

<b>Classification</b>	<b>Item No.</b>
<b>Open / Closed</b>	

<b>Meeting:</b>	Licensing and Safety Committee
<b>Meeting date:</b>	16 April 2026
<b>Title of report:</b>	Operational Report
<b>Report by:</b>	Executive Director (Corporate Core)
<b>Decision Type:</b>	N/A Report for information only
<b>Ward(s) to which report relates</b>	All

**Executive Summary:**

A report to advise members on operational issues within the Licensing service.

**Recommendation(s)**

That the report be noted.

**Key considerations**

Not applicable

1.0 **BACKGROUND**

1.1 The report advises Members on operational issues within the Licensing service.

2.0 **COMPLIANCE/ENFORCEMENT**

2.1 **2-8 March 2026**

**Client**

Complaint 2

Enforcement 5

**Premises**

Enforcement 4

**Vehicles**

Enforcement 2

**2.2 9-15 March 2026**

**Client**

Complaint 3

Enforcement 4

**Premises**

Enforcement 2

**Vehicles**

Compliance 2

Enforcement 3

**2.3 16-22 March 2026**

**Client**

Complaint 3

Enforcement 2

Other 2

**Premises**

Enforcement 2

**Vehicles**

Compliance 1

Enforcement 3

Complaint

**2.4 23-29 March 2026**

**Client**

Complaint 3

Enforcement 1

**Premises**

Complaint 4

Compliance 3

Enforcement 2

Multi Agency 4

### **Vehicles**

Complaint 2

Enforcement 7

## **3.0 LICENSING HEARINGS SUB-COMMITTEES**

- 3.1 On the 12 March 2026, a Licensing Hearings Sub-Committee considered a review application in respect of the Overdraft, 28/30 Blackburn Street, Radcliffe, M26 1NQ. the sub-committee carefully considered all the representations and evidence provided. it was therefore unanimously resolved to take no further action in order to promote the licensing objectives.

The Sub-Committee was therefore satisfied that with the change in management there were no grounds of concern to administer any modifications or amendments to the current premises licence with all current conditions remaining in place.

The Chair acknowledged that there had been breaches of licensing conditions with the out of hours sale of alcohol along with smoking being permitted inside the premises. However, due to a change of the premises licence and designated premises supervisor after the date of these incidents, the committee had full confidence that the premises would improve going forward under the new management.

The Chair advised that the Legal Officer advised that there was a right of appeal of full details would be sent out in due course.

- 3.2 On the 16 March 2026, a Licensing Hearings Sub-Committee considered a variation application in respect of the Hideout Gastro Bar, 2 Sherbourne Street, Prestwich, M25 3BB. the sub-committee carefully considered all the representations and evidence provided. It was therefore agreed that the Sub- Committee unanimously grant the variation in the terms requested subject to an additional condition 13A on the operating schedule to state that no speakers or sound system should be fixed or placed adjacent to the party wall to the neighbouring property.

### **New variation hours**

#### Opening Hours

Thursday	10.30 to 23.30
Friday	10.30 to 00.30
Saturday	10.00 to 00.30
Sunday	10.00 to 23.30

For Supply of Alcohol (On the premises):

Monday to Thursday	11.00 to 23.00
Friday to Saturday	11.00 to 00.00
Sunday	12 Noon to 23.00

Playing of Recorded Music (Indoors)

Tuesday to Thursday	10.30 to 23.15
Friday	10.30 to 00.15
Saturday	10.00 to 00.15
Sunday	10.00 to 23.15

Performance of Live Music (Indoors)

Tuesday to Thursday	10.30 to 23.15
Friday	10.30 to 00.15
Saturday	10.00 to 00.15
Sunday	10.00 to 23.15

## **Operating Schedule**

The prevention of crime and disorder

1. The premises licence holder must ensure that:
  - I. CCTV cameras are located within the premises to cover all public areas including all entrances and exits.
  - II. The system records clear images permitting the identification of individuals.
  - III. The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
  - IV. The CCTV system operates at all times while the premises are open for licensable activities [or specify timings]. 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 is reasonably practicable and in any event within 24hrs.
  - V. All equipment must have a constant and accurate time and date generation.
  - VI. The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
  - VII. There are members of trained staff at the premises during operating hours able to provide viewable copies on request by the police or authorised officer of the local

authority officers as soon as is reasonably practicable or in any case within 12 hours of receiving the request whether that be verbal or written request.

2. All staff authorised to sell alcohol shall be trained in:
  - I. Relevant age restrictions in respect of products
  - II. Prevent underage sales
  - III. Prevent proxy sales
  - IV. Maintain the refusals log
  - V. Recognising signs of drunkenness and vulnerability
  - VI. How overservice of alcohol impacts on the four objectives of the Licensing Act 2003
  - VII. How to refuse service
  - VIII. The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment
  - IX. Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
  - X. The conditions in force under this licence.
3. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Bury Council.
4. 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.
5. No alcoholic beverage shall be removed from the premises in an unsealed container.
6. 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:
  - I. all crimes reported to the venue, or by the venue to the Police
  - II. all ejections of patrons
  - III. any incidents of disorder
  - IV. any faults in the CCTV system
  - V. any visit by a relevant authority or emergency service

#### Public safety

7. Customers are to be prevented from leaving the premises with glasses or open bottles.
8. Alcohol will only be served to customers who have ordered food.
9. Customers will only be permitted to consume alcohol if sat at a table. No standing consumption will be permitted.
10. All glass drinking containers will be cleared from tables in a timely manner and as soon as reasonably practicable.

### The prevention of public nuisance

11. Prominent, clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.
12. 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.
13. All external doors and windows are to be kept closed when live entertainment or recorded music is in progress.
- 13.A. No speakers or sound system should be fixed or placed adjacent to the party wall to the neighbouring property.

### The protection of children from harm

14. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority.
15. The premises shall display prominent signage indicating at any point of sale that the Challenge 25 scheme is in operation.
16. A refusals record must be kept at the premises which details all refusals to sell alcohol. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within 24 hours of a request by an officer of a Responsible Authority.

The Chair advised of their right to appeal the decision to the Court within the relevant timescales upon receiving written notification.

- 3.3** On the 16 March 2026, On the 20 March 2026, a Licensing Hearings Sub-Committee considered a grant application a premises licence in respect of Touch Of Spice, 32 Church Street West, Radcliffe, M26 2SQ. All of the evidence was considered with care, and it was established that having understood the application and equally noting and understanding the representations, the Sub-Committee found there were no causes for concern so far as the promotion of the licensing objectives were concerned.

The application was similar to the previous licence held at the premises until recently and there had been no formal complaints made in the past about noise nuisance. To address any concerns for the representor, an adjustment was made to shorten the opening times and the hours for late night refreshment from those requested in the application. It was noted that not all the representations were directly related to the premises.

It was therefore agreed that the Sub- Committee unanimously grant the application subject to amending the conditions as listed below:-

**Opening Times:**

Monday to Thursday	17:00 to 01.00
Friday to Sunday	17.00 to 03.00
Christmas Eve	17.00 to 04.00
New Years Eve	17.00 to 04.00
Bank Holidays	17.00 to 04.00

**Late Night Refreshment (on and off the premises):**

Monday to Thursday	23:00 to 01.00
Friday to Sunday	23.00 to 03.00
Christmas Eve	23.00 to 04.00
New Years Eve	23.00 to 04.00
Bank Holidays	23.00 to 04.00

The Chair advised of their right to appeal the decision to the Court within the relevant timescales upon receiving written notification.

**Operating Schedule**

General

1. 1/ The takeaway will be operated in accordance with the Licensing Act 2003 and all licence conditions.
2. 2/ A responsible person or manager will be on duty at all times the premises is open.
3. 3/ All staff will receive training on the four licensing objectives, responsible alcohol sales (if applicable), customer management, and safeguarding, with regular refresher training.
4. 4/ Clear written procedures will be in place covering refusals, incidents, noise control, and emergency situations.
5. 5/ The premises will be well managed, clean, and orderly at all times.
6. 6/ Regular risk assessments will be carried out to identify and reduce risks to customers, staff, and the local community.

The prevention of crime and disorder

7. Staff will be trained to recognise and manage anti-social behaviour and will refuse service to intoxicated or aggressive individuals.

8. An incident and refusals log will be kept and made available to authorised officers upon request.
9. The premises will operate a zero-tolerance policy towards violence, drug use, and anti-social behaviour.
10. Lighting will be provided to the front of the premises to deter crime and improve visibility.
11. The premises will not encourage loitering outside the shop.

#### Public safety

12. The premises will comply with all fire safety, food safety, and health and safety regulations.
13. Fire exits will be clearly marked, unobstructed, and maintained at all times.
14. Fire safety equipment has been installed, and will be regularly checked, and maintained.
15. Cooking equipment is properly installed, serviced, and maintained, with appropriate ventilation in place.
16. Floors will be kept clean and dry to prevent slips and trips.
17. A first aid kit is available on the premises.

#### The prevention of public nuisance

18. 18/ Noise from customers, equipment, and staff will be kept to a minimum, particularly during late hours.
19. 19/ Staff will manage customer behaviour and discourage shouting, loitering, or disturbances outside the premises.
20. 20/ Prominent signage will be displayed requesting customers to leave quietly and respect local residents (even though we are on a commercial area block)
21. 21/ Deliveries, waste disposal, and bottle disposal (if applicable) will not take place during late-night or early-morning hours where possible.
22. 22/ The frontage and immediate surrounding area will be regularly checked for litter and cleaned as necessary.

#### The protection of children from harm

23. Staff will receive training on age-restricted sales and the importance of preventing underage sales (such as energy drinks, as we do not sell any other age restricted products).
24. Children will be supervised at all times while on the premises.
25. The premises will be kept free from activities or materials that could be harmful to children.

3.4 On the 20 March 2026, a Licensing Hearings Sub-Committee considered a grant application a premises licence in respect of the Daily Connects, 480a Bury Old Road, Prestwich, M25 1NL the sub-committee carefully considered all the representations and evidence provided. All of the evidence was considered with care, and it was established that having understood the application and equally noting and understanding the representations, the Sub-Committee found there were causes for concern so far as the promotion of the licensing objectives were concerned in relation to:-

- Prevention of crime and disorder
- Public safety
- The protection of children from harm

There was a lack of confidence, ability and knowledge that the licensing objectives could be upheld by the applicant which was evidenced by failing to recall the 4 relevant licensing objectives when questioned on a visit by GMP, despite sitting an exam one month prior.

The conditions submitted within the operating schedule were also deemed not acceptable and given the lack of confidence in the applicant to uphold the four licensing objectives the Sub-committee felt imposing conditions would not be sufficient.

Confidence in the applicant was further undermined by evidence of the permitted sale of counterfeit goods which were clearly fake had continued after the application was submitted and this was a criminal offence.

In addition, the sale of drug related paraphernalia (whilst not illegal) found on display in the shop after the application for a premises licence was made also undermined the licensing objective for the prevention of crime and disorder.

It was therefore agreed unanimously that the Sub- Committee refuse the application.

The Chair advised of their right to appeal the decision to the Court within the relevant timescales upon receiving written notification.

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### **Community impact / links with Community Strategy**

Not applicable

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### **Equality Impact and considerations:**

24. *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.*
25. *The public sector equality duty (specific 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.*

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

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**Assessment of Risk:**

The following risks apply to the decision:

<b>Risk / opportunity</b>	<b>Mitigation</b>
None	.

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**Consultation:**

Not applicable

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**Legal Implications:**

Not applicable

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**Financial Implications:**

Not Applicable

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

Term	Meaning
None	