

REPORT FOR DECISION

Agenda Item	
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DECISION OF:	LICENSING HEARINGS PANEL
DATE:	4th OCTOBER 2013
SUBJECT:	APPLICATION FOR A REVIEW OF THE PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT OF BLA BLA BAR (FORMERLY COCO LOUNGE, 3 SILVER STREET, BURY
REPORT FROM:	ASSISTANT DIRECTOR (LOCALITIES)
CONTACT OFFICER:	MR M BRIDGE
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	This report relates to an application pursuant to section 51 of the Licensing Act 2003, from Greater Manchester Police, for a review of the premises licence in respect of Bla Bla Bar (formerly Coco Lounge), 3 Silver Street, Bury
OPTIONS & RECOMMENDED OPTION	<ul style="list-style-type: none"> 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
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes No
Statement by the S151 Officer: Financial Implications and Risk Considerations:	There are no specific issues from the report other than potential costs/risks associated with legal appeals.
Statement by Executive Director of Resources:	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.

Equality/Diversity implications:	Yes No (see paragraph below)
Considered by Monitoring Officer:	Yes Under the legislation the Council is required to determine representations. The report is in accordance with the appropriate legislation.
Wards Affected:	East
Scrutiny Interest:	Internal Scrutiny Panel

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

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 Service.
- 1.3 On Friday 9th August 2013, when Greater Manchester Police submitted their application for a review of the Premises Licence, the licence was held by Northwest Leisure Management Limited. A check with Companies House revealed that Mr Jon Paul Entwistle, of 24 Seedfield Road, Bury, was the sole registered director of the company. Mr Christopher O'Brien was the Designated Premises Supervisor (DPS).
- 1.4 On Monday 12th August 2013, Mr Darren Lee Harper, who had been the holder of the Premises Licence from 14th October 2010 until its transfer to Northwest Leisure Management Limited on 4th March 2013, submitted an application to transfer the Premises Licence back into his name and for the transfer to have immediate effect. He also submitted an application to nominate himself as the DPS. At the time of submitting the application, the Licensing Service informed Mr Harper that the Premises Licence was the subject of a pending review hearing and explained the options available to the Licensing Authority in respect of that hearing. The transfer process is now complete and the Premises Licence is now held by Mr Harper who is also the Designated Premises Supervisor.

2.0 PROCEDURE

- 2.1 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.
- 2.2 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. **The Supply of alcohol – For consumption on & off the premises:**

Monday to Sunday noon to 4.00am

b. **The Provision of Regulated Entertainment comprising: Recorded Music, the Performance of Dance, the Provision of facilities for Dancing, the Provision of entertainment of a similar description which falls under sections E,F,G,I & J of the Operating Schedule**

Monday to Sunday noon to 4.00am

c. **The opening hours of the premises:**

Monday to Sunday noon to 4.00am

4.0 REVIEW APPLICATION

- 4.1 Greater Manchester Police will shortly give their reasons for their application for a review of the premises licence which is based on the Prevention of Crime and Disorder licensing objective. In that application, the police request that the Licensing Authority revoke the Premises Licence.
- 4.2 Greater Manchester Police have requested that the Panel consider regulation 14 of the Licensing Act 2003 (Hearings) Regulations to exclude members of the public from the hearing.

5.0 REPRESENTATIONS

- 5.1 Bury Safeguarding Children Board have made a representation in support of the review submitted by Greater Manchester Police.

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.

List of Background Papers:-

Review Application form and supporting documentation

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

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Town Hall
BURY
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