

Minutes of:	LICENSING HEARING SUB COMMITTEE
Date of Meeting:	27 th August 2026
Present:	Councillor B Ibrahim (in the Chair) Councillors D Green and D Hill
Also in attendance:	M. Bridge (Bury Council- Licensing Unit) M. Cunliffe Bury Council- (Democratic Services) S. Lyth – (Bury Council- Legal Advisor) L. Scully (Bury Council- Legal Advisor) Mr N. & Mrs H. Simmons (Applicant) C. Gerezdi (Representor) G. Harrop (Representor) I. Forbes (Bury Times)
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 other members of the public were in virtual attendance.

1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by B. Thomson (Assistant Director of Public Protection & Resilience), A. Bucior (Public Protection) and one representor.

2 DECLARATIONS OF INTEREST

There were no declarations of interest made.

3 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 IN RESPECT OF BILL AND COO, 9 SQUARE STREET, RAMSBOTTOM, BL0 9BE

The Licensing Authority received an application for a Premises Licence to be granted under the Licensing Act 2003 in respect of Bill and Co, 9 Square Street, Ramsbottom, BL0 9BE.

In making a decision, the steps the Sub-Committee can take are:-

- To grant the application in the terms requested
- To grant the application subject to conditions
- To amend or modify existing or proposed conditions
- To refuse the application

The Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations are the relevant legislation.

The Panel would make a decision on the day of the hearing and the parties would be notified subsequently of the decision and the reasons for it by letter from the Licensing Office.

The Licensing Unit Manager presented the report and explained the applicant for the licence is Bill and Co Ramsbottom Ltd, 11 Bridge Street, Ramsbottom, BL9 9AB. Mr Nicholas Andrew

Simmons, 92 Bradshaw Road, Bolton, BL2 3EW is the proposed Designated Premises Supervisor should the premises licence be granted.

The Applicant had complied with all the necessary procedural requirements laid down by the Act.

As part of the statutory process the Responsible Authorities and interested parties are entitled to make representations in relation to the grant of a licence. Where representations are made and not withdrawn Members are required to determine them.

Representations must be relevant to the licensing objectives defined within the Act. The objectives are:-

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

The application was for the grant of a Premises Licence under Part 3 of the Licensing Act 2003.

Opening Times:

Monday to Thursday	10.00 to midnight
Friday and Saturday	10.00 to 02.00
Sunday	10.00 to midnight

Non-Standard Timings

Christmas Eve	10.00 to 02.00
New Years Eve	10.00 to 02.00
Sundays prior to Bank Holidays	10.00 to 02.00
Thursday before Easter	10.00 to 02.00

Retail Sale of Alcohol (On and Off the premises):

Monday to Thursday	10.00 to midnight
Friday and Saturday	10.00 to 02.00
Sunday	10.00 to midnight

Non-Standard Timings

Christmas Eve	10.00 to 02.00
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Playing of recorded Music (Indoors)

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Christmas Eve	10.00 to 02.00
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Thursday before Easter	10.00 to 02.00

Provision of Late Night Refreshment (Indoors)

Monday to Thursday	23.00 to midnight
Friday and Saturday	23.00 to 02.00
Sunday	23.00 to midnight

Non-Standard Timings

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The conditions contained in the operating schedule submitted by the applicant were also attached at Appendix 1 in the agenda packs.

Four representations had been received from interested parties and this was attached at Appendix 2 in the agenda packs.

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.

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.

Section 4 of the 2003 Act provides that, in carrying out its functions, a licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182. The Guidance is therefore binding on all licensing authorities to that extent. However, the Guidance cannot anticipate every possible scenario or set of circumstances that may arise and, as long as licensing authorities have properly understood this Guidance, they may depart from it if they have good reason to do so and can provide full reasons.

Departure from the Guidance could give rise to an appeal or judicial review, and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

The Licensing Unit Manager informed the meeting that additional information had been circulated to the panel Members. This included a building plan, location on a map and street view images of other nearby licensed premises with their timings provided.

The Licensing Unit Manager commented he was aware that discussions had taken place between Mr & Mrs Simmonds and some of the representors in relation to possible amended conditions which may have been agreeable between themselves.

A Member asked for clarity on the address and the Licensing Unit Manager stated the address was 8 Square Street and not number 9

Mr Nick Simmonds addressed the committee and informed them about the two bars he already owned in Harwood (for the last 6 years) and Holcombe Brook (for the last 2 years). It was a much loved family business with this premises being food based attracting a high community spirit. Family events would take place at Christmas and Easter with an example provided for pumpkin painting during the Autumn.

Mr Simmonds understood the 2.00am representations and he had emailed local residents to state they were happy to reduce the opening times if needed and was open to discussion.

Mrs Simmonds added they understood the concerns of local residents and they would like the venue to be a good addition in Ramsbottom. Their other venues during the week close at 10.00pm or 11.00pm and midnight on Friday and Saturday night and they would be happy to work to these hours. They were not trying to be the last venue to remain open in the area at night and would keep noise to a minimum with windows and doors remaining closed. Security would be hired if needed and customers would be asked to leave the building politely with and concerns deal with on an individual basis.

Mr Simmonds reported he had been a DPS for over 20 years and had received no complaints for both of the other businesses he managed. The outside of the venues were swept in the morning and evening as they respected the local area. This would be a nice bar with lots to offer and the social media comments suggested people were happy for it to open with over 2,000 likes.

The Chair enquired about the business address on Bridge Street and Mr Simmonds reported this was their accountant's office.

The Chair asked about the suggested times being amended and Mr Simmonds was agreeable to midnight closure on a Friday and Saturday.

A Member commented on windows being kept closed and was there air condition installed in the building. Mr Simmonds stated that there was air conditioning both upstairs and downstairs and this had been tested.

A Member asked why 2.00am closures had been requested and the Licensing Unit Manager advised that licencing hours under the act allow for a premises to be open 24 hours a day, although they don't need to operate for that long. The Member wondered if closing at 10.00pm would have an impact on the business. Mr Simmonds repeated it was a food based business with drinks afterwards so customers may have an extra drink then but it would tail off anyway from 11.15pm. Mrs Simmonds added the other businesses had later times so they were influenced by that.

The Licensing Unit Manager drew attention to the fact the Live Music Act permits Live Music and Recorded Music at a licensed Premises between the hours of 8.00am to 23.00 hours for up to 500 people.

Mrs Harrop addressed the committee and reported she had moved to the area for the day and night life of the area. She only got disturbed from the later bars after 1.00am and felt the venue should be granted the non-standard timings at Christmas and new year.

Mrs Gerezdi had an objection to the 2.00am opening as her bedroom was located on the corner of Square Street but was not against the hospitality sector nor the hours on Bank Holidays or Christmas. Extra drinking time can lead to noise and there were young families

and older people living nearby. Mrs Simmonds added that the estate agents never made them aware that it was a residential area with people living in flats above and she had tried to reply to all the representations. Mr Simmonds stated that only background music would be played and any live acts would be of the acoustic variety and not amplified sound.

The Licensing Unit Manager clarified for the representors present and those not in attendance, that there was also a process available for the representors to call in the licence for review should there be any problems that arise.

Upon questioning by a Member, the Licensing Unit Manager confirmed that off sales of alcohol were part of the application. Mrs Gerezdi asked could this be an open bottle of beer and Mr Simmonds it would be sales off the premises for a sealed bottle of wine.

Mrs Harrop asked if there were plans for a beer garden at the rear of the premises or drinking outside on the street. Mrs Simmonds stated the rear was used only as a storage area and they respected that 2.00am was too late with midnight more acceptable on a Friday and Saturday. The agreed conditions with GMP would still stand with a midweek closure at 11.00pm and later for the non-standard timings. Mr Simmonds added the head chef had worked for them over a number years for their food based business and they would like to become part of the Ramsbottom community.

The Sub-Committee then duly retired to consider the application.

The Members of the Panel were advised by the Legal Officer 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:

- a) the prevention of crime and disorder
- b) public safety
- c) the prevention of public nuisance
- d) the protection of children from harm

The Members were also advised of their duties in carrying out those functions in relation to the relevant provisions of the 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 together with relevant representations presented by all parties.

Delegated decision

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 committee concluded the applicants managed a responsible business, understood the licensing objectives, were willing to deal with any concerns should they occur and the application would not have an adverse impact for the local area.

It was therefore agreed that the Sub- Committee unanimously **grant the application as per the conditions agreed with Greater Manchester Police in the operating schedule, subject to amending the proposed conditions in relation to various timings.**

Operating Schedule

Opening Times:

Monday to Thursday	10.00 to 23.00
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Conditions agreed with Greater Manchester Police

General

The premises will be managed to the highest standard by a fully trained team. Regular staff training, strong management presence and strict adherence to all mandatory and voluntary conditions will ensure all four licensing objectives are consistently promoted. We will promote strong operating policies - including staff training, a zero-tolerance drug policy, robust age verification and proactive noise management will be maintained at all times.

The prevention of crime and disorder

1/The premises license 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. 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/ 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 alleged crimes reported to the venue or by the venue to the police.
- ii. All ejections of patrons
- iii. Any complaints received
- iv. Any incidents of disorder
- v. Seizures of drugs, offensive weapons, fraudulent ID or other items
- vi. Any faults in the CCTV system, searching equipment or scanning equipment
- vii. Any visit by a responsible authority or emergency service
- viii. The times on duty, names and the licence numbers of all licensed door supervisors employed by the premises.

3/ 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. Enter sales correctly on the tills so the prompts show as appropriate
- vi. Recognising signs of drunkenness and vulnerability
- vii. How overservice of alcohol impacts on the four objectives of the Licensing Act 2003
- viii. How to refuse service
- ix. The premises' duty of care policy, understanding and dealing with situations involving vulnerable people, and incidents of harassment
- x. 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

xi. The conditions in force under this licence.

4/ 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.

5/ The sale of alcohol will cease 30 minutes prior to the premises closing.

6/ Door supervisors shall be employed by the premises based upon a risk assessment carried out in relation to the following factors:

- i. Size of the venue
- ii. Expected attendance
- iii. Type of event taking place
- iv. Location of the premises
- v. Time of year (Good Friday, Sunday preceding bank holidays, Christmas Eve, New Years Eve
- vi. Special occasion (Mad Friday, Halloween, Local events etc.)
- vii. Premises Licence Conditions
- viii. Advice from Greater Manchester Police.

7/ 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.

Public safety

8/ Risk assessments - Regular fire risk assessments, health and safety checks and maintain clear exit routes.

9/ Capacity and maintenance - Maintaining all electrical, gas and fire safety systems in accordance with standard regulations.

10/ First Aid - A fully stocked first aid kit will be kept on site and a trained first aider will be present during operating hours.

11/ Customers are to be prevented from leaving the premises with glasses or open bottles.

The prevention of public nuisance

12/ Noise control - Doors and windows will be closed during regulated entertainment or after 10pm to prevent sound leakage.

13/ Signs will be prominently displayed at exits asking customers to respect neighbours and to leave the premises quietly.

14/ No refuse shall be disposed of or collected from the premises between the hours of 10pm & 7am where such disposal or collection is likely to cause disturbance to local residents.

15/ No deliveries to the premises will be permitted between the hours of 10pm & 7am where such disposal or collection is likely to cause disturbance to local residents.

The protection of children from harm

16/ 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 of a passport, photo card driving license, 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.

17/ The premises shall display prominent signage indicating at any point of sale and at the entrance to the premises that the Challenge 25 scheme is in operation.

18/ 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 24hrs of a request by an officer of a Responsible Authority.

19/ That the following alcoholic drinks be kept behind the counter or in a place where customers do not have direct access to these products without the assistance of a member of staff, namely:

- i. Spirits,
- ii. Flavoured spirits,
- iii. Alco pops (i.e. spirit based drinks mixed with soft drink/flavoured juice etc) which will include and not be limited to products such as "WKD" and similar products).
- iv. Cider

20/ No children under the age of 18 years will be permitted to remain on the premises after 9pm.

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

COUNCILLOR B IBRAHIM
Chair

(Note: The meeting started at 11.00am and ended at 12.05pm)

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