacy notice at: <https://www.bury.gov.uk/privacy>

Consent

I consent to the Council capturing and storing the personal details in this form for providing the service requested. I understand that I can request for my details to be removed from your records

Signed Applicant  PC 15913. _____ Date 20/01/26

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Privacy Policy

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.

Appendix Two

Minutes of Interim Steps Hearing 12 January 2024

Minutes of: LICENSING HEARING SUB COMMITTEE

Date of Meeting: 12th January 2024, 10.30am

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

M. Bridge (Licensing Unit Manager)
M. Cunliffe (Democratic Services)
R. Thorpe (Legal Services)

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

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 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 Licensing Unit Manager, Mr M. Bridge.

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 revoke the licence.

Attention was drawn to background papers which included:

Current Premises Licence

Section 53A application, Certificate and supporting evidence

Bury Council's Licensing Policy

Guidance issued under Section 182 of the Licensing Act 2003

Licensing Act (Hearings) Regulations 2005

On the 10th January 2024, Greater Manchester Police submitted an application to the Licensing Authority for a Summary Review in respect of the Overdraught, 28/30 Blackburn Street, Radcliffe, M26 1NQ, because they believed that the premises was associated with Serious Crime and/or Disorder. The Licensing Authority must consider whether interim steps are required pending a full summary review hearing.

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 a fast-track licence review.

A 10 working-day public consultation exercise will be 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 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 any 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 the Overdraught has been held by Mr Alistair Scott Johnson since the 4th April 2011. Mr Johnson is the Designated Premises Supervisor since the 4th April 2011.

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

Within 48 hours of receiving a summary review application, under s53B of the Licensing Act 2003 the licensing authority must consider whether it is necessary to take interim steps pending the review of the licence for the promotion of the licensing objectives.

The Local Authority is required to consider what 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 A was the Application by Greater Manchester Police for the Summary Review. Appendix B was the Certificate issued by the Chief Superintendent respectively.

The Premises Licence attached to the agenda pack at Appendix C. showed the current licensable activities and conditions.

Greater Manchester Police had supplied CCTV footage of the incident. This had been circulated to the Members of the Committee and the Premises Licence Holder prior to the hearing for viewing purposes.

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 00:16 hours on Saturday 6th January 2024, Greater Manchester Police received a report of a stabbing at Overdraught, 28-30 Blackburn Street, Radcliffe.

Witness statements have been obtained and the premises CCTV footage has been reviewed. The circumstances of this incident are at approximately 23:45 hours, two male perpetrators have entered the above licensed premises. Police are not aware of any incidents occurring inside however upon exiting, approximately 10 minutes later, a conversation has taken place between the perpetrators and other customers. At

present, the content of those conversations are unknown however a fight has ensued near to the main entrance/exit.

Witnesses to the incident report seeing a 2inch blade being used by one off the perpetrators and two other customers who were victim to the attack received some serious injuries which included:

Victim 1: 2cm laceration to the left side of his face, close to the eye socket and a 6cm laceration to his left arm, just below the elbow. Swollen right elbow.

Victim 2: 2cm laceration to the back of the head, close to the base of the skull.

Both victims required hospital treatment, one of which fell unconscious and unresponsive later in the morning.

No door supervision were on duty at the time of this incident and although the premises license does not require the employment of door supervisors on a weekly basis, it is my opinion that this incident may have been avoided had they been employed. For that reason It is my opinion that an expedited review of the premises is necessary to allow the licensing authority to review/amend the license conditions and prevent a reoccurrence of such serious crime and disorder in the future.

CCTV footage from the premises which had been previously shared with the Committee was played to those in attendance with PC Eccleston highlighting key points of interest from the clip. There was no audio with the footage.

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 with the searching of patrons as they entered the premises.

The premises licence holder, Mr A. Johnson questioned if the second victim had been stabbed by a knife and it may have been a ring that had caused the injury via a stabbing like motion.

Members questioned PC Eccleston and GMP were of the opinion that door staff could have found the knife upon searches whilst the offenders entered and it could have been seized with the individuals refused entry. It would also act as a visual deterrent for anyone carrying a weapon helping to prevent such incidents.

Members asked if other CCTV footage from the town centre was available and it was confirmed other cameras were not close enough to aid the investigation.

A discussion took place on the difference between people loitering and smoking outside the premises. Mr A. Johnson explained he usually locked the front door at 11.30pm and smokers would use the rear yard.

It was also confirmed that the timings displayed on the CCTV were not set to the correct time the incidents occurred.

A condition on the licence relating to challenging anyone under the legal age of 18

was thought to need clarification with Challenge 21 – 25, listed when the best practice scheme was Challenge 25.

PC Eccleston confirmed there was no previous history of incidents at the premises and considered Mr Johnson to be a good licence holder. There had been no issues obtaining the CCTV and Mr Johnson had fully cooperated with GMP on the night in question.

The Council's legal representative asked if there were any other incidents reported on file and PC Eccleston stated the police system had no other details involving patrons at this venue since their system was upgraded in 2019. There was no evidence to suggest drug dealing and the 2 offenders had met the victims for the first time that evening and it was unknown if they were local or from outside the area.

The Chair confirmed that the incident met the criteria for serious crime with the bladed article causing the injuries to the 2 victims.

Mr Johnson repeated his viewpoint that the second victim was not injured by the knife as this had been dropped in the first attack. He had been at the venue for 13 years and was a front of house person collecting glasses. He supervised the doors himself in an unregistered capacity and since the incident had enrolled himself and a friend on a course between the 5th-10th February to become SIA registered.

Financial details were provided at the meeting and if door staff were employed the bar would not be a viable business to run with little profit to be made. Mr Johnson felt he was a good person to run the business and after 13 years and helped the local community giving examples of people he had aided with personal situations.

Mr Johnson added that on a Monday night the venue was closed to host a mental health charity with free pool, tea and coffee whilst any gambling machines were turned off. He clarified to the Licensing Unit Manager that the venue closed at 9.00pm on a Tuesday, Wednesday and Thursday.

A discussion as part of the summing up process centred around possible amendments to the licence conditions with suggestions around doors being closed and a drinking up time after the closing time was reached. The Licensing Unit Manager clarified that some aspects of the licence may be historic from being granted by the Magistrates Court in the past.

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 unanimously **resolved to modify the conditions of the licence** in order to promote the licensing objectives.

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

Prevention of Crime and Disorder:-

An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised Officer of the licensing authority, which will record the following incidents including pertinent details:

- a- all crimes reported to the venue, or by the venue to the police
- b- all ejections of patrons
- c- any incidents of disorder
- d- any faults in the CCTV system
- e- any visit by a relevant authority or emergency service

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:-

- The internal smoke machine and laser lights obscuring images taken from the internal CCTV camera which was listed under condition number 6 for the current premises licence under the prevention of crime and disorder.
- The quality of images from the external CCTV could be improved and an additional camera may be required or the existing CCTV re-positioned.

While the panel did not feel any additional conditions were necessary on an interim basis, it was noted that further conditions on the licence could be agreed or finalised at the full review hearing.

COUNCILLOR G. MCGILL
Chair

(Note: The meeting started at 10.30am and ended at 12.38pm)

Appendix Three

Minutes of Full Review Hearing 2 February 2024

Minutes of: LICENSING HEARING SUB COMMITTEE

Date of Meeting: 2nd February 2024, 10.00am

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

M. Bridge (Licensing Unit Manager)
M. Cunliffe (Democratic Services)
O. Osinuga (Legal Services)

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

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. 1 member of the public was in virtual attendance.

APOLOGIES FOR ABSENCE

Apologies were submitted by B. Thomson, (Head of Public Protection).

<AI1>

DECLARATIONS OF INTEREST

There were no declarations of interest submitted although 2 Members of the Committee placed on record that they were Councillors in the Radcliffe area. Only one of them had visited the premises but that visit was not recent.

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 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 Licensing Unit Manager, Mr M. Bridge.

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 for a period not exceeding 3 months.
- To revoke the licence.

Following the review under section 53C, Members of the Licensing Hearings Sub-Committee must review the interim steps that are currently 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.

Attention was drawn to background papers which included:

Current Premises Licence

Section 53A application, Certificate and supporting evidence

Licensing Hearing Sub Committee Minutes (Interim steps hearing) 12th January 2024

On the 10th January 2024, Greater Manchester Police submitted an application to the Licensing Authority for a Summary Review in respect of the Overdraught, 28/30 Blackburn Street, Radcliffe, M26 1NQ, because they believed that the premises was associated with Serious Crime and/or Disorder.

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 a fast-track licence review.

A 10 working-day public consultation exercise had been 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 published on the Council's website.

Within 48 hours of receiving a summary review application, under s53B of the Licensing Act 2003 the licensing authority must consider whether it is necessary to take interim steps pending the review of the licence for the promotion of the licensing objectives

On the 12th January 2024, a Licensing Hearings Sub Committee interim steps hearing was held, following receipt of the Summary Review application from Greater Manchester Police, Members of the Licensing and Safety Panel considered whether interim measures should be taken in respect of the Premises Licence for the purpose of promoting the Licensing Objectives.

The Panel resolved that in order to promote the said licensing objectives, it was necessary to impose interim steps and that it must modify the conditions of the licence. The reasons for the Sub-Committee's decision are attached at appendix one.

The premises licence holder may make representations against the interim steps taken by the licensing authority. Under s53B of the Licensing Act 2003 the licensing authority must within 48 hours of the time of its receipt of the representations, hold a hearing to consider those representations.

The premises licence holder had not made representations against the interim steps taken by the licensing authority.

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 any 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 the Overdraught has been held by Mr Alistair Scott Johnson since the 4th April 2011. Mr Johnson is the Designated Premises Supervisor since the 4th April 2011.

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

The Panel will make a decision on the day of the hearing and the parties will be notified of that decision and the reasons for it.

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 2 was the Application by Greater Manchester Police for the Summary Review. Appendix 3 was the Certificate issued by the Chief Superintendent respectively.

Greater Manchester Police had supplied CCTV footage of the incident. This had been circulated to the Members of the Committee and the Premises Licence Holder prior to the hearing for viewing purposes.

As part of the statutory process the Responsible Authorities and interested parties are entitled to make representations in relation to the review of a licence. The Licensing Authority has given Notice of this review by placing a Notice on the premises, at the Council Offices and on the Council website. Where further representations are made by either the Responsible Authorities or from local residents / businesses and not withdrawn, Members are required to determine them. The Greater Manchester Police will give evidence at the hearing.

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
- d. Protection of children from harm

The Licensing Service have received from the Premises Licence Holder Mr Johnson the following documentation: -

- Emergency First Aid Certificate
- Invoice for the SIA Door Supervision Training booked for 5 February 2024

These were attached as Appendices 5 and 6 in the agenda pack.

The Premises Licence attached to the agenda pack at Appendix 4, showed the current licensable activities and conditions.

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.

The Sub-Committee must consider what steps are appropriate for the promotion of the licensing objectives taking into account any change in circumstances since any interim steps were imposed, any relevant representations, and review the interim steps already taken.

The Sub-Committee is asked to 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.

PC P. Eccleston from Greater Manchester Police provided a summary of the application for a review at the meeting.

At 00:16 hours on Saturday 6th January 2024, Greater Manchester Police received a report of a stabbing at Overdraught, 28-30 Blackburn Street, Radcliffe.

Witness statements have been obtained and the premises CCTV footage has been reviewed. The circumstances of this incident are at approximately 23:45 hours, two male perpetrators have entered the above licensed premises. Police are not aware of any incidents occurring inside however upon exiting, approximately 10 minutes later, a conversation has taken place between the perpetrators and other customers. At present, the content of those conversations are unknown however a fight has ensued near to the main entrance/exit.

Witnesses to the incident report seeing a 2inch blade being used by one off the perpetrators and two other customers who were victim to the attack received some serious injuries which included:

Victim 1: 2cm laceration to the left side of his face, close to the eye socket and a 6cm laceration to his left arm, just below the elbow. Swollen right elbow.

Victim 2: 2cm laceration to the back of the head, close to the base of the skull.

Both victims required hospital treatment, one of which fell unconscious and unresponsive later in the morning.

No door supervision were on duty at the time of this incident and although the premises license does not require the employment of door supervisors on a weekly basis, it is my opinion that this incident may have been avoided had they been employed. For that reason, it is my opinion that an expedited review of the premises is necessary to allow the licensing authority to review/amend the license conditions and prevent a reoccurrence of such serious crime and disorder in the future.

CCTV footage from the premises which had been previously shared with the Committee was played to those in attendance with PC Eccleston highlighting key points of interest from the clip. There was no audio with the footage which made it harder to understand what may have started the incident.

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 with the searching of patrons as they entered the premises. The venue traded like a nightclub and if this was in Bury Town centre, door staff would be required as part of the licence. The location was in isolation and away from regular police patrols.

PC P. Eccleston presented to the hearing what conditions they would like to be placed on the licence such as door staff, searches, prevention of loitering, challenge 25 scheme, incident logs, last entry and door closures by a set time.

The premises licence holder, Mr A. Johnson showed to the hearing via his camera, a metal detector body scanner which had been purchased to aid with any searches required.

Members questioned PC Eccleston on the incident and what measure could help prevent a repeat. Clarification was also sought on the term loitering and the law in relation to carrying a bladed article in public.

GMP were of the opinion that door staff could have found the knife upon searches whilst the offenders entered and it could have been seized with the individuals refused entry. It would also act as a visual deterrent for anyone carrying a weapon helping to prevent such incidents.

Upon questioning by the Chair, PC Eccleston confirmed there was no previous history of incidents at the premises in the last 5 years apart from one assault on Mr Johnson who he considered to be a good licence holder. There had been no issues obtaining the CCTV and Mr Johnson had fully cooperated with GMP on the night and since the incident.

Mr Johnson explained that he felt door staff were not necessary and reminded Members that himself and a friend were booked on a course between the 5th-10th February to become SIA registered and further educate themselves on customer safety. He

normally closed his doors at 11.30pm as he didn't want drunk customers with little money entering the premises after that time. Around 70% of his customers were regulars and body searches upon entering may be off putting for new and existing customers.

Mr R. Cathcart who was a former Councillor, was in attendance at the meeting and provided a supporting statement on behalf of Mr Johnson.

As part of the summing up process a discussion took place on possible amendments to the licence conditions.

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:

- 5) the prevention of crime and disorder
- 6) public safety
- 7) the prevention of public nuisance
- 8) 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 unanimously **resolved to modify the conditions of the licence** in order to promote the licensing objectives.

The Sub-Committee also reviewed the interim steps and unanimously **resolved to withdraw the interim steps in place due to these being included as new conditions on the licence.**

The Sub-Committee was therefore satisfied that there was sufficient evidence to mean modifications were necessary for some amendments to the current premises licence under the licensing objectives recommended by GMP, these were as follows: -

Prevention of Crime and Disorder: -

- An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or

an authorised Officer of the licensing authority, which will record the following incidents including pertinent details:

- f- all crimes reported to the venue, or by the venue to the police
- g- all ejections of patrons
- h- any incidents of disorder
- i- any faults in the CCTV system
- j- any visit by a relevant authority or emergency service

- All licensable activity is to cease half an hour prior to closure to allow drinking up time and the safe dispersal of patrons.

Prevention of Public Nuisance:-

- Management and staff are to use their best endeavours to prevent persons loitering outside the premises and to ensure that persons refused entry or ejected are asked to leave the vicinity of the premises.
- Those patrons who wish to smoke or vape would be directed to the beer garden at the rear of the premises.

Protection of Children from Harm:-

- The premises will operate a "Challenge 25" proof of age policy and signage to this 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.

An advisory issued by the Committee, included:-

- The quality of images from the external CCTV could be improved and an additional camera may be required or the existing CCTV re-positioned.

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
- Public safety
- Prevention of public nuisance

The reasons by the sub-committee, included:-

- The serious nature of the incident.
- The new measures would help prevent any similar incidents in the future.

COUNCILLOR G. MCGILL
Chair

(Note: The meeting started at 10.00am and ended at 12.10pm)

Appendix Four

Minutes of Interim Steps Hearing 13 November 2025

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

Minutes:

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.

Appendix Five

Minutes of Full Review Hearing 3 December 2025

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

Minutes:

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 the 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 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 from the scope of the licence any of the licensable activities to which application relates
- To remove the Designated Premises Supervisor from the licence
- To suspend the licence for a period not exceeding 3 months
- To revoke the licence

Following the review under section 53C, Members of the Licensing Hearings Sub-Committee must review the interim steps that are currently 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.

On the 11th November 2025, Greater Manchester Police submitted an application to the Licensing Authority for a Summary Review in respect of Overdraught.

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 a fast track licence review.

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.

Within 48 hours of receiving a summary review application, under s53B of the Licensing Act 2003 the licensing authority must consider whether it is necessary to take interim steps pending the review of the licence for the promotion of the licensing objectives.

On the 13th November 2025, a Licensing Hearings Sub Committee interim steps hearing was held, following receipt of the Summary Review application from Greater Manchester Police, Members of the Licensing hearings Sub-Committee considered

whether interim measures should be taken in respect of the Premises Licence for the purpose of promoting the Licensing Objectives.

The Panel resolved that in order to promote the said licensing objectives, it was necessary to impose interim steps and that these would be in the way of modifying the conditions of the licence. The reasons for the Sub-Committee's decision were attached at Appendix 1 of the agenda pack.

The premises licence holder may make representations against the interim steps taken by the licensing authority. Under s53B of the Licensing Act 2003 the licensing authority must within 48 hours of the time of its receipt of the representations, hold a hearing to consider those representations.

The premises licence holder had not made representations against the interim steps taken by the licensing authority.

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 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.

The Chief Superintendent had issued a certificate under section 53A (1)(b) of the Licensing Act 2003 in which he stated the following: -

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.

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.

Attached to the agenda packs at Appendix 2 was the Application by Greater Manchester Police for the Summary Review and Appendix 3 was the Certificate issued by the Chief Superintendent respectively.

The premises had been subject to a previous Summary Review that was brought by GMP on the 10th January 2024, the decision of the committee at that Hearing was to modify the conditions of the licence. The minutes for the Interim Steps Hearing held on the 12th January 2024 were attached at Appendix 4 of the agenda packs and the minutes for the Full Review Hearing held on the 2nd February 2024 were attached at Appendix 5 of the agenda packs.

As part of the statutory process the Responsible Authorities and interested parties are entitled to make representations in relation to the review of a licence. The Licensing Authority has given Notice of this review by placing a Notice on the premises, at the Council Offices and on the Council website. Where further representations are made by either the Responsible Authorities or from local residents / businesses and not withdrawn, Members are required to determine them. Greater Manchester Police would give evidence at this hearing.

There had been no further representations received.

The premises licence which detailed the current licensable activities and conditions was attached at Appendix 6 of the agenda packs.

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.

A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives:

- the prevention of crime and disorder
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

In considering the matter, the [Sub-Committee](#) should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant. In reaching the decision, regard must also be had to relevant provisions of the national guidance and the Council's licensing policy statement.

The Sub-Committee must consider what steps are appropriate for the promotion of the licensing objectives taking into account any change in circumstances since any interim steps were imposed, any relevant representations, and review the interim steps already taken (if any).

In making its final determination, the steps the Sub-Committee can take are:

- To modify the conditions of the premises licence
- To exclude from the scope of the licence any of the licensable activities to which the application relates;
- To remove the designated premises supervisor from the licence;
- To suspend the licence for a period not exceeding 3 months;
- To revoke the premises licence.

The conditions of the licence, with the exception of mandatory conditions of the premises licence, may be modified to alter or omit any of them or to add any new condition, including restricting the times at which licensable activities authorised by the licence can take place.

The Sub-Committee's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. Findings on any issues of fact should be on the balance of probability.

The Sub-Committee's determination of the review does not have effect until the end of the 21-day period given for appealing the decision, or until the disposal of any appeal that is lodged.

To ensure that there are appropriate and proportionate safeguards in place at all times, the licensing authority is required to review any interim steps that it has taken that are in place on the date of the final review hearing. This is to be done immediately after the determination of the review under s53C. In reaching its decision, the panel must consider any relevant representations made.

Upon the determination of the licence review, the Sub-Committee is asked to 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 Deputy Licensing Unit Officer reported that extra information had been circulated to Members of the panel and Mr Johnson after publication of the agenda packs.

PC P. Eccleston from Greater Manchester Police provided a recap of the application for why a review was called in November and at this meeting referred to the various appendix documents contained within the agenda pack. This also included information from the GMP control logs.

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.

In summary there had been three previous incidents in under two years with a review having taken place in January 2024 following a stabbing. Another incident involved a bottling and following this a meeting took place with Mr Johnson with an action plan developed in April 2025. In June 2025 an underage customer was assaulted in the toilets of the premises and due to no witnesses and CCTV not being available after a set period of time the investigation had to be closed.

PC Eccleston reported following the interim steps hearing he attended the premises to download the CCTV footage of the latest incident. Due to unknown technical problems the footage was only available to view via a phone version and this was played on screen to Members of the Committee. They had also been sent the footage in advance of the hearing. PC P. Eccleston provided commentary over the footage and Members asked questions whilst the footage was reviewed several times from the two camera recordings. The main discussion centred around if any pool cues from the premises be it snapped or unscrewed had been taken outside.

Upon questioning about what happened outside the premises with no external CCTV available and a male walking back in without his shirt on, PC Eccleston, stated that the victim had not yet responded to the police investigations. Therefore, there was no statement to clarify some unanswered questions or additional injury photographs.

The CCTV at the premises had now been upgraded with four HD quality cameras although upon reviewing the licence conditions there was no referral book in operation and one had been ordered with a temporary diary measure in place.

A Member enquired if was there an incident book and the Licensing Officer reported after visiting the premises following the interim steps, there was an incident book with information from earlier this year but it did not detail this recent incident.

A Member asked if there was any blood trail inside or outside the premises following the incident and it was reported that none had been noted and a crime scene had not been preserved with wet conditions reported on the night in question.

Members questioned previous incidents that had not resulted in any convictions due to no leads or witnesses and were surprised that members of staff could not identify patrons of the premises who may be responsible for these incidents.

The Chair sought confirmation that the interim steps imposed had been adhered to and it was confirmed this was the case.

The premises licence holder, Mr A. Johnson commented on discussions about the incident involving a 17-year-old that the bar had challenge 25 scheme in operation.

Staff were unaware of this incident due to the location it occurred and were informed 3 weeks later by the police.

Mr Johnson reported since the interim steps had been in place the bar had been a better place and he and customers had felt safer. The only issues he had from the interim steps involved the door supervisor timings and accreditation of the SIA registered companies required to undertake the duties. He provided a financial overview of the costings this would involve which was unsustainable for the business and asked if the timings for door staff could be moved from 9.00pm to 10.00pm and that the SIA registered element removed. This would allow himself to act as one of the door staff and the venue was not that busy earlier in the evening as last entry was at 11.30pm. He was in acceptance of the changes made to usage of the pool table and plastic drink containers.

Mr Johnson added that following the last incident he had made sure the victim and aggressors had left the premises separately and confirmed he and staff had made sure no pool cues were taken outside. The man who took his shirt off had been barred and he only knew his first name and which local pub he frequented.

A Member queried the door closure procedure and Mr Johnson explained there was no entry after 11.30pm and that decision was taken to on financial grounds to get customers in the venue to purchase drinks. With being open until 2.00am previous admission may be as late as 1.30am thus resulting in only one drink being purchased and having the hassle to deal with those customers who may be drunk after being elsewhere. 90 percent of customers were regulars and there was a handle on the door to exit so there were no health and safety issues.

Upon questioning by the Legal Advisor, Mr Johnson accepted that there had been 4 serious incidents occur under a 2-year period of time.

The Legal advisor in summarising Members discussions and questions confirmed with GMP that there had now been 4 incidents of violence in a 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 repeated again that he had too many roles at the premises to take the required responsibility. The opinion of GMP was that if door staff were present then past incidents were unlikely to have occurred or been prevented, hence the request for modifications to the licence be made a permanent feature.

Mr Johnson in his closing remarks added that 8 public houses close per week in the UK and it would be financially hard to run the business with the interim conditions for door staff becoming a permanent requirement on the licence.

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 unanimously **resolved to modify the conditions of the premises licence** in order to promote the licensing objectives.

The Sub-Committee also reviewed the interim steps made on the 13th November 2025 and unanimously **resolved to keep the interim steps in place noting the slight amendments underlined in bold to add as the new conditions on the licence.**

The Sub-Committee was therefore satisfied that there was sufficient evidence to mean modifications were necessary for some amendments to the current premises licence under the licensing objectives recommended by GMP, for the Prevention of Crime and Disorder and these were as follows:-

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 **every day** and all cues and balls will be securely stored either within the table itself or office. **A pool table cover was required when the table was not in use.**
- From 9pm onwards **every day**, 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 4th serious incident related to the premises under a 2-year period.
- Previous advisory letters not adhered to in full.
- Industry standard door supervision was required for entry or exit of the premises.

Mr Johnson left the meeting at this stage of the proceedings but the Legal Officer advised in his absence that he had the right of appeal.

Appendix Six

Conditions currently on the Premises Licence.

Conditions consistent with the operating schedule

Prevention of Public Nuisance

1. Prominent, clear and legible notices must be displayed at all exits requesting that customers respect the needs of the local residents and to leave the premises and area quietly.
2. Music and associated other noise sources (e.g. DJ's 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.
3. All external doors and windows are to be kept closed when live entertainment or recorded music is in progress.
4. On occasions when the premises are used/hired to hold an 18th birthday party, at least one SIA registered security staff is to be employed at the premises for the duration of the function. In addition, on such occasions, sale of alcohol and the provision of regulated entertainment is to cease no later than 23.00hrs.
5. At an appropriate time before closing time, announcements should be made reminding customers to leave quietly.

Prevention of Crime and Disorder

6. The Premise is 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 type of system and the number/positioning of cameras is to be agreed in liaison with the police. The location of the cameras will be recorded on the plan attached to the licence. The recording medium (e.g. disc/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 premise licence holder, they are able to check that the equipment is operating properly and that they are able to provide copies of recorded data 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 reasonably practicable and in any event within 24hrs.

On an annual basis [or at a greater frequency specified] the premises licence holder or the DPS is to notify the licensing office in writing that the CCTV system has been checked, maintained to any recognised specification and is in working order. An action plan to be agreed to rectify any recorded malfunction or planned alterations.

7. A Personal Licence holder must be on the premises on Thursdays, Fridays and Saturdays between 9pm and close of business.
8. 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.
9. Staff training shall take place on the Licensing Act and licensing objectives every six months and a written record of this training to be maintained and made available to the police and any authorised officer of the Council for inspection on request.
10. 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.
11. There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials.

Public Safety

12. Customers are to be prevented from leaving the premises with glasses or open bottles. Empty bottles must be placed into locked bins so as to prevent them from being used as weapons.

Protection of Children from Harm

13. The premises is to maintain a refusals 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. The book must be made available to the police / authorised officers of the Licensing Authority on request.

Conditions added following a summary review application by Greater Manchester Police - February 2024

Prevention of Crime and Disorder

14. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the Police or an authorised Officer of the licensing authority, which will record the following incidents including pertinent details:
 - a- all crimes reported to the venue, or by the venue to the police
 - b- all ejections of patrons
 - c- any incidents of disorder
 - d- any faults in the CCTV system
 - e- any visit by a relevant authority or emergency service

15. All licensable activity it to cease half an hour prior to closure to allow drinking up time and the safe dispersal of patrons.

Prevention of Public Nuisance

16. Management and staff are to use their best endeavours to prevent persons loitering outside the premises and to ensure that persons refused entry or ejected are asked to leave the vicinity of the premises.
17. Those patrons who wish to smoke or vape would be directed to the beer garden at the rear of the premises.

Protection of Children from Harm

18. The premises will operate a "Challenge 25" proof of age policy and signage to this 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.

Conditions added following a Expedited Review - November 2025

19. 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 keys dates throughout the year including but not limited to Good Friday, Christmas eve, Boxing Day, New Years Eve.
20. 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.
21. Any door supervisors on duty at the premises must be supplied by an SIA- Approved Contractor Scheme company.
- 22. No further games of pool will be allowed from 10.00pm every day and all cues and balls will be securely stored either within the table itself or office. A pool table cover is required when the table is not in use.**
23. From 9pm onwards every day, all glassware will be swapped out for polycarbonate and all glass bottles will be decanted into said polycarbonate glasses.
24. Frequent glass collecting throughout the evening to prevent any glassware being used as potential weapons.
25. 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.