

SPEAKERS PANEL (LIQUOR LICENSING)

Day: Thursday
Date: 23 July 2020
Time: 10.00 am
Place: Zoom Meeting

Item No.	AGENDA	Page No
1	APOLOGIES FOR ABSENCE To receive any apologies for absence.	
2	DECLARATIONS OF INTEREST To receive any declarations of interest.	
3	MINUTES To approve the minutes of the meeting of the Speakers Panel Liquor Licensing on the 25 February 2020.	1 - 4
4	APPLICATION FOR A REVIEW OF A PREMISES LICENCE – TOP END BAR, 132-134 STAMFORD STREET CENTRAL, ASHTON-UNDER-LYNE OL6 6AD To consider the application for a review of a Premises Licence.	5 - 70
5	APPLICATION FOR A REVIEW OF A PREMISES LICENCE - THE BILLY GOAT, 71 STAMFORD STREET, MOSSLEY. OL5 0JS To consider the application for a review of a Premises Licence.	71 - 162

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SPEAKERS PANEL (LIQUOR LICENSING)

25 February 2020

Commenced: 10:00am

Terminated: 1:10pm

Present: Councillors Sweeton (Chair), Bowden (Deputy Chair) and Cartey

In Attendance:

Mike Robinson	Licensing Manager
Margaret Warner	Legal Representative
Ian Pascoe	Regulatory Compliance Officer
James Mallion	Consultant Public Health
PC Martin Thorley	Greater Manchester Police
Anthony Sullivan	Business Development Manager, Admiral Taverns
Michael Daly	Designated Premises Supervisor
John Gibson	Tenant
Zoe Quinn	Tenant

18. DECLARATIONS OF INTEREST

There were no declarations of interest.

19. MINUTES

The Minutes of the proceedings of the previous meeting held on 13 January 2020, having been circulated were signed by the Chair as a correct record.

20. APPLICATION FOR A REVIEW OF A PREMISES LICENCE – ROYAL OAK, 23 NOOK LANE, ASHTON-UNDER-LYNE, LANCS. OL6 9HN

Consideration was given to an application for a review of premises licence at the Royal Oak Public House, 23 Nook Lane, Ashton-under-Lyne. OL6 9HN.

The Regulatory Services Manager outlined the procedure and the steps which could be utilised by the Speakers Panel (Liquor Licensing) in determining the application, the options available to the Panel were as set out in Section 18(4) of the Licensing Act 2003, namely:

- (a) To modify the conditions of the licence
- (b) To exclude a licensable activity from the scope of the licence
- (c) To remove the designated premises supervisor
- (d) To revoke the licence

The Regulatory Services Manager informed the Panel that the Royal Oak, 23 Nook Lane, Ashton-under-Lyne, had held a premises licence with Tameside MBC since 24 November 2005. The premises licence holder was Admiral Taverns and the Designated Premises Supervisor (DPS) was, at the time of the incidents referred to in the report, Bernadette Corcoran, who had been in place at the premises since 9 April 2019.

It was reported that, since May 2019, the Council's Regulatory Services Department had received 4 complaints from members of the public regarding disorder and anti-social behaviour associated with the premises.

On 25 June 2019 a compliance visit was conducted at the premises following receipt of a complaint that licensable activities were being carried on beyond the authorised hours and that drugs were being openly used within the premises. At the time of the visit the DPS was unable to access the CCTV footage, concerns were raised with Admiral Taverns regarding the management of the premises and a further visit was arranged with Admiral Taverns Business Development Manager, Mr Sullivan.

On 10 July 2019, Licensing Officers met with you at the premises to discuss the complaint and review the CCTV footage. Limited footage was provided which did not cover the times requested, however the footage supplied was sufficient to confirm that the sale of alcohol was taking place after licensable hours. Further, customers were also seen to be dealing drugs and smoking inside the premises.

Licensing officers worked with Admiral Taverns to agree a list of conditions to be attached to the premises licence in an attempt to ensure that the licensing objectives were promoted. At this time the Licensing officers reiterated their concerns that the management of the premises were failing to address the issues identified at the premises. A minor variation application to attach to the agreed conditions was submitted on 13 August 2019. Since the premises licence was amended there had been further breaches of the licence, and the DPS had repeatedly failed to co-operate with the authorities following incidents.

On 28 November 2019, a meeting was arranged with the Licensing Manager, Police Licensing Officer, Regulatory Compliance Officer and Mr Sullivan to discuss the incidents. Mr Sullivan was informed that both the Police and Licensing department had lost faith in the ability of the DPS to effectively manage the premises and promote the licensing objectives. The Police Licensing officer advised Mr Sullivan that if the DPS was not removed from the premises, then an application to review the premises licence would be submitted to the Licensing department.

It was explained that further incidents had taken place over the Christmas and New Year period demonstrating that the current DPS had lost control of the premises. Despite assurances from the premises licence holder, no application was received to change the Designated Premises Supervisor. As such an application to review the premises licence was submitted to the Licensing Authority by Greater Manchester Police on 6 January 2020.

PC Thorley, Greater Manchester Police, then addressed the Panel and gave details of incidents reported from June 2019 onwards involving allegations of alcohol being served outside of licensable hours, misuse of drugs on the premises and excessive noise from the premise. PC Thorley also displayed CCTV footage from cameras inside and outside of the Royal Oak Public House and stills from an overt public facing TMBC camera situated at Hurst Cross. The footage/stills related to incidents occurring on: 10 October 2019, 11 October 2019, 18 October 2019, 26 December 2019, 1 January 2020, 1 February 2020 and demonstrated incidents of anti-social behaviour and public disorder, both inside and outside of the premises.

PC Thorley made reference to a meeting convened on 24 January 2020 with himself, Mr Robinson, Mr Pascoe and Mr Sullivan, where incidents as detailed above, were discussed. During this meeting PC Thorley recommended that Licensing Conditions be volunteered to the Licence of The Royal Oak by the Premise Licence Holder. This request was proposed in order for the premises to comply with the requirement of the Licensing Act 2003 and to ensure promotion of the licensing objectives for prevention of crime and disorder and public safety. It was suggested that the appropriate and proportionate way to deal with these incidents that had occurred was the modification of conditions of the licence and implementation of the following Licensing Conditions:

- (i) The Implementation of SIA 'Approved' doorstaff working Friday – Saturday between 2100 hrs – ½ hour after closing time. One member of doorstaff within these times and for any sporting event being shown on the premises.
- (ii) CCTV would be improved covering each entry and exit point of the premises and the car park;
- (iii) Smoking to only be permitted in the car park / beer garden; and

- (iv) No glass to be taken beyond the front entrance to the premises.
- (v) Sale of alcohol to conclude at midnight – Sunday – Thursday; 0100 hrs Friday – Saturday

He added that the recommended Licensing Conditions in relation to doorstaff were dismissed by Mr Sullivan as unachievable.

PC Thorley expressed concerns that, on occasions when it was clear that the DPS, her partner and staff were aware of assault occurring both on and off the premises that there were no calls made to Police to report such matters. No attempt was made to prevent patrons walking freely to and from the premises in possession of alcoholic drinks and glasses. He further expressed concerns in respect of the failure of the DPS to provide CCTV footage when requested, in a timely way, in accordance with the terms of the licence.

Ian Pascoe, Regulatory Compliance Officer, then addressed the Panel and gave details of a review of the premises licence, which referenced a compliance visit to the premises on 25 June 2019 following the receipt of complaints of drinking beyond the licensable hours, drug taking inside the premises and noise. There were also issues regarding non-compliance in respect of toilet checks, refusals book and staff training. Further details were also given of subsequent incidents of disorder captured CCTV cameras as detailed above in PC Thorley's address to the Panel.

James Mallion, Consultant Public Health, also addressed the Panel and gave information/data in respect alcohol related harm in the OL6 9HN area and A&E attendances in the vicinity of the premises. Mr Mallion informed Members of the Panel that the locality already had the 34th highest degree of existing alcohol related harm in the Borough, which fell in the top quartile. The rank for weekend A&E attendances (from midnight to 5am), was the 3rd highest in the borough and more than double the Tameside average and the rank for all alcohol-specific hospital admissions in this area was 6th highest in the borough and four times higher than the Tameside average. The overall rate of alcohol-related crime in this area was also high and ranked 9th highest in the borough. It was noted that this was general information/data for the locality and did not relate specifically to the Royal Oak Public House.

Mr Robinson, Regulatory Services Manager, then read out a statement from a member of the public, who did not wish to be identified or attend the meeting. The statement expressed concerns in respect of drugs, fighting, bottles being thrown, urinating outside the premise and noise levels, in relation to the Royal Oak Public House.

Mr Sullivan then addressed the Panel on behalf of Admiral Taverns and responded to the issues raised in the report and by PC Thorley. Following a recruitment process, Mr Sullivan advised that a new DPS had been appointed and trading had commenced on 19 February with a new DPS and new tenants. He added that it was the intention for one of the new tenants to take over as DPS as soon as the certificate of completion of the relevant qualification had been received. Mr Sullivan explained that discussions had taken place with the new tenants and there were plans to improve the appearance of the premises, including; refresh painting, putting a barrier on the car park, improving external lighting, fencing to be erected around the smoking area and ensuring that CCTV covered the whole perimeter of the building. It was planned that this schedule of works would commence when the weather conditions improved.

All parties were then afforded the opportunity to ask questions in relation to the representations made.

All parties were invited to provide a brief statement in summary.

Members of the Panel carefully considered the written report, representations and questions and answers during the hearing in addition to all the information provided. The Panel took very seriously the concerns raised by the Licensing Authority, Greater Manchester Police and the Public Health Consultant. They were, however, pleased to learn that the DPS had been replaced and new tenants were in situ.

The Panel were of the view that, given the serious nature of the incidents detailed and viewed at the hearing that a short period of suspension was required in order to allow time for the new DPS and tenants to carry out the improvements/enhancements to the building/car park/CCTV, to ensure the promotion of the licensing objectives for the prevention of crime and disorder and public safety.

The Panel further directed that additional conditions should be applied to the licence, and it was:

RESOLVED

- (i) To suspend the premise licence for the Royal Oak Public House for a period of 1 month, during which time a program of works be carried out, to include: refresh painting, erecting a barrier on the car park, improving external lighting, fencing around the smoking area and ensuring that CCTV covers all external areas of the premises, including the car park and smoking area.**
- (ii) Upon re-opening of the premises, modify the conditions of the premise licence as follows:**
 - That opening hours be modified as follows:
Sunday – Thursday – 12 noon to 0030 hrs (all licensable activities to cease at 0000hrs)
Friday and Saturday – 12 noon to 0100 hrs (all licensable activities to cease at 0030 hrs)**
 - A minimum of two SIA approved doorstaff on Friday and Saturday evenings and for any sporting event to be shown on the premises, from 2100 hrs until ½ hr after closing;**
 - The removal of all non-standard timings from the licence; and**
 - No glass or alcohol to be taken beyond the front entrance of the premises.**
- (iii) Review to be undertaken 6 months after re-opening.**

Agenda Item 4

Report to:	SPEAKERS PANEL (LIQUOR LICENSING)
Date:	23 July 2020
Reporting Officer:	Emma Varnam – Assistant Director, Operations & Neighbourhoods
Subject:	APPLICATION FOR A REVIEW OF A PREMISES LICENCE – TOP END BAR, 132-134 STAMFORD STREET CENTRAL, ASHTON-UNDER-LYNE, OL6 6AD
Report Summary:	Members are requested to determine the application
Recommendations:	<p>Having regard to the application and the relevant representations, Members are invited to take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. The steps available are:</p> <ul style="list-style-type: none">a) Modify the conditions of the licenceb) Exclude a licensable activity from the scope of the licencec) Remove the designated premises supervisord) Suspend the licence for a period not exceeding 3 monthse) Revoke the licence
Corporate Plan:	Living Well – Improve satisfaction with local community
Policy Implications:	Members are provided with policy guidelines to assist in the decision making process.
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	There are limited financial implications for the Council, as detailed in the report, however, any legal challenge to a policy decision may potentially incur costs.
Legal Implications: (Authorised by the Borough Solicitor)	Any decision to revoke/suspend a licence or impose amendments or conditions to a licence can be challenged by way of appeal (in the first instance) to the local Magistrates Court.
Risk Management:	Failure to give full consideration to the determination of licensing issues has the potential to impact on public safety.
Access to Information:	The author of the report is Sharon Smith – Head of Public Protection
Background Information:	The background papers relating to this report can be inspected by contacting Sharon Smith
	 Telephone: 0161 342 4122
	 e-mail: sharon.smith@tameside.gov.uk

1. INTRODUCTION

- 1.1 Section 51(1) of the Licensing Act 2003 outlines the procedure whereby a responsible authority may apply to the Licensing Authority for a review of a premises licence.
- 1.2 Section 52(3) of the Licensing Act 2003 states that the Authority must, having regard to the application and any relevant representations, take such of the steps mentioned in subsection (4) (if any) as it considers appropriate for the promotion of the licensing objectives.

2. REPORT

- 2.1 Top End Bar has held a premises licence since 26 August 2008. Anita Mistry Jones has been the premises licence holder since 10 May 2019 and Designated Premises Supervisor since 28 April 2015. A copy of the premises licence is attached at **Appendix 1**.
- 2.2 On 20 March 2020, the Prime Minister's announced that all pubs bars, restaurants, and other specified premises, must close down in an effort to suppress the coronavirus outbreak.
- 2.3 The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020, came into force at 14:00 hours on 21 March 2020. These regulations provided the Council with the necessary enforcement powers to ensure the closure of the specified premises.
- 2.4 Part 2 of the Regulations state;

Requirement to close premises and businesses during the emergency

2.—(1) *A person who is responsible for carrying on a business which is listed in Part 1 of the Schedule must—*

(a) during the relevant period—

- (i) close any premises, or part of the premises, in which food or drink are sold for consumption on those premises, and*
- (ii) cease selling food or drink for consumption on its premises;*

- 2.5 On 3 April 2020, whilst carrying out checks that licensed premises were complying with the regulations, Greater Manchester Police and the Council's Licensing Department visited Top End Bar. At the time of the visit the brother of the premises licence holder, Sanjay Mistry, was present at the premises in the company of two members of the public.
- 2.6 The CCTV was subsequently reviewed and shows that the premises were open and alcohol was being consumed, a direct breach of The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020.
- 2.7 Sanjay Mistry jointly manages Top End Bar and is a Director of Top End Bar (Stamford St) Ltd. In October 2013, Mr Mistry was convicted of smuggling non-duty paid wine, vodka and tobacco. He was sentenced to 27 months imprisonment for the offence.
- 2.8 On 16 June 2020, Mike Robinson, on behalf of the Licensing Authority submitted an application to review the premises licence. The review was served on the grounds that the licensing objectives, namely Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance, had been seriously undermined. A copy of the application is attached at **Appendix 2**

3. REPRESENTATIONS & EVIDENCE SUBMITTED

- 3.1 In addition to the application to review the premises licence, a supporting statement has been received from Mike Robinson on behalf of the Licensing Authority. This statement is attached at **Appendix 3**.
- 3.2 A representation has been received from Martin Thorley, Police Licensing Officer on behalf of Greater Manchester Police. This representation is attached at **Appendix 4**.
- 3.3 A representation has been received from James Mallion, Consultant Public Health on behalf of Public Health. This representation is attached at **Appendix 5**.
- 3.4 The Licensing Department received 11 emails from members of the public in support of the premises. These letters are attached at **Appendix 6**.

4. HOME OFFICE GUIDANCE

- 4.1 The current guidance issued by the Home Office under section 182 of the Licensing Act 2003 deals with the Powers of a Licensing Authority on the determination of a review, with particular attention being drawn to section 11.19, where a Licensing Authority considers action under its statutory powers:

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- *modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;*
- *exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);*
- *remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;*
- *suspend the licence for a period not exceeding three months;*
- *revoke the licence.*

5. CONCLUSION AND OPTIONS FOR THE PANEL

- 5.1 Panel are requested to consider the evidence and decide what (if any) steps to take as it considers appropriate for the promotion of the licensing objectives. The options available to the Panel are set out at the front of the report.

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Premises Licence

Licensing Act 2003

PL0723

THIS LICENCE IS ISSUED BY

Tameside MBC
Licensing Department
Tame Street Depot
Tame Street
Stalybridge
Tameside
SK15 1ST
web: www.tameside.gov.uk
Tel: 0161 342 4262

Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

PREMISES Top End Bar **TELEPHONE:** 07815770538

ADDRESS 132 - 134 Stamford Street Central, Ashton-Under-Lyne, Tameside, OL6 6AD

WHERE THE LICENCE IS TIME LIMITED THE DATES:

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE:

- | | |
|----------|---|
| E | - Performance Of Live Music; |
| F | - Playing Of Recorded Music; |
| J | - Sale by retail of alcohol; |
| N | - Provision of Regulated Entertainment; |

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES:

Activity (and Area if applicable)	Description	Times
E - Performance Of Live Music (Indoors)	Friday - Saturday	21:00 - 12:00
F - Playing Of Recorded Music (Indoors)	Monday - Sunday	10:00 - 12:00
J - Sale by retail of alcohol (Indoors)	Monday - Sunday	10:00 - 00:30
N - Provision of Regulated Entertainment (Indoors)	Monday - Sunday	10:00 - 12:00

THE OPENING HOURS OF THE PREMISES:

Description	Times
Monday	10:00 00:30
Tuesday	10:00 00:30
Wednesday	10:00 00:30
Thursday	10:00 00:30
Friday	10:00 00:30
Saturday	10:00 00:30
Sunday	10:00 00:30

Where the licence authorises supplies of alcohol whether these are on and /or off supplies:

Alcohol is supplied for consumption **ON** the Premises

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Ms Anita Mistry Jones
49 Bowness Road, Ashton-Under-Lyne, Tameside, OL7 9HH,

Tel: 07815770538
Email:

Registered number of holder, for example company number, charity number (where applicable)

Ms Anita Mistry Jones
49 Bowness Road, Ashton-Under-Lyne, Tameside, OL7 9HH,

Business Reg No:

Name address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Mrs Anita Mistry - Jones
49 Bowness Road, Ashton-Under-Lyne, Tameside, OL7 9HH,

Tel: 0161 342 24520161 330
9207

Personal licence number and issuing authority of personal licence held by designated premises supervisor (where the premises authorises for the supply of alcohol):

Licence Number: **PA2039**
Licensing Authority Issued by: **Tameside**

SIGNED ON BEHALF OF THE ISSUING LICENCE AUTHORITY



Head of Public Protection - Operations & Neighbourhoods

Annex 1 – Mandatory conditions**1 On & Off Licence Premises****All supplies of alcohol**

1. No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Exhibition of films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where:

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question; admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section "children" means any person aged under 18; and "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c39) (authority to determine suitability of video works for classification).

Door supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

(a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) Be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection 1 requires such a condition to be imposed:

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

(i) Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising films or under a gaming licence, or

(ii) Any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act.

3. For the purposes of this section:

(a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act,

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to

paragraph 8 of that Schedule.

Age verification policy

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

Irresponsible drinks promotions

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Alcoholic drink measures

The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Cost of Alcohol

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

where-

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price given by the calculation is not a whole number of pennies, the price given by that calculation shall be taken to be the price rounded up to the nearest penny.

Annex 2 – Conditions consistent with the Operating Schedule

General – all four licensing objectives (b, c, d, e):

To comply with pub/club watch scheme.

To work alongside the police to reduce anti-social behaviour.

Strict drugs policy.

Strict dress code.

Strict door policy.

To follow and abide by the Challenge 25 policy

The prevention of crime and disorder:

Door Supervisors will monitor the bar at all times. Any persons causing trouble to be removed or who are likely to cause trouble. The number of people smoking outside will be monitored. The toilets will be checked regularly.

Conditions added following a minor variation application 28th October 2013 as agreed with Greater Manchester Police.

SIA Registered Door Staff to provide a policy document relating to the use of SIA registered door staff at the premises.

A minimum of 2 SIA registered door staff to be in place on Friday, Saturday and Sunday from 22:00 hours to close as stipulated in the trading hours.

Door staff to be on duty on all "derby days" (Manchester United v Manchester City) at least one hour prior to allotted kick off time and at least one hour after the football match conclusion.

The document is to be contained in the Due diligence Folder on the premises and to be made available to the police or authorised member of the licensing authority on request.

Public safety

Given to any persons engaging in Anti-social behaviour. Doors supervisors having the right search anyone.

The prevention of public nuisance:

Condition added following representation from a responsible authority.

Noise generated by regulated entertainment shall be inaudible at the nearest noise sensitive location. A noise limiting device shall be installed, fitted and maintained in such a manner as to control all sources of amplified music at the premises. The noise limiting device shall be set and maintained at a level to be agreed with Tameside MBC. The doors/windows at Top End Bar, 132 - 134 Stamford Street, Ashton-under-Lyne shall be fitted with double/secondary glazing in order to improve the sound attenuation of the premises.

The protection of children from harm;

None given

1. Door Staff Log

A Door Supervisor Log shall be correctly maintained at the premises.

This will include the following details:

- i. The door staff names, dates of birth and home addresses;
- ii. Full details, name, address and contact number of employment agency used And for each individual period of trading:
- iii. The name of the individual member of door staff
- iv. His/her Security Industry Authority licence number
- v. The time and date he/she starts and finishes duty
- vi. The time of any breaks taken whilst on duty
- vii. Each entry shall be signed by the door supervisor, DPS or nominated person

2. CCTV

(a) A tamper-proof digital colour CCTV system must be installed and maintained at the premises to the satisfaction of Greater Manchester Police.

(b) The system must run and record continuously for 24 hours a day, 7 days per week and recorded footage must be stored for a minimum of 31 days.

(c) The system must provide a clear head and shoulders view to an evidential quality on every entry/exit route and within any other vulnerable areas as identified by Greater Manchester Police.

(d) Recorded footage must be provided to a representative of any responsible authority on request. Such footage must be provided in an immediately viewable format and must include any software etc. which is required to view the footage. Any discs, portable drives or other storage media onto which footage is transferred must be provided by the premises and sufficient stock of such storage media must be kept on the premises at all times.

(e) A member of staff who is trained to operate the system and supply footage must be present at the premises at all times when licensable activities are taking place.

(f) The Designated Premises Supervisor must ensure that the CCTV system is checked at least once every week by a suitably trained member of staff. This check must include the operation of the cameras, the recording facilities, the facilities for providing footage and the accuracy of the time & date. A written record of these checks must be kept, including a signature of the person carrying out the check. This written record must be kept on the premises at all times and made available to a representative of any responsible authority on request.

(g) Suitable signage informing customers that a CCTV system is in operation must be placed in prominent positions within the premises, including information on the Data Protection Act and the Human Rights Act.

Condition added following representation from Greater Manchester Police.

The management agree to be an active member of the local Pub & Club Watch Scheme and subscribe to and support local crime reduction initiatives.

3. Prevention Strategy

Premises Management operate a zero tolerance to all aspects of drugs use and the people using them.

We have a duty of care to any patrons in the premise who maybe under the influence of a substance. Should any person be found on the premise, they will be asked to leave, with assurance they are either in the company of a responsible person, i.e. a friend; or they will be placed in a taxi to their home address. Should a patron require medical attention, the duty first aider will assist them in the first instance until a Paramedic arrives.

4. Known Offenders

All people who are known to be drug users or dealers will be barred from the premise. These barring will either come

from the local pub watch Scheme or an in house bar.

Anyone who is found to be using/dealing on the premise will be automatically barred from the premise and will also be put forward to the pub watch Scheme for a town centre banning order.

All members of staff and door staff will have access to pictures of known offenders and will inform management immediately if an offender is in the premises.

5. Persons

Staff will conduct searches of any person entering the establishment who they suspect to be carrying or using drugs. These searches will be conducted at the front door in the view of the operating CCTV. Clothing and bags will be searched by a member of the same sex. Anyone found already in the premises suspected of using drugs will be searched in a separate location with CCTV and a minimum of 2 staff members present.

If a person is found with drugs on their person the Police will be contacted immediately, with the person being held until the arrival of the police.

Records of all searches will be available for the authorities and will be kept for a minimum of 6 months.

6. Toilet Checks

Toilet checks should be conducted frequently when licensable activities are taking place. These checks will be recorded and kept on the premises for a minimum of 31 days and will be available for inspection at any time.

7. Drugs Records

Any drugs paraphernalia found, will be given to a member of management who will record the find in the book including date/time/location/finder description/ref number. The items will then be placed in a sealed police drugs bag and stored in a locked container until the police collect.

8. Posters/Information

Posters and leaflets informing patrons about drug use and the dangers will be placed around the premises. These locations will include the toilets and the main reception area.

9. Training

Staff will receive in house training on the procedures for when drugs paraphernalia is found, or if they have suspicion on a patron under the influence of a substance.

The first-aider for the premises will have training with regard to how to treat patrons with possible drugs use symptoms. All staff training records including those in the due diligence pack will be updated with the training received.

10. Other Measures

Under the mandatory requirements of the premises licence free tap water will be made available for all patrons at all times the premises are open.

Annex 3 – Conditions attached after a hearing by the licensing authority

ANNEX 4 – AUTHORISED PLANS

As attached

Premises Licence Summary

Licensing Act 2003

PL0723

THIS LICENCE IS ISSUED BY



Tameside MBC
Licensing Department
Tame Street Depot
Tame Street
Stalybridge
Tameside
SK15 1ST
web: www.tameside.gov.uk
Tel: 0161 342 4262

Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

PREMISES	Top End Bar	TELEPHONE: 07815770538
ADDRESS	132 - 134 Stamford Street Central, Ashton-Under-Lyne, Tameside, OL6 6AD	

WHERE THE LICENCE IS TIME LIMITED THE DATES:

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE:

- E** - Performance Of Live Music;
- F** - Playing Of Recorded Music;
- J** - Sale by retail of alcohol;
- N** - Provision of Regulated Entertainment;

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES:

Activity (and Area if applicable)	Description	Times
E - Performance Of Live Music (Indoors)	Friday - Saturday	21:00 - 12:00
F - Playing Of Recorded Music (Indoors)	Monday - Sunday	10:00 - 12:00
J - Sale by retail of alcohol (Indoors)	Monday - Sunday	10:00 - 00:30
N - Provision of Regulated Entertainment (Indoors)	Monday - Sunday	10:00 - 12:00

THE OPENING HOURS OF THE PREMISES:

Description	Times
Monday	10:00 00:30
Tuesday	10:00 00:30
Wednesday	10:00 00:30
Thursday	10:00 00:30
Friday	10:00 00:30
Saturday	10:00 00:30
Sunday	10:00 00:30

Where the licence authorises supplies of alcohol whether these are on and /or off supplies:

Alcohol is supplied for consumption **ON** the Premises

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Ms Anita Mistry Jones
49 Bowness Road, Ashton-Under-Lyne, Tameside, OL7 9HH,
Tel: 07815770538
Email:

Registered number of holder, for example company number, charity number (where applicable):

Ms Anita Mistry Jones
49 Bowness Road, Ashton-Under-Lyne, Tameside, OL7 9HH,

Business Reg No:

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

Mrs Anita Mistry - Jones
49 Bowness Road, Ashton-Under-Lyne, Tameside, OL7 9HH,

Tel: 0161 342 24520161 330 9207

State whether access to the premises by children is restricted or prohibited:

Access to the premises by children is restricted

SIGNED ON BEHALF OF THE ISSUING LICENCE AUTHORITY



Head of Public Protection - Operations & Neighbourhoods

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APPENDIX 2

Tameside Metropolitan Borough Council

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 Mike Robinson, Regulatory Services Manager (Licensing), Tameside MBC

(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 Top End Bar 132 – 134 Stamford Street Central Ashton-under-Lyne OL6 6AD	
Post town Ashton-under-Lyne	Post code (if known) OL6 6AD

Name of premises licence holder or club holding club premises certificate (if known) Ms Anita Mistry Jones
--

Number of premises licence or club premises certificate (if known) PL0723

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)

X

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 Mr M Robinson Regulatory Services Manager (Licensing) Regulatory Services Tameside Metropolitan Borough Council Tame St Depot Tame St Stalybridge SK15 1ST
Telephone number (if any) 0161 342 4262
E-mail address (optional) mike.robinson@tameside.gov.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 | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

On 20 March 2020, the government via a Prime Ministerial address to the nation and in response to the Coronavirus pandemic, gave a direction for all pubs, bars and restaurants to close and not to reopen until directed to do so.

The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020, came into force on 21 March 2020.

These Regulations require the closure of specified businesses – including restaurants, cafes, bars and public houses - in which food and drink are sold for consumption on its premises.

On Friday, 3 April 2020 at approximately 17:15, Officers from Tameside Council Licensing Department and Greater Manchester Police visited Top End Bar, Stamford Street, Ashton. At the time of the visit, the front door of the premises was unlocked and appeared to be open for business.

Inside the premises at the time were a member of staff and two members of the public. There were pint glasses on the bar and an open bottle of cider. Following an interrogation of the CCTV system during the period of 15:54 – 17:40 (3/4/20), there is evidence to show that the premises had been open and alcohol had been consumed.

By being open, allowing persons to attend the premises and consume alcohol on the premises, this put the public at risk of contracting the virus and passing it on to others.

The DPS/PLH and management of the premises have seriously undermined the Licensing Objectives of Prevention of Crime and Disorder, Public Safety and Public Nuisance.

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

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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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 **X**
- I understand that if I do not comply with the above requirements my application will be rejected **X**

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 **M. Robinson**

.....

Date **16 June 2020**

.....

Capacity **Regulatory Services Manager (Licensing)**

.....

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)	

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.

APPENDIX 3

TAMESIDE METROPOLITAN BOROUGH COUNCIL

STATEMENT OF WITNESS

(C.J.Act 1967, s.9; M.C.Act 1980, ss5A(3)(a) and 5B; M.C.Rules 1981, r.70)

STATEMENT OF: Mike Robinson

AGE OF WITNESS: Over 18

OCCUPATION OF WITNESS: Regulatory Services Manager

1. I am Mike Robinson, I am a Regulatory Services Manager for Tameside Metropolitan Borough Council and I am currently based in the Regulatory Services Department at Tame Street in Stalybridge, I have held this position since October 2018
2. My duties include, amongst other things, the administration and regulation of the Licensing Act 2003 (the Act) which governs the licensing of premises and their authorised activities under the Act.
3. On Friday 20 March 2020, in response to the serious and imminent threat that the spread of Covid-19 posed to public health, the Prime Minister addressed the nation and called on pubs, bars and restaurants to close as soon as practicable. He said “Following agreement between all four nations of the UK, we are collectively telling cafes, pubs, bars and restaurants to close tonight, as soon as they reasonably can and not open tomorrow.”
4. On Saturday 21 March 2020 at 14:00hrs, The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020, came into force.

This statement, consisting of 4 pages, each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 12th July 2020

Signed

EV1ST2

5. On Friday 3 April 2020, I was working with the Police visiting licensed premises across Tameside to ensure that they were closed. At approximately 17:15 we were driving along Stamford Street when one of the Police Officers noticed that the gate at the front of Top End Bar was open. The Police Officer driving the vehicle drove down Old Street and then back down Stamford Street so that we could visit. As we approached the premises we could see that the gate had been closed, I looked through the window and I could see that people were inside.
6. The front door of the premises was unlocked and I walked inside, accompanied by PC Martin Thorley, Police Licensing Officer. As I walked into the premises, a man I know to be Sanjay Mistry came towards me from behind the bar. He was holding a large carrier bag with a quantity of wine bottles. I explained the purpose of our visit and asked Mr Mistry what why the premises appeared to be open and why he was carrying a bag of wine.
7. Mr Mistry gave two differing accounts for the wine, first he told me that the wine was a gift for a tradesman that had been working for him, a few moments later he the said that the wine was being sold as an off-sale for a customer waiting outside.
8. As we walked over to the bar, I noticed two glasses and a half-empty bottle of purple coloured bulmers fruit cider. One of the glasses contained the rest of the cider, the other glass was empty save for the residue of what appeared to be bitter. I asked Mr Mistry who had been drinking in the bar and he told me that he had been drinking cider. Mr Mistry then approached me and said "Here, smell my breath" and proceeded to breathe directly into my face. I felt very uncomfortable by this and I asked Mr Mistry to step back and observe social distancing.

This statement, consisting of 2 pages, each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 12th July 2020

Signed

EV1ST2

9. At the time of our visit, also present inside the premises were two members of the public. One male, approximately 40-45 years of age and wearing a Manchester United shirt said that he was paying his rent to Mr Mistry and also delivering a joint of meat. The second male was approximately 55-60 years of age and wearing a flat cap. Mr Mistry said that he was having a business meeting with this man and denied that he had been drinking whilst on the premises.
10. PC Thorley checked the cellar and beer the lines appeared free from beer apart from one of the cellar boys which was half full of a beer which looked like bitter.
11. I informed Mr Mistry that I suspected that the premises was open and trading. I advised that the premises should be closed in line with The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020 and I left the at approximately 17:35.
12. On Tuesday 7 April, I arranged to meet the premises licence holder, Anita Mistry Jones at the premises in order to collect the CCTV from 3 April which had been requested. Sanjay Mistry was also present and his behaviour was aggressive and confrontational. Mr Mistry also gave a third explanation for why he was carrying a large quantity of wine at the time of my visit on 3 April, he said that he was taking the wine home for his girlfriend.
13. On 9 April a Prohibition Notice served by Environmental Health Officer, Beverley Hursthouse.
14. I reviewed the CCTV footage with PC Thorley on 16 April. The footage showed that on 3 April, Sanjay Mistry had been drinking with the male that had been wearing a flat

This statement, consisting of 2 pages, each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 12th July 2020

Signed

EV1ST2

cap for at least 1 hour before we arrived. The male appeared to pay for his drinks and when we arrived hid his pint of beer underneath the table.

15. The circumstances outlined above show that the Licensing Objectives of Crime and Disorder, Public Safety and Public Nuisance are being undermined by the premises continuing to be open and allowing persons to attend and consume alcohol on the premises. This facilitates gatherings of people not from the same household, putting the public at risk of contracting coronavirus and subsequently passing it on to others.

This statement, consisting of 2 pages, each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 12th July 2020

Signed

EV1ST2

RESTRICTED (when complete)

MG11

Page 1 of 5

WITNESS STATEMENT**Criminal Procedure Rules r 27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B**URN Statement of: **Martin Richard THORLEY**

Age if under 18: Ov 18 (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of four pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature:

Date: 14th July 2020Check box if witness evidence is visually recorded (supply witness details on last page)

I am Police Constable 14627 Martin Thorley of the Greater Manchester Police stationed at Ashton-under-Lyne Police Station. My current role is that of Licensing Officer, Divisional Partnership Team for the Tameside District.

I have delegation of authority on behalf of the Chief Officer of Police for all applications made in respect of the Licencing Act 2003.

I am aware that this statement will be used as part of an application for a review of the licensed premises **Top End Bar, 134 Stamford Street Central, Ashton-under-Lyne OL6 6AD.**

Top End Bar is a public house situated on the corner of Stamford Street Central and George Street in Ashton Town Centre.

On 20th March 2020 Prime Minister Boris Johnson made a statement on coronavirus. In this statement he informed the Nation that **"We are collectively telling, telling cafes, pubs, bars, restaurants to close tonight as soon as they reasonably can, and not to open tomorrow."**

On 21st March 2020 The Health Protection (Coronavirus, Business Closure) (England) Regulations were introduced enforcing Closures.

On Friday 3rd April 2020 at 1715hrs Licensing Manager Mike Robinson and I attended at Top End Bar whilst engaged on Operation Gritstone patrol where Licensed Premises in the Tameside Borough are visited.

We had not intended to visit the premises, though as we drove along Stamford Street Central driving past the premises it was noted that the external metal gate on the front of the premises was open. Due to this we drove around the block and stopped in order to check the premises.

At this point it was noted that the metal gate appeared to have been closed. We both approached the gate which was unlocked and we opened the front door to the premises which was unlocked, as though the premises were open for business.

On entering the premises I saw a male who I know to be Sanjay Mistry. Mistry is known to me as he is the only person I have seen working in Top End Bar on my numerous visits to the Premises. Mistry appeared from

Signature:.....

Signature witnessed by:.....

2010/11

RESTRICTED (when complete)

behind the bar carrying a large red/blue coloured bag for life which he stated contained wine for a tradesman who had done work for his residential properties. Mistry changed his mind about the wine and then claimed it was for a customer who was waiting outside the bar. Mistry seemed extremely nervous and was all over the place scurrying around and repeatedly claiming that he 'was clearing the lines'.

Present in the bar at this time were two customers:-

Male one was a male aged approx. 58-60 years who was wearing a leather coat and flat cap. Mistry claimed this male was his accountant and they were in the process of a business meeting. Throughout my visit this male remained stood behind a pillar and did not engage in any conversations.

Male two was a slim male aged in his mid 40's. He had red hair and was wearing a Manchester United shirt and blue jeans. Mistry claimed this male was delivering a joint of meat and was paying his rent. A large joint of meet was seen on the bar. This male was holding a quantity of monetary notes in his hand was later observed using a key to enter the flats via a door to the right hand side of the front of Top End Bar. As he did this the male produced a letter head of paper with Tulip Foods on it. The male spoke with me and claimed to be an employee of Tulip Foods.

There was what I believe to be a bottle of Cider and a half full glass of cider on the bar and an empty pint glass which contained the remnants of what looked like bitter. On seeing this glass and walking towards it Mistry again stated 'I'm clearing the lines'.

I made my way around the bar into the cellar area situated in the rear room. All the lines appeared free from beer apart from one of the cellar boys which was half full of a beer which looked like bitter.

I asked Mistry what this was and he stated that he was in the process of clearing the lines. I find this hard to believe some 15 days after the close down enforced by the government.

I then went behind the bar and the beer lines were checked. All appeared to be clear of beers and were on water. Mistry was spoken with and was warned about what we had observed. I told Mistry that I didn't believe him and that I suspected that he was open for business and was trading. I told him of my suspicions that the beer glass on the bar had recently been drank out of.

Mistry denied this and stated 'The Bulmer's is mine. I'm drinking it, here, smell my breath'....Mistry came towards both Mike Robinson and myself in an attempt for us to smell his breath. At no point did Mistry respect social distancing and I felt at risk from him coming towards be intending to breath heavily on me.

Mistry was informed that I would require a copy of the CCTV covering the one hour period before our arrival in order for him to evidence what had occurred inside the licensed premises prior to our arrival.

As a result of what I observed during this visit and what I suspected had occurred prior to my arrival I served a Warning Letter on Sanjay Mistry before finally leaving the premises.

The CCTV was produced and was provided by Sanjay Mistry (Exh SM/1) during a further visit by PC Tony Lawton and Mike Robinson.

The CCTV was handed to me and I reviewed the contents on the CCTV on Wednesday 8th April. Upon viewing the footage I was not satisfied that the CCTV was conclusive as to activities behind the bar and so I

Signature:.....

Signature witnessed by:.....

contacted Anita Mistry at 1548hrs on 8th April 2020 to request for further footage covering the bar area and pool table/toilet area.

I was contacted by Anita Mistry at 0828hrs on Saturday 11th April informing me that the CCTV footage was ready and could be collected from the bar at 1500hrs.

At 1440hrs Mike Robinson and myself attended at Top End Bar. Again on attendance the front door was unlocked and we walked straight into the bar. I again asked Mistry why the door was open and why he was at the bar. He claimed it was due to him expecting our attendance. The further CCTV was provided by Anita Mistry at 1500hrs on Saturday 11th April 2020 when she attended outside Top End Bar.(AM/1)

This further CCTV was reviewed by myself on Thursday 16th April 2020 and in my opinion is conclusive in evidencing that Mistry is open and selling / serving alcohol. I have produced exh Ref MRT/1 ad MRT/2 in relation to this CCTV.

Both seized CCTV footage appears to be showing the incorrect times.....I first attended at 1715hrs, yet the CCTV shows me attending at 1610hrs.

Following reviewing the CCTV and based on what I had observed when I attended at the Top End Bar on 3rd April 2020 I feel that both member of staff Sanjay Mistry and Designated Premises Supervisor Anita Mistry have failed to promote the licensing objectives.

As a result of this Greater Manchester Police are in full support of a standard review of the Premises Licence submitted by Tameside MBC in relation to Top End Bar pursuant to s.51-53 of the Licensing Act 2003. Under the following objectives:-

Public Safety

As it is considered that the activities could cause immediate harms resulting from activities being carried on at the premises. It is unarguable that the immediate contraction of a potentially fatal illness is an immediate harm.

Public Nuisance

By being open and trading was causing the risk of infections spreading as a result of activities carried out on land.

Crime and Disorder

By being open and trading was causing the risk of infections spreading as a result of activities carried out on land. Causing a public nuisance is a serious criminal offence under the common law punishable with a maximum of life imprisonment (see R v Rimmington & Goldstein [2005] UKHL 63).

I have caused the production of the following exhibits which are to be presented for the Review Panel Hearing:-

AM/1 CCTV from Top End Bar produced on memory stick

Signature:.....

Signature witnessed by:

SM/1 CCTV from Top End Bar produced on memory stick

EW/1/98374 CCTV of Top End Bar edited/transferred onto DVD

MRT/1 CCTV Log of incidents viewed on CCTV (AM/1 and SM/1)

MRT/2 CCTV log of incidents downloaded (EW/1/98374)

MRT/3 Delegated Authority from Chief Constable.

MRT/4 Copy of Warning letter served on Sanjay Mistry

MRT/5 Transcript of Prime Minister Boris Johnson statement on coronavirus 20th March 2020.

It is my belief that the manner in which the premises of Top End Bar have been managed, allowing the congregation of persons to gather and attend at a time when the Nation has seen the devastating impact of Covid 19. The actions of both Sanjay Mistry and Anita Mistry are a blatant breach of the regulations, given that The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020 (SI 2020/327) being in force.

The Designated Premises Supervisor has put the welfare of staff, customers, attending Police and Council Officers and the wider members of the public in danger of contracting a potentially fatal illness. I consider the behaviour and actions of the management and staff at Top End Bar have been totally irresponsible especially as the closure of Pubs was ordered by the Government during a global pandemic.

I am aware that Sanjay Mistry date of birth [REDACTED] of Top End Bar has convicted on the PNC for offences under Customs and Excise Management Act 1979 Sect 170 (1) (b).

I have viewed the PNC which shows that Mistry was convicted to 27 months imprisonment on 7th October 2013.

I understand that Mistry served nine months in prison and was released on Home Detention Curfew until his conviction was spent on 6th January 2016.

To the best of my knowledge and belief there is no reasonable ground for believing that the information produced above, from various Police computer systems, and included in this statement is inaccurate because of improper use of the computers and to the best of my knowledge and belief at all material times the computers were operating properly, or if not, any respect in which they were not operating properly or were out of operation was not such as to effect the production of information or its accuracy.

PC 14627 Martin Thorley

Signature:.....

Signature witnessed by:

Witness contact details		URN
Home address:	C/O Hyde Police station	Postcode: SK14 2LJ
Home telephone no.:		Work telephone no:
Mobile no: 07393145364		E-mail address:
Preferred means of contact:	<i>(Specify details for vulnerable/intimidated victims and witnesses only):</i>	
Gender: Male		Date and place of birth:
Former name:		Ethnicity code 16+1
DATES OF WITNESS NON-AVAILABILITY:		
Witness care		
a) Is the witness willing and likely to attend court? If 'No', include reason(s) on form MG6.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b) What can be done to ensure attendance?		
c) Does the witness require Special Measures Assessment as a vulnerable or intimidated witness? <i>Youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case) If 'Yes' submit MG2 with file in anticipated not guilty, contested or indictable only cases.</i>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d) Does the witness have any particular needs? If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Witness consent (for witness completion)		
a) The Victim Personal Statement scheme (victims only) has been explained to me:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b) I have been given the Victim Personal Statement leaflet:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
c) I have been given the leaflet 'Giving a witness statement to the police'		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d) I consent to police having access to my medical record(s) in relation to this matter: <i>(obtained in accordance with local practice)</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
e) I consent to my medical record in relation to this matter being disclosed to the defence:		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
f) I consent to the statement being disclosed for the purposes of civil or other proceedings if applicable: e.g. child care proceedings, CICA.		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
g) Child witness cases only. I have had the provision regarding reporting restrictions		
Explained to me.		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
I would like CPS to apply for reporting restrictions on my behalf		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
I understand that the information recorded above will be passed on to the Witness Service, which offers help and support to witnesses pre-trial and at court;		
Signature of witness:.....	PRINT NAME:
Signature of parent/guardian/appropriate adult:	PRINT NAME:
Address and telephone number if different from above:		
Statement taken by (print name): Self	Station: Hyde	
Time and place statement taken: 1200 hrs Hyde Police station		

Top End BarCCTV LOGFootage from memory stick PNY 16GB Exh ref AM/1**Bar Camera**

Till can be seen switched on and illuminated behind the bar

- 145000 Male in flat cap sat on barstool with a pint of beer on the table
- 150637 SM goes behind the bar, pours beer from pump having selected a glass from under bar
- 150642 FC pays for beer placing money on a tablet on the bar
- 150710 SM pours beer from Pump and serves beer to the table of FC, placing beer onto the table
- 151016 FC drinks beer from glass which was on the table
- 151358 SM takes money from on the tablet on the bar placing money in glass behind bar
- 151700 SM places bucket on the floor behind the bar and starts pulling beer through the lines emptying the contents in the bucket
- 151907 Having pulled beer through the lines SM selects new glass and pours FC a small beer. FC drinks beer from on the bar
- 151922 SM removes bucket from behind the bar
- 152419 SM is seen counting large quantity of money notes onto the bar
- 152553 FC drinks beer from pint glass
- 153150 SM seen breaking seal on packaging of cans of Magners and stocking shelves
- 153719 SM seen breaking seal on packaging of cans of Magners and stocking shelves
- 153940 FC drinks beer from pint glass
- 154116 SM stocking shelves under the bar with cans
- 154806 SM selects bottle of Bulmers, pours it into a glass. Appears to till the transaction in on the till via a mouse positioned on the bar
- 152220 SM pours beer from pump and serves it to FC who is positioned at table
- 155245 FC seen counting money in hand. SM does not accept money
- 160100 SM enters carrying Red/Blue holdall, goes behind the bar and places bag onto the floor. Starts to fill bottles and places the bottles onto the bar – 6 bottles are filled when the CCTV stops at 160708

Camera 7 Pool Table/ Toilets

161120 MUFC seen counting large amount of money notes under the camera

161200 SM places Red/Blue holdall behind the bar on the floor close to the hatch

161645 FC goes to the toilet area beyond pool table (glass secreted from view)

161807 FC returns from the toilet area

161820 SM goes into the toilet empty handed and returns empty handed

163955 SM goes into the toilet empty handed

164000 SM reappears from the toilet area carrying empty glass in his right hand. SM takes empty glass into the room behind the bar

Footage from memory stick DataTraveler G4 8GB Eh Ref SM/1

Camera 2 Front Door

155423 SM leaves front of pub empty handed

155453 SM enters pub empty handed

160034 SM leaves pub empty handed

160112 SM enters the pub carrying a large Red/Blue holdall

160909 Male with MUFC shirt arrives with rucksack

161046 MR MT arrive and enter via unlocked front door

161153 SM MUFC leave bar SM carrying Red/Blue holdall. SM immediately walks back in in possession of holdall

161307 MUFC walks back in empty handed

161519 MUFC leaves carrying backpack. Is followed by MT MR SM

161703 SM re-enters pub followed by MUFC with backpack

161746 MUFC leaves pub with backpack

161840 MT enters pub with Covid 19 warning letter

161908 MT leaves pub followed by SM

161928 SM re-enters pub carrying letter in left hand

162157 FC leaves the pub carrying the Red/ Blue holdall

162229 SM leaves the pub

163933 SM re-enters the pub

Camera 4 Lounge area

- 151704 FC sat at bar table full pint and one empty pint glass
- 151932 FC drinking wine whilst standing at the bar
- 152054 SM removes empty pint pot from table of FC and returns to the bar
- 153557 SM leaves bar carrying orange bag
- 153648 SM enters the bar empty handed
- 154206 SM leaves bar carrying orange bag
- 154257 SM enters the bar empty handed
- 155040 SM drinking from pint glass at the end of the bar talking with FC
- 155245 SM puts a full pint on the table of FC. FC is seen to be counting coins in his hand. There are 1 ½ pints of beer on the table
- 160007 SM is seen to be using a tablet device near bar tapping on the device
- 160031 SM leaves pub empty handed
- 160116 SM enters the pub carrying Red/ Blue holdall. Takes it behind the bar
- 160605 FC finishes pint of beer and places empty pint pot on the bar near to SM's pint glass
- 160921 MUFC enters the pub and places back pack on floor. Pulls a joint of meat out of bag and places it on the bar
- 161004 MUFC counts quantity of money notes at the bar whilst becoming aware of somebody outside (MT and MR arriving)
- 161044 On being alerted to the arrival of persons. SM picks up Red/ Blue holdall and walks from behind bar towards the front door
- 161050 SM is met by MT and MR at the front door
- 161110 MUFC continues to count money whilst sat with FC
- 161114 FC hides beer on the floor behind pillar out of view of MT and MR. Beer can be seen on CCTV behind the pillar under the table
- 161200 MR sees ½ pint and empty pint glass on the bar. SM is holding a Red /Blue holdall over his shoulder
- 161232 MR MT SM enter behind the bar and off camera
- 161317 FC takes jacket off the floor and places the jacket over the pint glass full of beer which is on the floor
- 161404 MUFC hands SM large amount of money notes over the bar

161517 MUFC SM MR MT leave towards the front door. FC remains at the table standing over the hidden beer

161620 FC is seen to wipe the table clean removing residue which has been left from glasses

161643 FC bends down and puts pint glass within his coat and makes his way towards the toilet area.

161707 SM re-enters the pub and removes tablet from unattended table

161735 MUFC enters the pub and carefully removes jacket from the floor and is seen communicating with SM

161740 SM drinks from pint glass which was on the end of the bar

161745 MUFC leaves bar and SM finishes drinking from pint glass and returns behind bar

161809 FC returns from toilets and is seen rubbing hands together. Speaks with SM

161824 FC and SM go towards toilet area

161845 MT enters the pub with Covid 19 warning letter

161849 SM returns from toilet area

161852 Letter is served to SM by MT on the bar

163129 SM hands FC large Red/ Blue holdall having checked that MR MT are not in pub. FC walks towards the door

163405 **CCTV STOPS**

163545 SM walks towards the toilets

164047 SM appears from toilets area carrying an empty pint glass. SM takes pint glass behind the bar

165000 SM is moving large stock of toilet paper into stock room

170646 **CCTV STOPS**

Top End BarCCTV LOGFootage from memory stick PNY 16GB Exh ref AM/1Camera 8 (Bar Camera)

Till can be seen switched on and illuminated behind the bar

- 145408-145500 Male in flat cap sat on barstool with a pint of beer on the table
- 150637-150726 SM goes behind the bar, pours beer from pump having selected a glass from under bar
- 150642-150710 FC pays for beer placing money on a tablet on the bar
SM pours beer from Pump and serves beer to the table of FC, placing beer onto the table
- 151358-151410 SM takes money from on the tablet on the bar placing money in glass behind bar
- 151700-151940 SM places bucket on the floor behind the bar and starts pulling wine through the lines emptying the contents in the bucket. Having pulled wine through the lines SM selects new wine glass and pours FC a glass of wine. FC drinks the wine whilst standing at the bar
- 152410-152626 SM is seen counting large quantity of money notes onto the bar
- 154806-154843 SM selects bottle of Bulmers, pours it into a glass. Appears to till the transaction in on the till via a mouse positioned on the bar
- 155210-154843 SM pours beer from pump and serves it to FC who is positioned at table
- 160100-160708 SM enters carrying Red/Blue holdall, goes behind the bar and places bag onto the floor. Starts to fill bottles and places the bottles onto the bar – 6 bottles are filled when the CCTV stops at 160708

Camera 7 Pool Table/ Toilets

- 161120-161500 MUFC seen counting large amount of money notes under the camera. MR & MT arrive in Pub
- 161645-161700 FC goes to the toilet area beyond pool table (glass secreted from view)
- 163955-164100 SM goes into the toilet empty handed SM reappears from the toilet area carrying empty glass in his right hand. SM takes empty glass into the room behind the bar

Footage from memory stick DataTraveler G4 8GB Eh Ref SM/1Camera 2 Front Door

- 160034-160114 SM leaves pub empty handed SM enters the pub carrying a large Red/Blue holdall
- 160900-160915 Male with MUFC shirt arrives with rucksack

- 161040-161120 MR MT arrive and enter via unlocked front door
- 161834-161923 MT enters pub with Covid 19 warning letter MT leaves pub followed by SM

Camera 4 Lounge area

- 151704-151720 FC sat at bar table full pint and one empty pint glass
- 151900-151938 FC drinking glass of wine whilst standing at the bar
- 155020-155040 SM drinking from pint glass at the end of the bar talking with FC
- 155240-155254 SM puts a full pint on the table of FC. FC is seen to be counting coins in his hand. There are 1 ½ pints of beer on the table
- 160025-160120 SM leaves pub empty handed SM enters the pub carrying Red/ Blue holdall. Takes it behind the bar
- 160603-16-612 FC finishes pint of beer and places empty pint pot on the bar near to SM's pint glass
- 160915-160948 MUFC enters the pub and places back pack on floor. Pulls a joint of meat out of bag and places it on the bar
- 161000-161124 MUFC counts quantity of money notes at the bar whilst becoming aware of somebody outside (MT and MR arriving)
- On being alerted to the arrival of persons. SM picks up Red/ Blue holdall and walks from behind bar towards the front door
- SM is met by MT and MR at the front door
- MUFC continues to count money whilst sat with FC
- FC hides beer on the floor behind pillar out of view of MT and MR. Beer can be seen on CCTV behind the pillar under the table
- 161154-161233 MR sees ½ pint and empty pint glass on the bar. SM is holding a Red /Blue holdall over his shoulder
- MR MT SM enter behind the bar and off camera
- 161300-161317 FC takes jacket off the floor and places the jacket over the pint glass full of beer which is on the floor
- 161350-161420 MUFC hands SM large amount of money notes over the bar
- 161524-161655 FC is seen to wipe the table clean removing residue which has been left from glasses
- FC bends down and puts pint glass within his coat and makes his way towards the toilet area.
- 161734-161746 MUFC enters the pub and carefully removes jacket from the floor and is seen communicating with SM
- 161840-161909 Letter is served to SM by MT on the bar

162140-162158 SM hands FC large Red/ Blue holdall having checked that MR MT are not in pub. FC walks towards the door

163950-164050 SM walks towards the toilets

SM appears from toilets area carrying an empty pint glass. SM takes pint glass behind the bar

**GREATER MANCHESTER
POLICE**

DELEGATED AUTHORITY

LICENSING ACT 2003

I, the Chief Constable of Greater Manchester Police, hereby authorise and delegate powers conferred upon me by:

Licensing Act 2003 ("the Act")

With regard to the following functions and responsibilities under the aforementioned Act:

All functions under the Act where the Chief Officer of Police acts as a Responsible Authority

To:

Police constable (or higher ranking officer), Divisional Partnership Team, Greater Manchester Police;

Police constable (or higher ranking officer) (Licensing Lead), Integrated Delivery Team, Greater Manchester Police;

Police constable (or higher ranking officer), Alcohol and Licensing Lead, Neighbourhoods Confidence and Equality, Greater Manchester Police

This delegation revokes all previous delegations under the Act and shall remain forever in force until revoked by the Chief Constable of Greater Manchester Police.

Signed:

Dated: 30 June 2016.

**Ian Hopkins QPM
Chief Constable
Greater Manchester Police**

Sharon Smith
Head of Public Protection

Tame Street Depot, Tame Street, Stalybridge
Tameside, SK15 1ST

Call Centre 0161-342-8355
Twitter @tmbc_places

www.tameside.gov.uk
email: sharon.smith@tameside.gov.uk

Doc Ref
Ask for Sharon Smith
Direct Line 0161 342 2277
Date 27 March 2020

Dear Sir/Madam

Re: Health Protection (Coronavirus, Business Closures) Regulations 2020

The above Regulations came into force at 2pm on 21 March 2020 -
<https://www.legislation.gov.uk/uksi/2020/327/contents/made>

On 23 March, the Government stepped up measure to prevent the spread of Coronavirus and save lives. All non-essential premises must now close. Takeaway and delivery services may remain open and operational in line with guidance on Friday 20 March. Online retail is still open and encouraged and postal and delivery service will run as normal.

Retail and public premises which we expect to remain open must:

- Ensure a distance of two metres between customers and shop assistances; and
- Let people enter the shop only in small groups, to ensure that spaces are not crowded.
- Queue control is required outside of shops and other essential premises that remain open.

Parks will remain open but only for individuals and household to exercise once a day. Communal spaces within parks such as playgrounds and football pitches will be closed.

Non-Essential businesses and premises must now shut

The following businesses must remain closed:



Business, Premises or Place	Exceptions
Food and drink	
Restaurants	Food delivery and takeaway can remain operational.
Cafes, including workplace canteens	Food delivery and takeaway can remain operational. Cafes or canteens at hospitals, care homes or schools; prison and military canteens; services providing food or drink to the homeless.
Public Houses	
Bars and Nightclubs including bars in hotels or members' clubs	
Retail	
Hair, beauty and nail salons including piercing and tattoo parlours	
Massage parlours	
All retail with notable exceptions	Supermarkets and other food shops, health shops, pharmacies including non-dispensing pharmacies, petrol stations, bicycle shops, home and hardware shops, launderettes and dry cleaners; garages, car rentals, pet shops, corner shops, newsagents, post offices and banks.
Outdoor and indoor markets	Market stalls which offer essential retail such as grocery and food.
Auction houses	
Car showrooms	
Hotels	
Hotels, hostels, B&Bs, campsites and boarding houses for commercial use.	Where people live in these as interim abodes whilst their primary residence is unavailable they may continue to do so. Key Workers can continue to stay in hotels or similar where required.
Caravan parks/sites for commercial use.	Where people live permanently in caravan parks or are staying in caravan parks as interim abodes where their primary residence is not available, they may continue to do so.
Non-Residential Institutions	
Libraries	
Community centres, youth centres and similar	Facilities may remain open for the purpose of hosting essential voluntary or public services, such as food banks or homeless services. We will do everything we can to support vulnerable people who are without a network of friends or families.
Places of Worship for Services	Funerals following the social distancing guidance; places of worship should remain open for solitary prayer. Live streaming of a service without audience would be permissible.
Cinemas, theatres and concert halls	Live streaming of a performance by a small group could be permissible with social distancing observed.

Assembly and leisure	
Museums and galleries	
Bingo halls, casinos and betting shops	
Spas	
Skating rinks	
Fitness studios, gyms, swimming pools or other indoor leisure centres	
Arcades, bowling alleys, soft play centres and similar.	
Outdoor recreation	
Enclosed spaces in parks, including playgrounds, sports courts and pitches, and outdoor gyms or similar.	

These premises and other venues must close as they involve prolonged close social contact, which increases the chances of infection spreading.

This legislation has been put into effect to protect both yourselves and others and to reduce the spread of the COVID-19 virus.

We will monitor compliance with these regulations and businesses that commit offences will be subject to **prohibition notices**, and potentially **unlimited fines**. As a further measure, and if needed, businesses that fail to comply could also face the **loss of their alcohol licence** when it is reviewed.

Those businesses offering takeaway or delivery services must not provide alcoholic beverages if the licence does not already permit. Please check your licence to ensure it covers you for off sales of alcohol and not just on sales.

If you would like any further information on this, please contact **the Licensing Unit on the email address above.**

Yours faithfully



Sharon Smith
Head of Public Protection
Operations & Neighbourhoods

PM statement on coronavirus: 20 March 2020

Prime Minister Boris Johnson made a statement on coronavirus.

Good afternoon and thank you for coming again,

Today I am joined by the Chancellor of the Exchequer Rishi Sunak and Jennie Harries deputy chief medical officer.

Yesterday I set out the ambition of this government to turn the tide against coronavirus within 3 months. And I want to repeat that determination today.

We are going to do it with testing. We are going to do it with new medicines, and with new digital technology that will help us to see the disease as it is transmitted, and thereby, by eliminating it, to stamp it out.

And above all, now we are going to defeat this disease with a huge national effort to slow the spread by reducing unnecessary social contact.

And I want to thank everyone for following the guidance we issued on Monday:

to stay at home for 7 days if you think you have the symptoms,

for 14 days if anyone in your household has either of the symptoms – a new continuous cough or a high temperature.

To avoid pubs, bars, clubs and restaurants.

To work from home if at all possible.

Keep washing your hands.

I know it has been tough.

I know it has been inconvenient.

But these actions that we're all taking together are already helping to take the strain off our NHS.

Bit by bit, day by day, by your actions, your restraint and your sacrifice, we are putting this country in a better and stronger position, where we will be able to save literally thousands of lives, of people of all ages, people who don't deserve to die now.

People whose lives can, must, and will be saved.

And as we take these actions together and as we make these sacrifices, we can see the impact on the real economy.

Already, fantastic British companies, already under huge strain, big and small.

Workers who are finding that their jobs are under threat or are going, through no fault of their own. And to all of them, we in government say: We will stand by you.

And I say that to companies, remember our joint objective: to beat this virus. And we will do everything in our power to help.

And in just a minute, Rishi is going to explain how we are going to help workers of all kinds to get through this crisis,

Supporting you directly in a way that Government has never been done before, in addition to the package we have already set out for business.

And of course these measures are intended to be temporary and of course I am confident that, in time, the UK economy is going to bounce back.

Of course it is.

But I must be absolutely clear with you: the speed of that eventual recovery depends entirely on our ability, our collective ability, to get on top of the virus now.

And that means we have to take the next steps, on scientific advice and following our plan, we are strengthening the measures announced on Monday which you will remember.

And of course people have already made a huge effort to comply with those measures for avoiding unnecessary social contact.

But we need now to push down further on that curve of transmission between us.

And so following agreement between all the formations of the United Kingdom, all the devolved administrations,

We are collectively telling, telling cafes, pubs, bars, restaurants to close tonight as soon as they reasonably can, and not to open tomorrow.

Though to be clear, they can continue to provide take-out services.

We're also telling nightclubs, theatres, cinemas, gyms and leisure centres to close on the same timescale.

Now, these are places where people come together, and indeed the whole purpose of these businesses is to bring people together. But the sad thing is that today for now, at least physically, we need to keep people apart.

And I want to stress that we will review the situation each month, to see if we can relax any of these measures.

And listening to what I have just said, some people may of course be tempted to go out tonight. But please don't.

You may think you are invincible, but there is no guarantee you will get mild symptoms, and you can still be a carrier of the disease and pass it on to others

So that's why, as far as possible, we want you to stay at home, that's how we can protect our NHS and save lives.

To repeat, I know how difficult this is, how it seems to go against the freedom-loving instincts of the British people. And I also know much, right now, workers and business deserve the financial reassurance we are giving them.

But we will get through this.

We will get through it together, and we will beat this virus.

And to ram that point home: the more effectively we follow the advice that we are given, the faster this country will stage both a medical and an economic recovery in full.

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POPULATION HEALTH

ASHTON-UNDER-LYNE · AUDENSHAW · DENTON · DROYLSDEN · DUKINFIELD · HYDE · LONGDENDALE · MOSSLEY · STALYBRIDGE

Jeanelle De Gruchy
Director of Population Health
Population Health

Tameside One, Market Place
Ashton-under-Lyne, Tameside. OL6 6BH

www.tameside.gov.uk
e-mail : James.mallion@tameside.gov.uk

Call Centre 0161 342 8355

Doc Ref
Ask for James Mallion
Direct Line 0161 342 2328
Date 13 July 2020

Re: Representation from the Population Health Department at Tameside Council regarding the review of premise application in regards of Top End Bar, 132-134 Stamford Street Central, Ashton-under-Lyne, OL6 6AD

I, James Mallion on behalf of Public Health in their capacity as a Responsible Authority under the Licensing Act 2003 make representation in relation to the premises licence review at (On License) Top End Bar, 132-134 Stamford Street Central, Ashton-under-Lyne, OL6 6AD submitted to the Licensing Authority on 16 June 2020.

The representation relates primarily to: the prevention of crime and disorder; public safety; and the prevention of public nuisance.

The Health Protection Regulations which came into effect on 21 March 2020 specifically required the closure of restaurants, cafes, bars and public houses. The rationale for this was to reduce the overall mixing of people in the community; and to avoid people gathering in enclosed indoor spaces where there may be a high risk of transmission of Covid-19, due to the transmission routes from respiratory droplets and other contact.

As a Responsible Authority, we have reviewed the underlying risk posed by the circulation of Covid-19 in the wider community during the period in question (late March-early April).

Firstly the reproduction number (R number) of the virus gives us an overall estimate of the number of people each infected person will infect on average. Without any control measures, the R number for Covid-19 is estimated to be between 2 and 3. So for every person with the virus, 2 to 3 others are infected. In comparison, now that more protective measures are in place, which the majority have adhered to, the R number has reduced to an estimated 0.7-1.0 in the North West.

During the time in question in early April, some of the protective measures that are now in place to reduce the risk of further spread, and reduce the R number, were not yet implemented including 'covid-safe' measures in public spaces, the wider use of face coverings (eg. on public transport), the national Test & Trace system and the Local Authority Outbreak Management plan. Due to the

high R number of Covid-19 we know that one infected person could pass this on to others, resulting in up to 400 further people being infected after 30 days, from a single case. The range of protective measures to limit contact and contain the virus reduce this number substantially, which is why it is crucial that measures such as the Health Protection Regulations are adhered to.

The panel should also note that there is evidence of substantial asymptomatic spread which means people who are infected are able to pass the virus on before their symptoms actually start, and therefore before they are aware they have it. Evidence from the World Health Organisation also suggests that large numbers of small outbreaks of Covid-19 that have been identified have been linked to crowded indoor spaces.

In terms of the actual numbers in Tameside, it is important to note that at the time in question at the start of April, the rate of infection was high with much higher levels of Covid-19 circulating in our population than we see now. During the 7 days leading up to Friday 3 April 2020, 94 people tested positive for Covid-19 in Tameside. This compares to 18 people who tested positive during the 7 days leading up to Friday 10 July 2020. It should also be noted that during early April, there was a much lower rate of testing taking place than there is now, with only the most severely ill patients who were admitted to hospital being routinely tested, so that figure of 94 is likely to only represent a small proportion of the actual number of people who were infected in Tameside at the time. As the number of tests being done, and the infection rate increased, these numbers continued to rise to a high of 178 positive cases in the 7 days up to Friday 22 May 2020.

Based on this information I think it is appropriate to review the license for these premises as the evidence we have indicates that there was a substantial risk of Covid-19 transmission on, and leading up to, the date of Friday 3 April 2020. Allowing people to gather and spend time in this premise would have potentially increased the risk of transmission of Covid-19.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'James Mallion', written over a horizontal dotted line.

James Mallion
Public Health Consultant

References

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- Theall, K.P., Scribner, R., Cohen, D. Blunthenthal, R.N., Schonlau, M. and Lynch, S. (2009) '*The neighbourhood alcohol environment and alcohol-related morbidity*', *Alcohol and Alcoholism*, Vol. 44, pp. 491-499.

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Rebecca Birch

From: [REDACTED]
Sent: 25 June 2020 12:05
To: Mike Robinson
Subject: Re: Top end bar
Attachments: image003.jpg

Dear Mike.

Thank you for this, I have couple of questions before I put in my points to you.

The Public how many people were there? Did you get you get name's? Did money change hands? Was it large gathering? Did you introduce yourself?

I know the Bar has always been a safe place. Those who are violent are barred. Shoplifters selling stolen goods are told not to enter. I have always felt safe there. As do all the customers. And Public Safety is paramount. I understand you have public safety in mind as this is your role.

Kind regards
[REDACTED]

On Tue, 23 Jun 2020, 10:17 Mike Robinson, <mike.robinson@tameside.gov.uk> wrote:

Dear [REDACTED]

The review is in regards of: **Top End Bar, 132-134 Stamford Street Central, Ashton under Lyne, OL6 6AD.**

Premises Licence: **PL0723**

The review is sought for failing to promote the following licensing objective(s):

- 1) The Prevention of Crime and Disorder
- 2) Public Safety
- 3) The Prevention of Public Nuisance

Please find attached a copy of the review application attached.

Thanks

Mike

Mike Robinson

Regulatory Services Manager (Licensing)

Environmental Services (Public Protection)

Operations and Neighbourhoods

Operations and Neighbourhoods

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From: [REDACTED]
Sent: 23 June 2020 01:25
To: Mike Robinson
Subject: Top end bar

Good Morning Mike.

I see the Bar, Top End Bar Stamford Street Central Ashton under Lyne. Is having it's licence reviewed.

I am contacting you to ask you to send me the details regarding this matter please.

Thanks for your assistance in this matter.

[REDACTED]

[REDACTED]

Tameside MBC GCSX Mail Cessation Notice.

The Tameside GCSX mail service (tameside.gcsx.gov.uk) will cease as of 27th March 2020. From this date Tameside MBC will communicate with organisations using the "@tameside.gov.uk" email address with TLS security and DMARC (SPF & DKIM) as per NCSC guidelines.

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Rebecca Birch

From: Public Protection - Environmental Services
Sent: 24 June 2020 11:36
To: Mike Robinson
Subject: FW: Top end bar

Andrea Winterbottom
Regulatory Services Officer
Environmental Services (Public Protection)
Operations and Neighbourhoods
Operations and Neighbourhoods

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From: [REDACTED]
Sent: 23 June 2020 18:36
To: Public Protection - Environmental Services
Subject: Top end bar

Hi. My name's [REDACTED] and I frequent the above mentioned bar.

I've heard through a very reliable source that their licence is being reviewed. I'd like to say that in all the years I've been going to the bar I've had a great time. The staff are all very friendly and professional and it's one of the best run establishments in Ashton and I've been to all of them.

There have been a few minor incidents which have been dealt with straight away and in a courteous and professional way.

Anita and Sanjay run the family bar as it should be run. It's always clean and tidy (unlike most in Ashton) and there is always a good atmosphere.

In this day and age it's difficult to find a bar that you can go in and enjoy yourself without having to worry about the younger generation putting stuff up their noses and then looking for a fight but in the Top end that's exactly what you have..

It's a great bar and I for one am really looking forward to it opening again.

Regards

Rebecca Birch

From: Public Protection - Environmental Services
Sent: 25 June 2020 09:16
To: Mike Robinson
Subject: FW: Top End Bar (sports bar)

Andrea Winterbottom
Regulatory Services Officer
Environmental Services (Public Protection)
Operations and Neighbourhoods
Operations and Neighbourhoods

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From: [REDACTED]
Sent: 24 June 2020 21:48
To: Public Protection - Environmental Services
Subject: Top End Bar (sports bar)

CAUTION: This email originated from outside of Tameside Council. This email claims to contain information about Coronavirus (COVID-19).

Please inspect the email carefully to verify this is not a phishing email before clicking any links or opening attachments. Please exercise caution. Do you trust the person? Does the email look genuine? Were you expecting the attachment?

This message is just a reminder to remain vigilant. If in any doubt, please contact the IT Service Desk or Cyber Security Officer.

To whom it may concern

I would like to send a supporting email with regards to top end bar owned and ran by Anita Mistry-Jones and Sanjay Mistry.

I visited the bar weekly up to lockdown (Covid-19), this is is the only bar I do go to in Ashton, the staff are friendly and approachable the bar is clean and cleaned daily. The staff are well trained to recognise unsavoury people and have a no tolerance policy for people trying to misuse substances and are quick to stop any scuffles.

The bar Is a nice safe environment where you are able to have a quiet drink in without incident. Which you cant say about other bars in the area.

I have witnessed staff carrying out regular toilet checks and moving around the bar to collect glasses and interact with people visiting the bar.

Top end bar have a lot of happy regular customers who choose to drink there for the welcoming environment and law abiding regulations an example of this is following the licensing hours and challenge 25 which I have witnessed staff do.

Anita and Sanjay run a good clean, safe and friendly pub.

Kind regards



[Sent from Yahoo Mail on Android](#)

Rebecca Birch

From: Public Protection - Environmental Services
Sent: 25 June 2020 13:34
To: Mike Robinson
Subject: FW: Top End Bar OL6 6AD

Andrea Winterbottom
Regulatory Services Officer
Environmental Services (Public Protection)
Operations and Neighbourhoods
Operations and Neighbourhoods

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From: [REDACTED]
Sent: 25 June 2020 13:24
To: Public Protection - Environmental Services
Subject: Top End Bar OL6 6AD

Dear sir

I have recently read the notice regarding the licencing review for the Top End Bar, Ashton Under Lyne and would ask that the following Representation be taken into account.

My DOB is [REDACTED] I have lived in Ashton for the majority of my life. My current address is [REDACTED] [REDACTED] Right opposite the [REDACTED] so you could not really be more of an Ashtonian. I have been involved in many areas of the community throughout that time. In the 90s I was a secondary School teacher teaching at Mossley Hollins and Copley Schools. For many years I have been involved in the local cricket community both at [REDACTED] I am currently chairman of the latter. I'm also an active member of Ashton Golf Club. I myself have been a Publican for several years of both the Rising Moon in Matley and the Roaches Lock in Mossley. My current business is involved with "Street Treats" a local homeless charity, and we have provided them with a van to help them over the last few months

Whilst in effect none of this matters what it has allowed me to do over the years in become knowledgeable about the Tameside community and its people. The licensing Trade in Ashton has been decimated over the past 20 years or so with many establishments closing and I personally feel that has been detrimental to the town. Undoubtedly there have been places that have not upheld the licensing requirements and have been closed, quite rightly so. However I do not believe that the Top End Bar fits in that category. I have been going in the Top End for several

years now and have always felt welcome and safe. The Landlady Anita Keeps a very orderly house. As an ex Landlord I know there will always be the odd situation. however both Anita and Sanjay are always present and vigilant and are experienced enough to spot a situation and address it in good time to stop it developing. That is a great skill which many Landlords do not have and the result is that I have never seen any trouble in there in all the time I have been in. I am happy to take my partner and my friends from out of the area into the Top End and they always enjoy being there.

Ashton is a social town. We have been through, and are still going through a very difficult period in all our lives. As we come out of these times it is important that we have so stability and that as much as possible life returns to as near as normal as it can possibly be. This includes people being able to go to their local and meet there friends in a safe comfortable environment, and the Top end is that normality for many people in Ashton of all ages and cultures.

So finally I hope you will take into account the above submission and that I and many other people can return to our normal lives and visit the Top End in the future

Yours Faithfully



Rebecca Birch

From: Public Protection - Environmental Services
Sent: 26 June 2020 12:37
To: Mike Robinson
Subject: FW: Top end bar Ashton (licensing review)

FYI

Andrea Winterbottom
Regulatory Services Officer
Environmental Services (Public Protection) Operations and Neighbourhoods Operations and Neighbourhoods

Tameside
Tame Street Depot | Tame Street | Stalybridge | Tameside | SK15 1ST

Tel. 0161 342 2452
Mobile. 07783656232

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-----Original Message-----

From: [REDACTED]
Sent: 26 June 2020 12:33
To: Public Protection - Environmental Services
Subject: Top end bar Ashton (licensing review)

To who it may concern

Hi I email you today in relation to blue notice been posted on top end bar Stamford street Ashton under lyne I own a premises [REDACTED] and I can categorically say this but has never been open to the public at anytime during the COVID 19 situation work as been done on this premises and the owner as been working on this premises to upgrade the buildings to brighten up the area I feel that this matter as been taken out of proportion and a trial by social media is not a fair way to go the owners runs this bar in a very Good way and have a good customer base with very few problems I feel as a business owner myself that a suitable outcome over this matter can be resolved and by emailing you today that I clarify that this pub as never been open to the public as stated we should be supporting businesses in the area Ashton is a run down area that needs businesses like this and my own and this is not the way to go yours sincerely [REDACTED]

[REDACTED]

Rebecca Birch

From: Public Protection - Environmental Services
Sent: 29 June 2020 12:00
To: Mike Robinson
Subject: FW: Contact Form - Tameside MBC

FYI

Andrea Winterbottom
Regulatory Services Officer

Environmental Services (Public Protection)
Operations and Neighbourhoods
Operations and Neighbourhoods

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From: DoNotReply@tameside.gov.uk [<mailto:DoNotReply@tameside.gov.uk>]
Sent: 29 June 2020 10:53
To: Public Protection - Environmental Services
Subject: Contact Form - Tameside MBC



Notification Of Contact

Subject: Licensing Enquiry
Reference Number: 29851508
Referer: <https://www.tameside.gov.uk/licensing>

Personal Details

Name:
Email:
More Help:



Address Details

Property:
Street:
Town:
County:
Postcode:



Enquiry Details

Enquiry Type: **General Enquiry**

I understand you intend to suspend the licence of top end bar ashton under lyne.i find this wholly inappropriate as this is the best organised bar in the town, all staff are registered with HMRC and drugs and drunkards are not tolerated and the only people who knock it are those barred ..

Rebecca Birch

From: Public Protection - Environmental Services
Sent: 30 June 2020 15:31
To: Mike Robinson
Subject: FW: Top End Bar

fyi

Andrea Winterbottom
Regulatory Services Officer
Environmental Services (Public Protection)
Operations and Neighbourhoods
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From: [REDACTED]
Sent: 30 June 2020 15:27
To: Public Protection - Environmental Services
Subject: Top End Bar

To whom it may concern,

I am writing to you in regard to the licensing review of Top End Bar on Stamford Street being open during lockdown. As a witness I can confirm that on the date in question which is the 4th of April, I walked past Top End and there was nobody in the premises, no lights were on and the gate was locked up. I have been going in the establishment in the time I've lived here in Ashton-under-Lyne and it has always been a very good and busy place to visit and never seen any trouble in the establishment. If you have any further questions please do not hesitate to contact me on this email address or on my mobile [REDACTED]

Kind Regards

[REDACTED]

Rebecca Birch

From: [REDACTED]
Sent: 01 July 2020 15:13
To: Public Protection - Environmental Services
Subject: Top end bar ashton license review
Categories: Andrea

To whom may be concerned. Dear sir, madam. [REDACTED] of the above address wish to recommend Mr mistry top end bar in Ashton under lyne. Stamford street. I have known him for over seven years, and I find him to be upright gentleman who will help anybody in need. His service to the community is next to none. Any allegations made against him is false. As I'm also a local businesses man. and the owner of the [REDACTED] Thanks your time
My regards. [REDACTED].

Rebecca Birch

From: [REDACTED]
Sent: 04 July 2020 18:15
To: Public Protection - Environmental Services
Subject: Fwd: Top end bar ASHTON

Categories: Andrea

----- Forwarded message -----

From: [REDACTED]
Date: Sat, 4 Jul 2020, 6:14 pm
Subject: Fwd: Top end bar ASHTON
To: [REDACTED]

----- Forwarded message -----

From: [REDACTED]
Date: Sat, 4 Jul 2020, 6:13 pm
Subject: Top end bar ASHTON
To: <mike.robinson@tameside.gov.uk>

Hi I email you today I was sat at top end bar today when you visited a very well run venue and lay down rules which I feel top end bar are adhering to I have visited many pubs today no masks on for staff no details being exchanged. it's a free for all at some venues I find it hard to believe you have single handly identified the top end bar football being shown people standing at the bar no marking on floors I ask you can you please explain why it's on rule for one and some seem to do what they want I would like to discuss this matter with you pubs in question prince of orange ,feathers ashton ,heavenly bar these are only a few of we get another case of covid 19 who will get the blame or will it be a case of targeting someone else. top end bar ASHTON is a well run pub the owner tolerates no idiots yours sincerely [REDACTED] feel free to contact me to discuss

Rebecca Birch

From: [REDACTED]
Sent: 07 July 2020 19:03
To: Public Protection - Environmental Services

Categories: Andrea

RE: The Top End Bar
Ashton Under Lyne
And the events of 3rd April [2020](#)

I am submitting my statement of my own freewill and without prejudice.

My wife and I had been shielding on medical grounds and decided to drive locally in order to break the monotony of everyday within four walls. We drove to the centre of Ashton Under Lyne and whilst on Stamford Street I received an incoming phone call and pulled over on the drivers side to pickup, on my hands free system.

I was directly outside the Top End Bar by the side of the European Food Mart. Whilst in conversation I noted that the Top End Bar was closed and that the exterior gate was also categorically closed, as I wasn't parked on a permitted zone, I drove my car turning right onto George Street and continued driving in almost a full circle and parked on the permitted area outside the Hydropool premises on Stamford Street. I had parked a few doors away from the Top End Bar, which was in full view of my eyeline.

As my call came to an end, [REDACTED] passed my drivers side and I called to him to catch his attention. I hadn't spoken to [REDACTED] for quite some time and he informed me that he is now [REDACTED] and that he was meeting with Sanjay Mistry (a mutual friend) regarding [REDACTED]

After a couple of minutes [REDACTED] left and carried on in the direction of the bar. My wife and I were then in a discussion and noted that a large white van that had been circling the area stopped suddenly outside the Top End Bar and two people jumped out in the direction of the Top End Bar entrance.

We drove away a couple of minutes later at which point I noted the gate was clearly open outside the bar. Over the following 24 hours social media was rife about the Top End Bar and I contacted Sanjay Mistry and [REDACTED] to offer my testimony of events.

As I initially stated I am making this state entirely of my own freewill and it is an honest reflection of my observations.

If required I have absolutely no objections to my signing an affidavit confirming the events within my observations.

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Rebecca Birch

From: DoNotReply@tameside.gov.uk
Sent: 13 July 2020 12:43
To: Public Protection - Environmental Services
Subject: Contact Form - Tameside MBC
Categories: Andrea



Notification Of Contact

Subject: Licensing Enquiry
Reference Number: 30001161
Referer: <https://www.tameside.gov.uk/>

Personal Details

Name:
Email:
More Help:



Address Details

Property:
Street:
Town:
County:
Postcode:



Enquiry Details

Enquiry Type: General Enquiry

In regards to the licence review of the Top End Bar, Stamford Street, Ashton Under Lyne.

I would like to state that during the Covid 19 lockdown period I have been present at the property concerned throughout, conducting repairs and maintenance on the bar itself and major structural works to the upper floor of the property.

At no time during this period have I witnessed any trading or otherwise from the premises and the bar has remained shut throughout this period.

Agenda Item 5

Report to:	SPEAKERS PANEL (LIQUOR LICENSING)
Date:	23 July 2020
Reporting Officer:	Emma Varnam – Assistant Director, Operations & Neighbourhoods
Subject:	APPLICATION FOR A REVIEW OF A PREMISES LICENCE – THE BILLY GOAT, 71 STAMFORD STREET, MOSSLEY, OL5 0JS
Report Summary:	Members are requested to determine the application
Recommendations:	<p>Having regard to the application and the relevant representations, Members are invited to take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. The steps available are:</p> <ul style="list-style-type: none">a) Modify the conditions of the licenceb) Exclude a licensable activity from the scope of the licencec) Remove the designated premises supervisord) Suspend the licence for a period not exceeding 3 monthse) Revoke the licence
Corporate Plan:	Living Well – Improve satisfaction with local community
Policy Implications:	Members are provided with policy guidelines to assist in the decision making process.
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	There are limited financial implications for the Council, as detailed in the report, however, any legal challenge to a policy decision may potentially incur costs.
Legal Implications: (Authorised by the Borough Solicitor)	Any decision to revoke/suspend a licence or impose amendments or conditions to a licence can be challenged by way of appeal (in the first instance) to the local Magistrates Court.
Risk Management:	Failure to give full consideration to the determination of licensing issues has the potential to impact on public safety.
Access to Information:	The author of the report is Sharon Smith – Head of Public Protection
Background Information:	The background papers relating to this report can be inspected by contacting Sharon Smith

 Telephone: 0161 342 4122

 e-mail: sharon.smith@tameside.gov.uk

1. INTRODUCTION

- 1.1 Section 51(1) of the Licensing Act 2003 outlines the procedure whereby a responsible authority may apply to the Licensing Authority for a review of a premises licence.
- 1.2 Section 52(3) of the Licensing Act 2003 states that the Authority must, having regard to the application and any relevant representations, take such of the steps mentioned in subsection (4) (if any) as it considers appropriate for the promotion of the licensing objectives.

2. REPORT

- 2.1 The Billy Goat, 71 Stamford Street, Mossley has held a premises licence since the inception of the Licensing Act 2003. The premises licence holder is Victor Bowers and the Designated Premises Supervisor (DPS) is Kathleen O'Neil, who has been in place at the premises since 25 March 2013. A copy of the premises licence is attached at **Appendix 1**.
- 2.2 On 20 March 2020, the Prime Minister's announced that all pubs bars, restaurants, and other specified premises, must close down in an effort to suppress the coronavirus outbreak.
- 2.3 The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020, came into force at 14:00 hours on 21 March 2020. These Regulations provided the Council with the necessary enforcement powers to ensure the closure of the specified premises.

Part 2 of the Regulations state;

Requirement to close premises and businesses during the emergency

2.—(1) A person who is responsible for carrying on a business which is listed in Part 1 of the Schedule must—

(a) during the relevant period—

(i) close any premises, or part of the premises, in which food or drink are sold for consumption on those premises, and

(ii) cease selling food or drink for consumption on its premises;

- 2.4 At 14:30 hours on 21 March 2020, Greater Manchester Police attended the Billy Goat and observed that the premises were open and trading, although the front door of the premises was locked, entry could be gained using the back door. When the Police arrived there were approximately 30 customers inside.
- 2.5 The DPS was told by the Police Officers to get the customers out of the pub and close the premises. However, the CCTV in premises recorded that once the Police Officers had left, the DPS began serving again. The Police returned after 25 minutes and the pub was still full of customers. As a Police car pulled into the car park customers began to leave. The Police Officers entered the pub and ensured that all customers left, however, the family of the DPS remained on the premises. The CCTV records that once the Police left for the second time, the DPS began to serve more drinks to those people left on the premises.
- 2.6 The CCTV shows that the premises was open from 12:08 on 21 March 2020, as customers enter the premises via the back door. The CCTV clearly shows customers paying for drinks between 12:08 and 15:00 when the Police leave for the second time.
- 2.7 It is a condition of the premises licence that CCTV should be provided to a representative of a Responsible Authority immediately upon request. The Police requested CCTV on 3 separate occasions, before eventually seizing the hard-drive following failure to provide the requested footage.

- 2.8 The Police received a further complaint from a member of the public that the premises were open and trading on 25 March 2020. Following a review of the CCTV footage, there was no evidence to suggest that any payment was received for drinks and the according to the premises licence holder the alcohol was consumed by occupants of the Billy Goat.
- 2.9 On 16 June 2020, Mike Robinson, on behalf of the Licensing Authority submitted an application to review the premises licence. The review was served on the grounds that the licensing objectives, namely Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance, had been seriously undermined. A copy of the application is attached at **Appendix 2**.
- 2.10 The Licensing Department have received historic complaints regarding disorder and anti-social behaviour associated with the premises. Following an incident which occurred on 31 March 2019 and required Police attendance, representatives from Licensing met with the premises licence holder in April 2019. Licensing Officers worked with the premises licence holder to agree conditions and reduce the licensable hours to ensure the licensing objectives were being promoted. A minor variation application was received on 10 May 2019 to attach the agreed conditions.

3. REPRESENTATIONS & EVIDENCE SUBMITTED

- 3.1 In addition to the application to review the premises licence, a supporting statement has been received from Mike Robinson on behalf of the Licensing Authority. This statement is attached at **Appendix 3**.
- 3.2 A representation has been received from Martin Thorley, Police Licensing Officer on behalf of Greater Manchester Police. This representation is attached at **Appendix 4**.
- 3.3 A representation has been received from James Mallion, Consultant Public Health on behalf of Public Health. This representation is attached at **Appendix 5**.
- 3.4 A representation has been received from the premises licence holder, Victor Bowers. This representation is attached at **Appendix 6**.
- 3.5 The Licensing Department received 24 letters from members of the public in support of the premises. These letters are attached at **Appendix 7**.

4. TAMESIDE MBC STATEMENT OF LICENSING POLICY/HOME OFFICE GUIDANCE

- 4.1 In determining any matters under the Licensing Act 2003 the Licensing Authority must have due regard to its own Statement of Licensing Policy and Guidance issued by the Home Office.
- 4.2 The current guidance issued by the Home Office under section 182 of the Licensing Act 2003 deals with the powers of a Licensing Authority on the determination of a review, with particular attention being drawn to section 11.19, where a Licensing Authority considers action under its statutory powers:

11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;*
- exclude a licensable activity from the scope of the licence, for example, to exclude*

the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);

- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;*
- suspend the licence for a period not exceeding three months;*
- revoke the licence.*

5. CONCLUSION AND OPTIONS FOR THE PANEL

- 5.1 Panel are requested to consider the evidence and decide what (if any) steps to take as it considers appropriate for the promotion of the licensing objectives. The options available to the Panel are set out at the front of the report.

Premises Licence

Licensing Act 2003

PL0427

THIS LICENCE IS ISSUED BY

Tameside MBC
Licensing Department
Tame Street Depot
Tame Street
Stalybridge
Tameside
SK15 1ST
web: www.tameside.gov.uk
Tel: 0161 342 4262

Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

PREMISES **The Billy Goat** **TELEPHONE:**

ADDRESS Billy Goat Inn, 71 Stamford Street, Mossley, Tameside, OL5 0JS

WHERE THE LICENCE IS TIME LIMITED THE DATES:

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE:

- | | |
|----------|--|
| B | - Exhibition of films; |
| C | - Indoor Sporting Event; |
| E | - Performance Of Live Music; |
| F | - Playing Of Recorded Music; |
| G | - Performance Of Dance; |
| I | - Provision of late night refreshment; |
| J | - Sale by retail of alcohol; |

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES:

Activity (and Area if applicable)	Description	Times
B - Exhibition of films (Indoors)	Wednesday	11:00 - 01:00
	Thursday	11:00 - 00:00
	Sunday	11:00 - 00:00
	Monday - Tuesday	11:00 - 00:00
	Friday - Saturday	11:00 - 01:00
C - Indoor Sporting Event (Indoors)	Wednesday	11:00 - 01:00
	Thursday	11:00 - 00:00
	Sunday	11:00 - 00:00
	Monday - Tuesday	11:00 - 00:00
	Friday - Saturday	11:00 - 01:00
E - Performance Of Live Music (Indoors)	Wednesday	11:00 - 01:00
	Thursday	11:00 - 00:00
	Sunday	11:00 - 00:00
	Monday - Tuesday	11:00 - 00:00
	Friday - Saturday	11:00 - 01:00
F - Playing Of Recorded Music (Indoors)	Wednesday	11:00 - 01:00
	Thursday	11:00 - 00:00
	Sunday	11:00 - 00:00
	Monday - Tuesday	11:00 - 00:00
	Friday - Saturday	11:00 - 01:00
G - Performance Of Dance (Indoors)	Wednesday	11:00 - 01:00
	Thursday	11:00 - 00:00

	Thursday	11:00 - 00:00
	Sunday	11:00 - 00:00
	Monday - Tuesday	11:00 - 00:00
	Friday - Saturday	11:00 - 01:00
I - Provision of late night refreshment (Indoors)		
	Wednesday	23:00 - 01:00
	Thursday	23:00 - 00:00
	Sunday	23:00 - 00:00
	Monday - Tuesday	23:00 - 00:00
	Friday - Saturday	23:00 - 01:00
J - Sale by retail of alcohol (Both)		
	Wednesday	11:00 - 12:30
	Thursday	11:00 - 00:00
	Sunday	11:00 - 00:00
	Monday - Tuesday	11:00 - 00:00
	Friday - Saturday	11:00 - 12:30

THE OPENING HOURS OF THE PREMISES:		
Description	Times	
Wednesday	11:00	01:00
Thursday	11:00	00:30
Sunday	11:00	00:30
Friday-Saturday	11:00	01:00
Monday-Tuesday	11:00	00:30

Where the licence authorises supplies of alcohol whether these are on and /or off supplies:

Alcohol is supplied for consumption both **ON** and **OFF** the Premises

Premises Licence

Licensing Act 2003

PL0427

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Mr Victor Bowers
12 Hartshead Avenue, Stalybridge, Tameside, SK15 1BY,

Tel:
Email:

Registered number of holder, for example company number, charity number (where applicable)

Mr Victor Bowers
12 Hartshead Avenue, Stalybridge, Tameside, SK15 1BY,

Business Reg No:

Name address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Miss Kathleen O'Neil
1 The Larches, Mossley, Ashton under Lyne, Lancashire, OL5 9DN

Tel:

Personal licence number and issuing authority of personal licence held by designated premises supervisor (where the premises authorises for the supply of alcohol):

Licence Number: **PA2074**
Licensing Authority Issued by: **Tameside**

SIGNED ON BEHALF OF THE ISSUING LICENCE AUTHORITY



Head of Public Protection - Operations & Neighbourhoods

Annex 1 – Mandatory conditions**1 On & Off Licence Premises****All supplies of alcohol**

1. No supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Exhibition of films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where:

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question; admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section "children" means any person aged under 18; and "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c39) (authority to determine suitability of video works for classification).

Door supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

(a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) Be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection 1 requires such a condition to be imposed:

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

(i) Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising films or under a gaming licence, or

(ii) Any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act.

3. For the purposes of this section:

(a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act,

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to

paragraph 8 of that Schedule.

Age verification policy

1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
2. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

Irresponsible drinks promotions

1. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Alcoholic drink measures

The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Cost of Alcohol

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula-

$$P = D + (D \times V)$$

where-

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price given by the calculation is not a whole number of pennies, the price given by that calculation shall be taken to be the price rounded up to the nearest penny.

Annex 2 – Conditions consistent with the Operating Schedule

The Prevention of Crime & Disorder

Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any area provided for that purpose.

CCTV

A tamper-proof digital colour CCTV system must be installed and maintained at the premises to the satisfaction of Greater Manchester Police. The system must run and record continuously for 24 hours a day, 7 days per week and recorded footage must be stored for a minimum of 28 days. The system must provide a clear head and shoulders view to an evidential quality on every entry/exit route and within any other vulnerable areas as identified by Greater Manchester Police.

Recorded footage must be provided to a representative of any responsible authority on request. Such footage must be provided in an immediately viewable format and must include any software etc. which is required to view the footage. Any discs, portable drives or other storage media onto which footage is transferred must be provided by the premises and sufficient stock of such storage media must be kept on the premises at all times. A member of staff who is trained to operate the system and supply footage must be present at the premises at all times when licensable activities are taking place.

The Designated Premises Supervisor must ensure that the CCTV system is checked at least once every week by a suitably trained member of staff. This check must include the operation of the cameras, the recording facilities, the facilities for providing footage and the accuracy of the time and date. A written record of these checks must be kept, including a signature of the person carrying out the check. This written record must be kept on the premises at all times and made available to a representative of any responsible authority on request.

Suitable signage informing customers that a CCTV system is in operation must be placed in prominent positions within the premises, including information on the Data Protection Act and the Human Rights Act.

Personal Licence Holder to be on Premise at All Times

A Personal Licence Holder must be present at the premises at all times licensable activities, live music, recorded music or any other types of entertainment are taking place.

Public Safety

The maximum occupancy of the building (including staff and performers) will be restricted to 60.

Staff Training

Any staff employed at the premises will receive training by the Designated Premises Supervisor on first appointment and at least every three months thereafter. Training will include input in preventing underage sales, sales of alcohol to people who are drunk, application of the drugs policy and any other relevant matters. A written record will be kept of all training carried out. This record must be kept on the premises and made available for inspection by any responsible persons of the Local Authority.

The Designated Premises Supervisor must maintain a written record of all members of staff who are authorized to sell alcohol. This record must include a photograph of the relevant members of staff to be kept on the premises at all times and be made available to a representative of any responsible authority on request.

Incident Book

An incident book (with the pages numbered sequentially) will be kept on the premises and be made available for inspection by responsible authorities. The incident book will be used to record the following:

- i. Any incident of violence or disorder on or immediately outside the premises.
- ii. Any incident involving controlled drugs (supply/possession/influence) on the premises
- iii. Any other crime or criminal activity on the premises
- iv. Any refusal to serve alcohol to persons who are drunk (On sale and off sale premises only)
- v. Any refusal to serve alcohol to under 18s or anyone who appears to be under 18
- vi. Any call for police assistance to the premises
- vii. Any ejection from the premises
- viii. Any first aid/other care given to a customer

Drug Policy

The management of the premises will introduce a strict zero tolerance policy in respect of the use and/or supply of illegal drugs on the premises. The policy will include checks of the toilet areas every half-hour whilst the premises are open and suitable signage will be placed in prominent areas within the premises.

Refusals Book

A refusals book will be kept at the premises and will be used to record all refusals to sell alcohol for any reason. Where other age restricted products are sold at the premise, any refusals to sell such items to underage persons or persons who appear underage will be recorded. The details to be recorded will be as follows:

- i. Time, day & date of refusal
- ii. Item refused
- iii. Name & address of customer (if given)
- iv. Description of customer
- v. Details of ID offered (if shown)

The refusals book will be made available for inspection by responsible authorities on request.

The Prevention of Public Nuisance

The use of recorded music will be for background purposes in order to avoid the risk of noise nuisance to neighbours and others in the vicinity. There will be double glazing to the front of the property to reduce further any noise pollution.

Smokers will be able to use the small rear courtyard area and smoking shelter. Staff will regularly patrol the area to

ensure that there is no unreasonable noise or disturbance and notices will be displayed reminding customers to be considerate of local neighbours by not behaving in a noisy or otherwise antisocial manner.

The protection of children from harm

No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority Certification.

Challenge 25

The premises will operate a Challenge 25 scheme at the premise in relation to age verification for alcohol sales and other age-restricted products. Signs and/or posters will be displayed in prominent positions inside the premise to inform customers of this condition. Anyone who appears to be under the age of 25 will not be served without acceptable evidence to confirm their age. Acceptable evidence will be a passport, a photo card driving licence or PASS accreditation system documentation.

Prevention Of Noise Breakout

Noise generated by regulated entertainment shall be inaudible at the nearest noise sensitive location after 11.00pm

The beer garden must not be used by customers after the hours of 23:00hrs

Non Standard Timings.

To permit the sale of alcohol and such regulated entertainment as authorised hereunder until 02:00hrs on Friday, Saturday, Sunday and Monday at bank holiday weekends, Christmas Eve, Boxing Day. New Year's Eve, 10:00hrs to New Year's Day - terminal hour as proposed per written agreement following a representation from responsible authority.

Annex 3 – Conditions attached after a hearing by the licensing authority

ANNEX 4 – AUTHORISED PLANS

Premises Licence Summary

Licensing Act 2003

PL0427

THIS LICENCE IS ISSUED BY	
	<p>Tameside MBC Licensing Department Tame Street Depot Tame Street Stalybridge Tameside SK15 1ST web: www.tameside.gov.uk Tel: 0161 342 4262</p>

Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION		
PREMISES	The Billy Goat	TELEPHONE:
ADDRESS	Billy Goat Inn, 71 Stamford Street, Mossley, Tameside, OL5 0JS	

WHERE THE LICENCE IS TIME LIMITED THE DATES:
Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE:	
B	- Exhibition of films;
C	- Indoor Sporting Event;
E	- Performance Of Live Music;
F	- Playing Of Recorded Music;
G	- Performance Of Dance;
I	- Provision of late night refreshment;
J	- Sale by retail of alcohol;

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES:		
Activity (and Area if applicable)	Description	Times
B - Exhibition of films (Indoors)	Wednesday	11:00 - 01:00
	Thursday	11:00 - 00:00
	Sunday	11:00 - 00:00
	Monday - Tuesday	11:00 - 00:00
	Friday - Saturday	11:00 - 01:00
C - Indoor Sporting Event (Indoors)	Wednesday	11:00 - 01:00
	Thursday	11:00 - 00:00
	Sunday	11:00 - 00:00
	Monday - Tuesday	11:00 - 00:00
	Friday - Saturday	11:00 - 01:00
E - Performance Of Live Music (Indoors)	Wednesday	11:00 - 01:00
	Thursday	11:00 - 00:00
	Sunday	11:00 - 00:00
	Monday - Tuesday	11:00 - 00:00
	Friday - Saturday	11:00 - 01:00
F - Playing Of Recorded Music (Indoors)	Wednesday	11:00 - 01:00
	Thursday	11:00 - 00:00
	Sunday	11:00 - 00:00
	Monday - Tuesday	11:00 - 00:00
	Friday - Saturday	11:00 - 01:00
G - Performance Of Dance (Indoors)	Wednesday	11:00 - 01:00
	Thursday	11:00 - 00:00

	Sunday	11:00 - 00:00
	Monday - Tuesday	11:00 - 00:00
	Friday - Saturday	11:00 - 01:00
I - Provision of late night refreshment (Indoors)	Wednesday	23:00 - 01:00
	Thursday	23:00 - 00:00
	Sunday	23:00 - 00:00
	Monday - Tuesday	23:00 - 00:00
	Friday - Saturday	23:00 - 01:00
J - Sale by retail of alcohol (Both)	Wednesday	11:00 - 12:30
	Thursday	11:00 - 00:00
	Sunday	11:00 - 00:00
	Monday - Tuesday	11:00 - 00:00
	Friday - Saturday	11:00 - 12:30

THE OPENING HOURS OF THE PREMISES:

Description	Times
Wednesday	11:00 01:00
Thursday	11:00 00:30
Sunday	11:00 00:30
Friday-Saturday	11:00 01:00
Monday-Tuesday	11:00 00:30

Where the licence authorises supplies of alcohol whether these are on and /or off supplies:

Alcohol is supplied for consumption both **ON** and **OFF** the Premises

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Mr Victor Bowers
12 Hartshead Avenue, Stalybridge, Tameside, SK15 1BY,

Tel:
Email:

Registered number of holder, for example company number, charity number (where applicable):

Mr Victor Bowers
12 Hartshead Avenue, Stalybridge, Tameside, SK15 1BY,

Business Reg No:

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

Miss Kathleen O'Neil
1 The Larches, Mossley, Ashton under Lyne, Lancashire, OL5 9DN

Tel:

State whether access to the premises by children is restricted or prohibited:

Access to the premises by children is prohibited

SIGNED ON BEHALF OF THE ISSUING LICENCE AUTHORITY



Head of Public Protection - Operations & Neighbourhoods

APPENDIX 2

Tameside Metropolitan Borough Council

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 Mike Robinson, Regulatory Services Manager (Licensing), Tameside MBC

(Insert name of applicant)

apply for the review of a premises licence under section 51 under section 87 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Billy Goat Inn 71 Stamford St Mossley OL5 0JS	
Post town Mossley	Post code (if known) OL5 0JS

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

Number of premises licence or club premises certificate (if known) PL0427

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 Mr M Robinson Regulatory Services Manager (Licensing) Regulatory Services Tameside Metropolitan Borough Council Tame St Depot Tame St Stalybridge SK15 1ST
Telephone number (if any) 0161 342 4262
E-mail address (optional) mike.robinson@tameside.gov.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 | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

On 20 March 2020, the government via a Prime Ministerial address to the nation and in response to the Coronavirus pandemic, gave a direction for all pubs, bars and restaurants to close and not to reopen until directed to do so.

The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020, came into force on 21 March 2020.

These Regulations require the closure of specified businesses – including restaurants, cafes, bars and public houses - in which food and drink are sold for consumption on its premises.

On Saturday 21 March 2020 at approximately 14:30, PC Dench, Neighbourhood Beat Officer for Mossley attended the Billy Goat, Stamford Street, Mossley.

Although the front door of the premises was closed he noticed that customers were inside.

The Police Officer reports that there were approximately 30 people on the premises. Upon arrival, PC Dench spoke with the Designated Premises Supervisor (DPS) who was working behind the bar and instructed the DPS to close immediately and said that he would return within 30 minutes. CCTV shows that during this period, drinks continued to be served to customers during this period.

Both the DPS and Premises Licence Holder were aware that the premises should not have been open on 21 March 2020, but decided to open the back door of the premises and allow customers inside for a pre-arranged gathering.

By being open, allowing persons to attend the premises and consume alcohol on the premises, this put the public at risk of contracting the virus and passing it on to others.

The DPS/PLH and management of the premises have seriously undermined the Licensing Objectives of Prevention of Crime and Disorder, Public Safety and Public Nuisance.

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

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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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 **X**
- I understand that if I do not comply with the above requirements my application will be rejected **X**

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 M. Robinson
.....

Date **16 June 2020**
.....

Capacity **Regulatory Services Manager (Licensing)**
.....

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)

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.

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APPENDIX 3

TAMESIDE METROPOLITAN BOROUGH COUNCIL

STATEMENT OF WITNESS

(C.J.Act 1967, s.9; M.C.Act 1980, ss5A(3)(a) and 5B; M.C.Rules 1981, r.70)

STATEMENT OF: Mike Robinson

AGE OF WITNESS: Over 18

OCCUPATION OF WITNESS: Regulatory Services Manager

1. I am Mike Robinson, I am a Regulatory Services Manager for Tameside Metropolitan Borough Council and I am currently based in the Regulatory Services Department at Tame Street in Stalybridge, I have held this position since October 2018
2. My duties include, amongst other things, the administration and regulation of the Licensing Act 2003 (the Act) which governs the licensing of premises and their authorised activities under the Act.
3. On Friday 20 March 2020, in response to the serious and imminent threat that the spread of Covid-19 posed to public health, the Prime Minister addressed the nation and called on pubs, bars and restaurants to close as soon as practicable. He said "Following agreement between all four nations of the UK, we are collectively telling cafes, pubs, bars and restaurants to close tonight, as soon as they reasonably can and not open tomorrow."
4. On Saturday 21 March 2020 at 14:00hrs, The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020, came into force.

This statement, consisting of 5 pages, each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 12th July 2020

Signed M Robinson

5. According to Greater Manchester Police, whilst carrying out patrols of the area on Saturday 21st March 2020, The Police drove past the Billy Goat Public House, 71 Stamford Street, Mossley and noticed that the car park was full of cars and the curtains at the premises were drawn. At approximately 14:30, the Police visited the premises, the front door was closed and locked. However, the back door was open and upon entry the Police found approximately 30 people on the premises.
6. The Police report that the DPS, Kathleen O'Neil, was working behind the bar at the time of the visit and told the Police that the pub was hosting a birthday party for a regular customer. Kathleen O'Neil was aware of the requirement for the premises to be closed and was told by the Police that she needed to get everyone out of the premises and that the Police would return in 30 minutes.
7. Having reviewed the CCTV footage from the premises, it is clear that before the Police get back into their car, the DPS begins to serve customers more alcohol, without making any effort to clear the premises.
8. The CCTV footage shows that the Police returned at 14:55, as the Police car pulled into the car park customers began to leave, the Police Officers entered the pub and ensured that all customers left, however, the family of the DPS remained on the premises. Once the Police left for the second time, the DPS began to serve more drinks to her those people left on the premises.
9. It is a condition of the premises licence that CCTV footage must be provided to a representative of a Responsible Authority immediately upon request. On at least 3 occasions between 23rd March and 2nd April, the Police requested that the CCTV

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Dated the 12th July 2020

Signed M Robinson

footage be produced. Following failure to provide the footage request, the hard drive was seized at 18:00 on 2nd April 2020.

10. On 26 March 2020, I contacted Kathleen O'Neil to discuss what had occurred on 21 March. Kathleen told me that Victor Bowers, the Premises Licence Holder, was aware that the premises was open, she said that they had discussed the Prime Minister's announcement on the Friday night but decided to ignore it because they did not believe that the coronavirus outbreak was as bad as had been reported. Kathleen said that she had promised a regular of the pub, 'Martin' that he could celebrate his birthday at the pub despite the requirement to be closed. During our conversation, Kathleen apologised for taking the decision to open and was concerned that she may lose her Personal Licence which would affect her ability to work.
11. Following my conversation with Kathleen, I contacted Victor Bowers. Victor informed me that one of the reasons for reopening on 21 March, was the fact that he had taken receipt of a delivery of beer and other stock on 20 March and the value of the stock was "a couple of thousand pounds". Mr Bowers also stated that the premises was only open for regulars on 21 March and that he didn't realise how serious coronavirus was, he thought that coronavirus was "just bad flu".
12. A Prohibition Notice was served on Victor Bowers on 6 April 2020.
13. I have checked the history that is recorded on file in relation to the Billy Goat and there is a history of anti-social behaviour, noise complaints and police incidents associated with the premises.

This statement, consisting of 5 pages, each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 12th July 2020

Signed M Robinson

14. In June 2015, representatives of; Licensing, Environmental Health and Greater Manchester Police met with Victor Bowers to discuss complaints that had been made about the pub regarding customers causing a nuisance to local residents and that the premises was falling to promote the licensing objectives. A letter was sent to Victor Bowers and Kathleen O'Neill. A copy of this letter is attached as 'MR1'
15. On 31 March 2019, a serious incident took place at the Billy Goat after the terminal hour of the premises licence and the Police were called. Licensing were notified of the incident and made arrangements to visit the pub and view the CCTV. When the compliance officer attended, Kathleen O'Neil was unable to operate the CCTV system and required the help of a friend to playback or download footage, further the CCTV system only recorded for a maximum of 24 hours and therefore CCTV footage of the incident could not be provided. A letter was sent to Mr Bowers following this incident requesting a meeting. A copy of this letter is attached as 'MR2'
16. Following this, in light of the previous non-compliance and as an alternative to reviewing the premises licence, several conditions were agreed with Mr Bowers and were attached to the premises by way of a premises licence minor variation application. These conditions were reasonable and proportionate and were to assist both the licence holder and DPS to ensure that the licensing objectives were upheld.
17. On 16 June 2020, I submitted an application for review of the premises licence. Based on the evidence that the premises was open after the Prime Minister's announcement and beyond the closure regulations coming into effect, the Licensing Authority has serious concerns regarding the management of this premises and the

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Dated the 12th July 2020

Signed M Robinson

ability of both the premises licence holder and DPS to promote the licensing objectives.

This statement, consisting of 5 pages, each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 12th July 2020

Signed M Robinson

Mr. Victor Bowers
c/o Billy Goat Public House
71-73 Stamford Street
Mossley
OL5 0JS

Ian Saxon
Assistant Executive Director
Environmental Services

Tame Street Depot, Tame Street,
Stalybridge, SK15 1ST

www.tameside.gov.uk
e-mail : david.smith@tameside.gov.uk

Call Centre 0161 342 8355
Twitter @tmbc_places

Doc Ref
Ask for David Smith
Direct Line 0161 342 4053 / 4262
Date Thursday 18th June 2015

Dear Mr Bowers,

RE: COMPLAINT OF ANTI-SOCIAL BEHAVIOUR AT THE BILLY GOAT, 71-73 STAMFORD STREET, MOSSLEY

As you are now aware a number of complaints have been received by Tameside MBC Environmental Services, Licensing section and Greater Manchester Police.

I would like to thank you for meeting with Craig Richardson, PC Christopher Hayden and I on Monday 15th June 2015 to discuss the issues that have been alleged, namely that patrons are being anti-social around the external area of the premise, loud music is emanating from the premise and the beer garden is being used beyond it permitted times. There was also an allegation that patrons of the premise are causing a litter issue.

You are aware that these allegations are on-going and have been for some time. However you do feel that they are malicious and untruthful. Whilst we do appreciate that some complaints can be of a malicious nature, we have to investigate complaints that are received and part of our role as responsible authorities is to ensure that you are doing all you can to promote the licensing objectives in your premise, which was the basis of our discussion.

In order therefore to ensure that the Billy Goat public house is promoting the licensing objectives I would recommend you implement the following;

- Ensure that all windows and doors are closed (except for access and egress) when regulated entertainment is taking place. This will ensure that there is minimum noise breakout.
- Ensure clear and prominent notices are displayed at the entrance/exit at the front of the premises stating that drinks cannot be taken onto the public highway and to remind patrons to keep noise to a minimum when outside the premises out of respect for the neighbours.

- **Conduct external noise monitoring checks around the premises ensuring that there is no noise breakout.**
- **Be vigilant and monitor the outside areas taking action where necessary, including where non-patrons are using the beer garden out of hours as you stated.**
- **Ensure that the curtilage of the premises is kept free from litter.**
- **With all the above in mind, keep an 'Incident Book', where you can log any checks that have been done, any action you have had to take or any general concern you have noticed.**
- **Ensure that the premises strictly adheres to the Premises Licence.**

By implementing these recommendations I believe that will enable the premises to effectively promote the licensing objectives. If however further complaints are received, we will look to investigate the matter further.

Should the premises not be effectively promoting the licensing objectives or be in breach of licence conditions then legal proceedings can be taken in the form of either prosecution or premises licence review or both.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours sincerely,

**David Smith
Regulatory Compliance Officer
Licensing**

cc Miss Kathleen O'Neill c/o Billy Goat Public House

Sharon Smith
Head of Public Protection

Tame Street Depot, Tame Street,
Stalybridge, Tameside, SK15 1ST

Call Centre 0161-342-8355
Twitter @tmbc_places

www.tameside.gov.uk
email: ian.pascoe@tameside.gov.uk

Mr. Victor Bowers
c/o Billy Goat Public House
71-73 Stamford Street
Mossley
OL5 0JS

Doc Ref
Ask for Ian Pascoe
Direct Line 0161 342 4053
Date 9TH April 2019

Dear Mr Bowers,

RE: INCIDENT ON 31ST MARCH 2019 AT THE BILLY GOAT, 71-73 STAMFORD STREET, MOSSLEY.

As you are now aware The Police were called regarding an incident that took place on your premises in the early hours of 31st March 2019.

I visited the premises on Thursday 4th April to obtain more information and obtain the CCTV footage from the incident. I spoke to Kathleen who informed me that she was unable to operate the CCTV and was waiting for a friend to call and download the footage, I found this quite concerning.

What I also found that gave me greater cause for concern was the time that the call was logged by The Police, 02.14am; this suggests that customers were in your premises beyond the hours of your operating schedule on your premises licence.

Having spoken with Kathleen again on Monday she informed me that the CCTV footage was unobtainable due to the system running on a 24 hour loop and had consequently been erased:

Due to the seriousness of this latest incident and the accumulation of incidents in relation to your premises in the last twelve months (ten incidents, seven reports of crime) I am suggesting a meeting with yourself in your capacity as Premises Licence Holder to amend/add conditions to your Premises Licence to promote the licencing objectives more comprehensively.

Could you please contact me at your earliest convenience to arrange a meeting at our offices at Tame Street Stalybridge.

Yours sincerely,



Ian Pascoe
Regulatory Compliance Officer

RESTRICTED (when complete)

MG11

WITNESS STATEMENT

Criminal Procedure Rules r 27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B

URN

[Empty box for URN]

Statement of: Martin Richard THORLEY

Age if under 18: Ov 18 (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of five pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature:

Date: 14th July 2020

Check box if witness evidence is visually recorded (supply witness details on last page)

I am Police Constable 14627 Martin Thorley of the Greater Manchester Police stationed at Ashton-under-Lyne Police Station. My current role is that of Licensing Officer, Divisional Partnership Team for the Tameside District.

I have delegation of authority on behalf of the Chief Officer of Police for all applications made in respect of the Licencing Act 2003.

I am aware that this statement will be used as part of an application for a review of the licensed premises **The Billy Goat 71-73 Stamford Street, Mossley OL5 0JS**

The Billy Goat is a public house situated midway along the A670 Stamford Street, Mossley on the outskirts of Mossley. The Billy Goat is a large public house which stands detached from other premises. The public house has a single bar and trading room, a car park and beer garden facility to the rear of the premises. It has a front entrance/exits on Stamford Street and a rear entrance onto car park and beer garden. The A670 is a busy thoroughfare between Ashton-under-Lyne and Mossley.

On 20th March 2020 Prime Minister Boris Johnson made a statement on coronavirus. In this statement he informed the Nation that **"We are collectively telling, telling cafes, pubs, bars, restaurants to close tonight as soon as they reasonably can, and not to open tomorrow."**

On 21st March 2020 The Health Protection (Coronavirus, Business Closure) (England) Regulations were introduced enforcing Closures.

PC Dench, the Neighbourhood Beat Officer for Mossley has informed me of his attendance at The Billy Goat on Saturday 21st March at around 1430hrs, where he saw that the pub was open and was trading to customers who were present inside the Pub. This incident is GMP Incident reference 1665-210320.

I am aware that PC Dench has completed Statement dated 25th March 2020, detailing his actions when he attended at The Billy Goat Pub in company with SPC Howard, PCSO Gordon and PCSO Lisic at about 2.30pm

As a result of what was observed, CCTV was requested to be provided to PC Dench. This was not provided by anybody at the premises on request.

Signature:.....

Signature witnessed by:.....

At 1130hrs on Monday 23rd March 2020 I telephoned Victor Bowers and spoke with him about the events on Saturday 21st March 2020. Mr Bowers claims to have had a private party arranged and due to the short notice from the announcements on the Friday he went ahead with the party. He told me somebody came and told them to close which they did.

During the call I again requested the CCTV in relation to premises for Saturday 21st March 2020. Mr Bowers stated during this call that he was in agreement that the pub should not have been open on the Saturday but claimed he was not present. He stated that he would get me the CCTV and call me when it was ready for collection. The call lasted 1 minute and 58 seconds.

There has been an additional report of the Billy Goat allowing patrons in through the rear door and serving alcohol. This incident is GMP Incident reference 2740-250320.

On 26th March 2020 I visited The Billy Goat to speak with Victor Bowers. On this occasion I was in company with PC Henshaw and PC Young. During this visit I was permitted by Victor Bowers to check the bar area. Upon doing so I established that all pumps and beer lines still contained beers and lagers. No customers were present in the pub at this time.

Mr Bowers was informed about reports of still trading and I challenged him about this was advised Victor Bowers to clear the lines of beer. Victor Bowers informed me that he would get somebody to do that for him. Victor was again reminded that the CCTV would be required and that this incident would not go away by not producing it.

On Friday 27th March 2020 I re-attended The Billy Goat during Operation Gritstone patrols duties in company with PC Martin Bridge. I can confirm that on this occasion the lines were tested and were found to be filled with water and were free from beer and lager.

As the CCTV had been failed to be provided, despite several requests PC Dench attended at The Billy Goat at 1800hrs on Thursday 2nd April 2020 where he seized the CCTV Hard Drive in relation to breeches of regulations on 21st March 2020 and 25th March 2020. This Hard Drive was booked into the GMP Property System under Property Reference GG/016007/20 and was forwarded to GMP's CCTV retrieval Team for downloading into a viewable format.

On Tuesday 21st April 2020 at 0700hrs I reviewed this CCTV from GMP Incident reference 2740-250320 which was a complaint that the premises had also been trading on the 25th March. It was clear that alcohol was being served and consumed by a male I know to be Victor Bowers and another unknown male with a balding head. This male was wearing a green coloured top and Black trousers. The footage appeared to be consistent with both persons drinking alcohol. Both persons are seen serving behind the bar and serving /consuming lager and bitter. Serving of alcohol appears to be carried out at roughly half hour intervals. On these occasions no money appears to be placed into the till.

Mr Bowers claims that the persons present on this date were himself and a person who lives on the premises at the Billy Goat only.

This CCTV in relation to 21st March 2020 was reviewed by myself at 0930hrs on Friday 15th May 2020 at Stretford Police Station and in my opinion is conclusive in evidencing that The Billy Goat was open and selling / serving alcohol.

The following actions were noted and are logged as a log of incidents which are evidential in this case:-

- 1208-1214hrs Kathleen O'Neil serving behind the bar as customers arrive.
- 14-12-1414hrs Customers arriving. Drinking and serving observed.
- 1427-1436hrs Serving as Police arrive. Continuing to serve when Police leave premises.
- 1442-1444hrs Serving persons.
- 1452-1454hrs Customers Leaving.

Signature:.....

Signature witnessed by:

1455-1500hrs *Police arrive. Customers leaving.*
 1502-1506hrs *Pulling Pints and washing glasses.*
 1523-1526hrs *Serving pints. DPS arrives into view standing behind bar.*

Following reviewing the CCTV and based on what I have been told by PC Dench I feel that both member of staff Kathleen O'Neil and Designated Premises Supervisor Victor Bowers have failed to promote the licensing objectives.

As a result of this Greater Manchester Police are in support of a standard review of the Premises Licence for The Billy Goat Public House pursuant to s.51-53 of the Licensing Act 2003. Under the following objectives:-

Public Safety

As it is considered that the activities could cause immediate harms resulting from activities being carried on at the premises. It is unarguable that the immediate contraction of a potentially fatal illness is an immediate harm.

Public Nuisance

By being open and trading was causing the risk of infections spreading as a result of activities carried out on land.

Crime and Disorder

By being open and trading was causing the risk of infections spreading as a result of activities carried out on land. Causing a public nuisance is a serious criminal offence under the common law punishable with a maximum of life imprisonment (see R v Rimmington & Goldstein [2005] UKHL 63).

I have caused the production of the following exhibits which are to be presented for the Review Panel Hearing:-

MRT/1	CCTV from The Billy Goat produced from Hard Drive
MRT/2	CCTV from The Billy Goat produced from Hard Drive
MRT/3	Delegated Authority from Chief Constable.
MRT/4	Transcript of Prime Minister Boris Johnson statement on coronavirus 20 th March 2020.
MRT/5	GMP Incident reference 1665-210320
MRT/6	GMP Incident reference 2740-250320
MRT/7	Statement from PC Dench
EW/1/98373	CCTV of Top End Bar transferred onto DVD from MRT/1 and MRT/2

It is my belief that the manner in which the premises of The Billy Goat Public House have been managed, allowing the congregation of persons to gather and attend at a time when the Nation has seen the devastating impact of Covid 19. The actions of both Kathleen O'Neil and Designated Premises Supervisor Victor Bowers are a blatant breach of the regulations, given that The Health Protection (Coronavirus, Business Closure) (England) Regulations 2020 (SI 2020/327) being in force.

Signature:.....

Signature witnessed by:

The Designated Premises Supervisor has put the welfare of staff, customers, attending Police and Council Officers and the wider members of the public in danger of contracting a potentially fatal illness. I consider the behaviour and actions of the management and staff at The Billy Goat have been totally irresponsible especially as the closure of Pubs was ordered by the Government during a global pandemic.

To the best of my knowledge and belief there is no reasonable ground for believing that the information produced above, from various Police computer systems, and included in this statement is inaccurate because of improper use of the computers and to the best of my knowledge and belief at all material times the computers were operating properly, or if not, any respect in which they were not operating properly or were out of operation was not such as to effect the production of information or its accuracy.

PC 14627 Martin Thorley

Signature:.....

Signature witnessed by:

Witness contact details

URN

Home address: C/O Hyde Police station

Postcode: SK14 2LJ

Home telephone no.:

Work telephone no.:

Mobile no: 07393145364

E-mail address:

Preferred means of contact: (Specify details for vulnerable/intimidated victims and witnesses only):

Gender: Male

Date and place of birth:

Former name:

Ethnicity code 16+1

DATES OF WITNESS NON-AVAILABILITY:

Witness care

- a) Is the witness willing and likely to attend court? If 'No', include reason(s) on form MG6. Yes No
- b) What can be done to ensure attendance?
- c) Does the witness require Special Measures Assessment as a vulnerable or intimidated witness? *Youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case* If 'Yes' submit **MG2** with file in anticipated not guilty, contested or indictable only cases. Yes No
- d) Does the witness have any particular needs? Yes No
If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness consent (for witness completion)

- a) The Victim Personal Statement scheme (victims only) has been explained to me: Yes No
- b) I have been given the Victim Personal Statement leaflet: Yes No
- c) I have been given the leaflet 'Giving a witness statement to the police' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: *(obtained in accordance with local practice)* Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil or other proceedings if applicable: e.g. child care proceedings, CICA. Yes No N/A
- g) **Child witness cases only.** I have had the provision regarding reporting restrictions Explained to me. Yes No N/A
I would like CPS to apply for reporting restrictions on my behalf Yes No N/A

I understand that the information recorded above will be passed on to the Witness Service, which offers help and support to witnesses pre-trial and at court;

Signature of witness:..... PRINT NAME:

Signature of parent/guardian/appropriate adult: PRINT NAME:

Address and telephone number if different from above:

Statement taken by (print name): Self Station: Hyde

Time and place statement taken: 1200 hrs Hyde Police station



DELEGATED AUTHORITY

LICENSING ACT 2003

I, the Chief Constable of Greater Manchester Police, hereby authorise and delegate powers conferred upon me by:

Licensing Act 2003 ("the Act")

With regard to the following functions and responsibilities under the aforementioned Act:

All functions under the Act where the Chief Officer of Police acts as a Responsible Authority

To:

Police constable (or higher ranking officer), Divisional Partnership Team, Greater Manchester Police;

Police constable (or higher ranking officer) (Licensing Lead), Integrated Delivery Team, Greater Manchester Police;

Police constable (or higher ranking officer), Alcohol and Licensing Lead, Neighbourhoods Confidence and Equality, Greater Manchester Police

This delegation revokes all previous delegations under the Act and shall remain forever in force until revoked by the Chief Constable of Greater Manchester Police.

Signed: 

Dated: 30 June 2016.

Ian Hopkins QPM
Chief Constable
Greater Manchester Police

PM statement on coronavirus: 20 March 2020

Prime Minister Boris Johnson made a statement on coronavirus.

Good afternoon and thank you for coming again,

Today I am joined by the Chancellor of the Exchequer Rishi Sunak and Jennie Harries deputy chief medical officer.

Yesterday I set out the ambition of this government to turn the tide against coronavirus within 3 months. And I want to repeat that determination today.

We are going to do it with testing. We are going to do it with new medicines, and with new digital technology that will help us to see the disease as it is transmitted, and thereby, by eliminating it, to stamp it out.

And above all, now we are going to defeat this disease with a huge national effort to slow the spread by reducing unnecessary social contact.

And I want to thank everyone for following the guidance we issued on Monday:

to stay at home for 7 days if you think you have the symptoms,

for 14 days if anyone in your household has either of the symptoms – a new continuous cough or a high temperature.

To avoid pubs, bars, clubs and restaurants.

To work from home if at all possible.

Keep washing your hands.

I know it has been tough.

I know it has been inconvenient.

But these actions that we're all taking together are already helping to take the strain off our NHS.

Bit by bit, day by day, by your actions, your restraint and your sacrifice, we are putting this country in a better and stronger position, where we will be able to save literally thousands of lives, of people of all ages, people who don't deserve to die now.

People whose lives can, must, and will be saved.

And as we take these actions together and as we make these sacrifices, we can see the impact on the real economy.

Already, fantastic British companies, already under huge strain, big and small.

Workers who are finding that their jobs are under threat or are going, through no fault of their own. And to all of them, we in government say: We will stand by you.

And I say that to companies, remember our joint objective: to beat this virus. And we will do everything in our power to help.

And in just a minute, Rishi is going to explain how we are going to help workers of all kinds to get through this crisis,

Supporting you directly in a way that Government has never been done before, in addition to the package we have already set out for business.

And of course these measures are intended to be temporary and of course I am confident that, in time, the UK economy is going to bounce back.

Of course it is.

But I must be absolutely clear with you: the speed of that eventual recovery depends entirely on our ability, our collective ability, to get on top of the virus now.

And that means we have to take the next steps, on scientific advice and following our plan, we are strengthening the measures announced on Monday which you will remember.

And of course people have already made a huge effort to comply with those measures for avoiding unnecessary social contact.

But we need now to push down further on that curve of transmission between us.

And so following agreement between all the formations of the United Kingdom, all the devolved administrations,

We are collectively telling, telling cafes, pubs, bars, restaurants to close tonight as soon as they reasonably can, and not to open tomorrow.

Though to be clear, they can continue to provide take-out services.

We're also telling nightclubs, theatres, cinemas, gyms and leisure centres to close on the same timescale.

Now, these are places where people come together, and indeed the whole purpose of these businesses is to bring people together. But the sad thing is that today for now, at least physically, we need to keep people apart.

And I want to stress that we will review the situation each month, to see if we can relax any of these measures.

And listening to what I have just said, some people may of course be tempted to go out tonight. But please don't.

You may think you are invincible, but there is no guarantee you will get mild symptoms, and you can still be a carrier of the disease and pass it on to others

So that's why, as far as possible, we want you to stay at home, that's how we can protect our NHS and save lives.

To repeat, I know how difficult this is, how it seems to go against the freedom-loving instincts of the British people. And I also know much, right now, workers and business deserve the financial reassurance we are giving them.

But we will get through this.

We will get through it together, and we will beat this virus.

And to ram that point home: the more effectively we follow the advice that we are given, the faster this country will stage both a medical and an economic recovery in full.

ControlWorks Print - 1665-210320

Primary Details

Pub still open

Public Emergency

THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OLS 0JS

396795.0

402274.0

1463947

(P01)-Police Generated or Resourced Activity - (Opening Code)

3 - Prompt

CL - Closed

21/03/2020 14:36

21/03/2020 14:36

G1R

Closure Details

Yes

(G23)-Licensing

(L37)-OlympicGamesrelatedIncident

Martin Dench (15875)

Originator

Requested by 08419, at 09/06/2020 13:40

15875

Linked Crimes

Linked People

Linked Vehicles

Additional Forms

3

Parent/Child Events

Other Linked Events

Requested by 08419, at 09/06/2020 13:40

Log

21/03/2020 14:36:19 - 23384 - SYS - Record of Contact created on Terminal ZH9FD242
21/03/2020 14:36:20 - 23384 - SYS - Form ClosureDetails added
21/03/2020 14:36:20 - 23384 - SYS - Form Appointment added
21/03/2020 14:36:20 - 23384 - SYS - Form Originator added
21/03/2020 14:36:32 - 23384 - SYS - Previous Events search initiated using:
 Location Grid Reference: 396795.0, 402274.0
 People:
 Person RMS IDs:
 Vehicles:
21/03/2020 14:36:32 - 23384 - SYS - Previous Events search returned 2 results based on:
 Location Grid Reference: 396795.0, 402274.0
 People:
 Person RMS IDs:
 Vehicles:
21/03/2020 14:36:32 - 23384 - SYS - Possible Duplicates search initiated.
21/03/2020 14:36:33 - 23384 - SYS - Possible Duplicates search returned 0 results.
21/03/2020 14:37:47 - 23384 - SYS - Action Prompt created: 1665-210320: Acknowledge added
 Control Group, G1R (14:37 21/03/20)
21/03/2020 14:37:47 - 23384 - SYS - Incident created with Reference 1665.
21/03/2020 14:37:47 - 23384 - SYS - Scheduled Action Prompt created: 1665-210320: Incident
 has been unresourced since 14:37 (15:37 21/03/20)
21/03/2020 14:38:00 - 23384 - SYS - Unable to send an automatic assignment message to
 resource GBM15875.
21/03/2020 14:38:00 - 23384 - SYS - Action Prompt cleared: 1665-210320: Acknowledge added
 Control Group, G1R (14:37 21/03/20)
21/03/2020 14:38:00 - 23384 - SYS - Action Prompt cleared: 1665-210320: Incident has been
 unresourced since 14:37 (15:37 21/03/20)
21/03/2020 15:08:58 - 23384 - SYS - Unable to send an automatic assignment message to
 resource GVM65478.
21/03/2020 15:17:04 - 23384 - SYS - Action Prompt cleared: 1665-210320: New Log: Police
 Works Incoming Report log update at '21/03/2020 15:16', PW Log Type 'Officer Update': (15:16
 21/03/20)
21/03/2020 15:08:44 - 23384 - SYS - Unable to send an automatic assignment message to
 resource GWM61325.
21/03/2020 15:16:09 - SYSTEM - SYS - Action Prompt created: 1665-210320: New Log: Police
 Works Incoming Report log update at '21/03/2020 15:16', PW Log Type 'Officer Update': (15:16
 21/03/20)
21/03/2020 15:16:09 - 61325 - RMK - Police Works Incoming Report log update at '21/03/2020
 15:16', PW Log Type 'Officer Update':
 whilst on patrol a number of vehicles were seen on the car park of this pub. The front door
 was closed but the rear door was open. We were allowed access by the manager Kath O'Neill.
 On entering the main room approximately 30 people were seen drinking in the pub. Kath
 confirmed that there had been numerous alcohol sales but no food. Kath agreed to close the
 pub and everyone was seen to leave.
21/03/2020 14:38:32 - 23384 - RMK - 15875 - landlord has been told to close immediately
21/03/2020 14:38:03 - 23384 - RES - Resource GBM15875 arrived at Incident/Operation
 1665-210320
21/03/2020 14:38:03 - 23384 - RES - Resource arrival time commitment is now set to 'none',
 in line with Grade 3 - Prompt.
 commitment cleared

Requested by 38419, at 09:06 2020 13:40

- 21/03/2020 14:37:47** - 23384 - RES - Resource arrival time commitment is now set to 'none', in line with Grade 3 - Prompt, commitment unchanged
- 21/03/2020 14:37:48** - 23384 - RES - Summary of Resources available at Incident creation, based on Resource Proposal Group: All Resource Types (System)
 - number of non-deployed Resources: 804,
 - number of Resources with known position: 879,
 - number of Resources with unknown position: 41
- 21/03/2020 15:18:03** - 23384 - RES - Resource GWM61325 arrived at Incident/Operation 1665-210320
- 21/03/2020 15:18:05** - 23384 - RES - Resource GWM65478 arrived at Incident/Operation 1665-210320
- 21/03/2020 15:18:09** - 23384 - RES - Resource GBM15875 released from Incident/Operation 1665-210320
- 21/03/2020 15:18:11** - 23384 - RES - Resource GWM61325 released from Incident/Operation 1665-210320
- 21/03/2020 15:18:13** - 23384 - RES - Resource GWM65478 released from Incident/Operation 1665-210320
- 21/03/2020 14:38:00** - 23384 - RES - Resource GBM15875 deployed to Incident/Operation 1665-210320
- 21/03/2020 15:08:44** - 23384 - RES - Resource GWM61325 deployed to Incident/Operation 1665-210320
- 21/03/2020 14:37:25** - 23384 - RES - The Event Type has been updated; the Resourcing Recommendation is now 'Not Specified'

- 21/03/2020 15:08:57** - 23384 - RES - Resource GWM65478 deployed to Incident/Operation 1665-210320
- 21/03/2020 14:37:21** - 23384 - FCH - Title changed from <Empty> to Pub still open
- 21/03/2020 14:37:25** - 23384 - FCH - Type changed from <Empty> to P01 - (P01)-Police Generated or Resourced Activity - (Opening Code)
- 21/03/2020 14:37:34** - 23384 - FCH - Grade changed from <Empty> to 3 - Prompt
- 21/03/2020 14:37:39** - 23384 - FCH - Form change - Originator: Comments changed from "<Empty>" to "15875"
- 21/03/2020 14:36:32** - 23384 - FCH - X changed from 0 to 396795
- 21/03/2020 14:36:32** - 23384 - FCH - Y changed from 0 to 402274
- 21/03/2020 14:36:32** - 23384 - FCH - Address changed from <Empty> to THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OLS 0J5
- 21/03/2020 14:36:32** - 23384 - FCH - Zone changed from OOFA - OUT OF FORCE AREA to G1M2 - TOP MOSSLEY
- 21/03/2020 14:36:32** - 23384 - FCH - Control Group G1R added
- 21/03/2020 14:38:00** - 23384 - FCH - Status changed from NR - Not Resourced to IP - In Progress
- 21/03/2020 15:18:14** - 23384 - FCH - Status changed from IP - In Progress to FI - Finished
- 21/03/2020 15:19:10** - 23384 - FCH - Closure Code (G23)-Licensing added
- 21/03/2020 15:19:18** - 23384 - FCH - Qualifier (L37)-OlympicGamesrelatedIncident added
- 21/03/2020 15:19:46** - 23384 - FCH - Officer In Case changed from <Empty> to Martin Derch (*5875)
- 21/03/2020 15:19:47** - 23384 - FCH - Status changed from FI - Finished to CL - Closed
- 21/03/2020 14:37:54** - SYSTEM - FCH - Short RMS Occurrence Id changed from Pending... to INC/0274795/20

Requested by: 08419, at 09/06/2020 13:40

21/03/2020 14:37:54 - SYSTEM - FCH - Full RMS Occurrence Id changed from <Empty> to Be05c088-816b-ea11-8101-0050568f6c10

21/03/2020 14:37:48 - 23384 - FCH - Short RMS Occurrence Id changed from: <Empty> to Pending...

21/03/2020 14:37:52 - 23384 - RIV - Incident 1665-210320 viewed in object window by 23384, 21/03/2020 - 14:37:52

21/03/2020 14:39:35 - 54823 - RIV - Incident 1665-210320 viewed in object window by 54823, 21/03/2020 - 14:39:34

21/03/2020 15:00:43 - 12540 - RIV - Incident 1665-210320 viewed in object window by 12540, 21/03/2020 - 15:00:43

21/03/2020 15:07:31 - 23384 - RIV - Incident 1665-210320 viewed in object window by 23384, 21/03/2020 - 15:07:31

21/03/2020 15:08:35 - 23384 - RIV - Incident 1665-210320 viewed in object window by 23384, 21/03/2020 - 15:08:35

21/03/2020 15:15:12 - 23384 - RIV - Incident 1665-210320 viewed in object window by 23384, 21/03/2020 - 15:15:12

21/03/2020 15:15:55 - 12540 - RIV - Incident 1665-210320 viewed in object window by 12540, 21/03/2020 - 15:15:55

09/06/2020 13:39:08 - 08419 - RIV - Incident 1665-210320 viewed in object window by 08419, 09/06/2020 - 13:39:08

21/03/2020 14:36:32 - 23384 - OIS - Operational Information search initiated using: Originating Number ", Contact Number ", Location Grid Reference 396795.0, 402274.0, Originator RMS ID " and Event Type "

21/03/2020 14:36:32 - 23384 - OIS - Operational Information search returned 0 results based on: Originating Number ", Contact Number ", Location Grid Reference 396795.0, 402274.0, Originator RMS ID " and Event Type "

21/03/2020 14:37:25 - 23384 - OIS - Operational Information search initiated using: Originating Number ", Contact Number ", Location Grid Reference 396795.0, 402274.0, Originator RMS ID " and Event Type (P01)-Police Generated or Resourced Activity - (Opening Code).

21/03/2020 14:37:25 - 23384 - OIS - Operational Information search returned 0 results based on: Originating Number ", Contact Number ", Location Grid Reference 396795.0, 402274.0, Originator RMS ID " and Event Type (P01)-Police Generated or Resourced Activity - (Opening Code).

21/03/2020 14:37:25 - 23384 - ASI - Search completed: Event Type or Operational Info with value (P01)-Police Generated or Resourced Activity - (Opening Code) Results: 0; Indicators: "

21/03/2020 14:37:25 - 23384 - ASI - Applicable Search Item generated: Event Type with value (P01)-Police Generated or Resourced Activity - (Opening Code)

21/03/2020 14:37:25 - 23384 - ASI - Search initiated: Event Type or Operational Info with value (P01)-Police Generated or Resourced Activity - (Opening Code)

21/03/2020 14:36:33 - 23384 - ASI - Search initiated: Location on RMS for Intelligence with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD

Requested by 08419, at 09/06/2020 13:40

STREET, MOSSLEY, OL5 OJS (396795.0, 402274.0)

21/03/2020 14:36:33 - 23384 - ASI - Search initiated:

Location on RMS for Persons with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 OJS (396795.0, 402274.0)

21/03/2020 14:36:33 - 23384 - ASI - Search completed:

Location on Operational Info with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 OJS (396795.0, 402274.0)

Results: 0; Indicators: "

21/03/2020 14:36:33 - 23384 - ASI - Search completed:

Location on Events with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 OJS (396795.0, 402274.0)

Results: 2; Indicators: "

21/03/2020 14:36:33 - 23384 - ASI - Applicable Search Item updated:

Location with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 OJS (396795.0, 402274.0)

Results: 2; Indicators: "

21/03/2020 14:36:33 - 23384 - ASI - Search completed:

Location on RMS for Persons with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 OJS (396795.0, 402274.0)

Results: 9; Indicators: RMS Warnings, RMS Flags, RMS ID

21/03/2020 14:36:33 - 23384 - ASI - Applicable Search Item updated:

Location with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 OJS (396795.0, 402274.0)

Results: 1; Indicators: RMS Warnings, RMS Flags, RMS ID

21/03/2020 14:36:35 - 23384 - ASI - Search completed:

Location on RMS for Locations with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 OJS (396795.0, 402274.0)

Results: 3; Indicators: "

21/03/2020 14:36:35 - 23384 - ASI - Applicable Search Item updated:

Location with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 OJS (396795.0, 402274.0)

Results: 14; Indicators: RMS Warnings, RMS Flags, RMS ID

21/03/2020 14:36:38 - 23384 - ASI - Search completed:

Location on RMS for Intelligence with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 OJS (396795.0, 402274.0)

Results: 10; Indicators: "

21/03/2020 14:36:38 - 23384 - ASI - Applicable Search Item updated:

Location with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 OJS (396795.0, 402274.0)

Results: 24; Indicators: RMS Warnings, RMS Flags, RMS ID

21/03/2020 14:37:02 - 23384 - ASI - Search failed:

Location on NameTracer with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 OJS (396795.0, 402274.0)

21/03/2020 14:36:32 - 23384 - ASI - Search initiated:

Location on RMS for Locations with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 OJS (396795.0, 402274.0)

21/03/2020 14:36:32 - 23384 - ASI - Search initiated:

Location on NameTracer with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 OJS (396795.0, 402274.0)

21/03/2020 14:36:32 - 23384 - ASI - Search initiated:

Location on Operational Info with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 OJS (396795.0, 402274.0)

21/03/2020 14:36:32 - 23384 - ASI - Search initiated:

Location on Events with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)

21/03/2020 14:36:32 - 23384 - ASI - Applicable Search Item generated:

Location with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)

21/03/2020 15:16:09 - RMS - RSU - Police Works Event update with 1 logs received from the RMS

21/03/2020 15:19:48 - 23384 - RSU - Closure details sent to the RMS

21/03/2020 14:37:54 - 23384 - RSU - Event created in the RMS with RMS ID: INC/0274795/20

21/03/2020 15:16:09 - RMS - RSU - End of Police Works Event update received from the RMS

ControlWorks Print - 2740-240320

Primary Details

Business Still Trading

Via online report CDS-25600-20-0600-000 - email attached in linked items

infy says that the Billy Goat is still serving beer to customers - infy says thsat they are doing lock inns & allowing people to come in through the back doors & drink & socialise. infy says that this is a complete disregard to the new legislation & are putting many peoples lives at risk due to the corona virus pandemic. Infy says that its "absolutely disgusting" & wants a stop put to it ASAP

Email

THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS

396795.0

402274.0

1463947

(G15)-Public Safety / Welfare

5 - Advice

CL - Closed

24/03/2020 21:18

24/03/2020 21:18

G1R
HAC

Closure Details

Yes

(G23)-Licensing

(L20)-Contact Record / Message / Information

Requested by 08419, at 09.06.2020 13.44

(L37)-OlympicGamesrelatedIncident

Originator



Linked Crimes

Linked People

Linked Vehicles

Additional Forms

Requested by 08419, at 09/06/2020 13:44

Parent/Child Events

Other Linked Events

Log

- 24/03/2020 21:18:11 - 70182 - SYS - Record of Contact created on Terminal ZCYC6WX1
- 24/03/2020 21:18:11 - 70182 - SYS - Form ClosureDetails added
- 24/03/2020 21:18:11 - 70182 - SYS - Form Appointment added
- 24/03/2020 21:18:11 - 70182 - SYS - Form Originator added
- 24/03/2020 21:19:13 - 70182 - SYS - Contact History search initiated using:
Originating Number ", Originating Email n [REDACTED]
Contact Number ", Originator RMS URN "
- 24/03/2020 21:19:13 - 70182 - SYS - Contact History search returned 0 results based on:
Originating Number ", Originating Email [REDACTED]
Contact Number ", Originator RMS URN "
- 24/03/2020 21:19:25 - 70182 - SYS - Previous Events search returned 0 results based on:
Location Grid Reference: 0.0, 0.0
People: [REDACTED]
Person RMS IDs:
Vehicles:
- 24/03/2020 21:19:25 - 70182 - SYS - Previous Events search initiated using:
Location Grid Reference: 0.0, 0.0
People: [REDACTED]
Person RMS IDs:
Vehicles:
- 24/03/2020 21:20:07 - 70182 - SYS - Previous Events search initiated using:
Location Grid Reference: 396795.0, 402274.0
People: [REDACTED]
Person RMS IDs:
Vehicles:
- 24/03/2020 21:20:07 - 70182 - SYS - Previous Events search returned 3 results based on:
Location Grid Reference: 396795.0, 402274.0
People: [REDACTED]
Person RMS IDs:
Vehicles:
- 24/03/2020 21:20:07 - 70182 - SYS - Possible Duplicates search initiated.
- 24/03/2020 21:20:07 - 70182 - SYS - Possible Duplicates search returned 0 results.
- 24/03/2020 21:24:31 - 70182 - SYS - Action Prompt created: 2740-240320: Acknowledge added
Control Group, G1R (21:24 24/03/20)
- 24/03/2020 21:24:31 - 70182 - SYS - Incident created with Reference 2740.
- 24/03/2020 21:24:58 - 70182 - SYS - Action Prompt created: 2740-240320: Acknowledge added
Control Group, HAC (21:24 24/03/20)
- 24/03/2020 21:28:34 - 66684 - SYS - Action Prompt cleared: 2740-240320: Acknowledge added
Control Group, HAC (21:24 24/03/20)
- 24/03/2020 21:31:43 - 12429 - SYS - Action Prompt cleared: 2740-240320: Acknowledge added

Requested by 08419, at 09/06/2020 13:44

Control Group, G1R (21:24 24/03/20)
24/03/2020 22:04:02 - 62673 - SYS - Action Prompt created: 2740-240320: Acknowledge added
Control Group, G1R (22:04 24/03/20)
24/03/2020 22:04:02 - 62673 - SYS - Action Prompt created: 2740-240320: Acknowledge added
Control Group, HAC (22:04 24/03/20)
24/03/2020 22:04:09 - 62673 - SYS - Action Prompt cleared: 2740-240320: Acknowledge added
Control Group, G1R (22:04 24/03/20)
24/03/2020 22:04:09 - 62673 - SYS - Action Prompt cleared: 2740-240320: Acknowledge added
Control Group, HAC (22:04 24/03/20)
24/03/2020 21:24:31 - 70182 - RES - Resource arrival time commitment is now set to 'none',
in line with Grade 5 - Advice,
commitment unchanged
24/03/2020 21:22:43 - 70182 - RES - The Event Type has been updated; the Resourcing
Recommendation is now 'Not Specified'

24/03/2020 21:24:32 - 70182 - RES - Summary of Resources available at Incident creation,
based on Resource Proposal Group: All Resource Types (System)
- number of non-deployed Resources: 938,
- number of Resources with known position: 992,
- number of Resources with unknown position: 33
24/03/2020 21:24:47 - 70182 - RES - Resource arrival time commitment is now set to 'none',
in line with Grade 5 - Advice,
commitment cleared
24/03/2020 21:24:58 - 70182 - FCH - Control Group HAC added
24/03/2020 21:24:35 - SYSTEM - FCH - Short RMS Occurrence Id changed from Pending... to
INC/0284961/20
24/03/2020 21:24:35 - SYSTEM - FCH - Full RMS Occurrence Id changed from <Empty> to
f4cce6d8-156e-ea11-8101-0050568f6c10
24/03/2020 21:24:37 - 70182 - FCH - Closure Code (L20)-Contact Record / Message /
Information added
24/03/2020 21:24:46 - 70182 - FCH - Qualifier (L37)-OlympicGamesrelatedIncident added
24/03/2020 21:24:47 - 70182 - FCH - Status changed from NR - Not Resourced to FI - Finished
24/03/2020 21:24:31 - 70182 - FCH - Short RMS Occurrence Id changed from <Empty> to
Pending...
24/03/2020 21:20:20 - 70182 - FCH - Title changed from <Empty> to Business Still Trading
24/03/2020 21:22:37 - 70182 - FCH - Details changed from Via online report
CDS-25600-20-0600-000 - email attached in linked Items to Via online report
CDS-25600-20-0600-000 - email attached in linked Items

inft says that the Billy Goat is still serving beer to customers - inft says that they are doing lock
inns & allowing people to come in through the back doors & drink & socialise. inft says that this
is a complete disregard to the new legislation & are putting many peoples lives at risk due to
the corona virus pandemic. inft says that its "absolutely disgusting" & wants a stop put to it
ASAP
24/03/2020 21:22:43 - 70182 - FCH - Type changed from <Empty> to G15 - (G15)-Public Safety /
Welfare
24/03/2020 21:19:22 - 70182 - FCH - Form change - [REDACTED] Surname changed from "<Empty>" to
[REDACTED]
24/03/2020 21:19:24 - 70182 - FCH - Form change - [REDACTED] Forenames changed from
"<Empty>" to "Matt"
24/03/2020 21:19:54 - 70182 - FCH - Details changed from <Empty> to Via online report
CDS-25600-20-0600-000 - email attached in linked Items

24/03/2020 21:20:06 - 70182 - FCH - X changed from 0 to 396795
24/03/2020 21:20:06 - 70182 - FCH - Y changed from 0 to 402274
24/03/2020 21:20:06 - 70182 - FCH - Address changed from <Empty> to THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0J5
24/03/2020 21:20:06 - 70182 - FCH - Zone changed from OOFA - OUT OF FORCE AREA to G1M2 TOP MOSSLEY
24/03/2020 21:20:06 - 70182 - FCH - Control Group G1R added
24/03/2020 21:19:14 - 70182 - FCH - Form change - Originator; Email Address changed from "<Empty>" to "nichollsjohnathan@gmail.com"
24/03/2020 21:18:47 - 70182 - FCH - Contact Origin changed from Public Emergency to Email
24/03/2020 21:19:12 - 70182 - FCH - Senders Email Address changed from <Empty> to nichollsjohnathan@gmail.com
24/03/2020 22:04:06 - 62673 - FCH - Closure Code (G23)-Licensing added
24/03/2020 22:04:09 - 62673 - FCH - Status changed from FI - Finished to CL - Closed
24/03/2020 22:04:02 - 62673 - FCH - Status changed from CL - Closed to FI - Finished
24/03/2020 21:22:45 - 70182 - FCH - Grade changed from <Empty> to 5 - Advice
24/03/2020 21:31:43 - 12429 - FCH - Status changed from FI - Finished to CL - Closed
24/03/2020 21:39:37 - 62673 - RIV - Incident 2740-240320 viewed in object window by 62673, 24/03/2020 - 21:39:37
24/03/2020 21:40:13 - 62673 - RIV - Incident 2740-240320 viewed in object window by 62673, 24/03/2020 - 21:40:13
24/03/2020 21:40:51 - 62673 - RIV - Incident 2740-240320 viewed in object window by 62673, 24/03/2020 - 21:40:51
24/03/2020 21:42:16 - 62673 - RIV - Incident 2740-240320 viewed in object window by 62673, 24/03/2020 - 21:42:16
24/03/2020 22:03:27 - 62673 - RIV - Incident 2740-240320 viewed in object window by 62673, 24/03/2020 - 22:03:27
24/03/2020 21:28:46 - 19180 - RIV - Incident 2740-240320 viewed in object window by 19180, 24/03/2020 - 21:28:46
24/03/2020 21:29:24 - 14682 - RIV - Incident 2740-240320 viewed in object window by 14682, 24/03/2020 - 21:29:24
24/03/2020 21:30:28 - 08950 - RIV - Incident 2740-240320 viewed in object window by 08950, 24/03/2020 - 21:30:28
24/03/2020 21:31:37 - 12429 - RIV - Incident 2740-240320 viewed in object window by 12429, 24/03/2020 - 21:31:37
24/03/2020 21:26:01 - 12429 - RIV - Incident 2740-240320 viewed in object window by 12429, 24/03/2020 - 21:26:01
24/03/2020 21:26:32 - 11892 - RIV - Incident 2740-240320 viewed in object window by 11892, 24/03/2020 - 21:26:32
24/03/2020 21:27:09 - 12429 - RIV - Incident 2740-240320 viewed in object window by 12429, 24/03/2020 - 21:27:09
24/03/2020 21:28:27 - 66684 - RIV - Incident 2740-240320 viewed in object window by 66684, 24/03/2020 - 21:28:27
24/03/2020 22:05:11 - 62673 - RIV - Incident 2740-240320 viewed in object window by 62673, 24/03/2020 - 22:05:11
25/03/2020 04:33:06 - 19522 - RIV - Incident 2740-240320 viewed in object window by 19522, 25/03/2020 - 04:33:06
09/06/2020 13:43:38 - 08419 - RIV - Incident 2740-240320 viewed in object window by 08419, 09/06/2020 - 13:43:38
24/03/2020 21:19:13 - 70182 - FOC - Contact Frequency matches in the last 14 days;

Requested by 08419, at 09-06-2020 15:44

Email Address - 0

24/03/2020 21:20:07 - 70182 - OIS - Operational Information search initiated using:
Originating Number ", Contact Number ",
Location Grid Reference 396795.0, 402274.0,
Originator RMS ID " and
Event Type "

24/03/2020 21:20:07 - 70182 - OIS - Operational Information search returned 0 results based on:
Originating Number ", Contact Number ",
Location Grid Reference 396795.0, 402274.0,
Originator RMS ID " and
Event Type "

24/03/2020 21:22:44 - 70182 - OIS - Operational Information search initiated using:
Originating Number ", Contact Number ",
Location Grid Reference 396795.0, 402274.0,
Originator RMS ID " and
Event Type (G15)-Public Safety / Welfare.

24/03/2020 21:22:44 - 70182 - OIS - Operational Information search returned 0 results based on:
Originating Number ", Contact Number ",
Location Grid Reference 396795.0, 402274.0,
Originator RMS ID " and
Event Type (G15)-Public Safety / Welfare.

24/03/2020 21:22:44 - 70182 - ASI - Search completed:
Event Type on Operational Info with value (G15)-Public Safety / Welfare
Results: 0; Indicators: "

24/03/2020 21:22:44 - 70182 - ASI - Applicable Search Item generated:
Event Type with value (G15)-Public Safety / Welfare

24/03/2020 21:22:44 - 70182 - ASI - Search initiated:
Event Type on Operational Info with value (G15)-Public Safety / Welfare

24/03/2020 21:20:07 - 70182 - ASI - Search initiated:
Location on RMS for Locations with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)

24/03/2020 21:20:07 - 70182 - ASI - Search initiated:
Location on NameTracer with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)

24/03/2020 21:20:07 - 70182 - ASI - Search initiated:
Location on Operational Info with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)

24/03/2020 21:20:07 - 70182 - ASI - Search initiated:
Location on RMS for Intelligence with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)

24/03/2020 21:20:07 - 70182 - ASI - Search initiated:
Location on RMS for Persons with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)

24/03/2020 21:20:07 - 70182 - ASI - Search completed:
Location on Operational Info with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)
Results: 0; Indicators: "

24/03/2020 21:20:07 - 70182 - ASI - Search completed:
Location on NameTracer with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)
Results: 0; Indicators: "

- 24/03/2020 21:20:07 - 70182 - ASI - Search completed:**
Location on Events with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)
Results: 3; Indicators: "
- 24/03/2020 21:20:07 - 70182 - ASI - Applicable Search Item updated:**
Location with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)
Results: 3; Indicators: "
- 24/03/2020 21:20:12 - 70182 - ASI - Search completed:**
Location on RMS for Locations with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)
Results: 3; Indicators: "
- 24/03/2020 21:20:12 - 70182 - ASI - Applicable Search Item updated:**
Location with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)
Results: 6; Indicators: "
- 24/03/2020 21:20:13 - 70182 - ASI - Search completed:**
Location on RMS for Persons with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)
Results: 9; Indicators: RMS Warnings, RMS Flags, RMS ID
- 24/03/2020 21:20:13 - 70182 - ASI - Applicable Search Item updated:**
Location with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)
Results: 15; Indicators: RMS Warnings, RMS Flags, RMS ID
- 24/03/2020 21:20:13 - 70182 - ASI - Search completed:**
Location on RMS for Intelligence with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)
Results: 11; Indicators: "
- 24/03/2020 21:20:13 - 70182 - ASI - Applicable Search Item updated:**
Location with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)
Results: 26; Indicators: RMS Warnings, RMS Flags, RMS ID
- 24/03/2020 21:19:13 - 70182 - ASI - Search completed:**
Sender's Email on Events with value [REDACTED]
Results: 0; Indicators: "
- 24/03/2020 21:19:14 - 70182 - ASI - Search completed:**
Sender's Email on RMS with value [REDACTED]
Results: 0; Indicators: "
- 24/03/2020 21:19:13 - 70182 - ASI - Search completed:**
Sender's Email on Contacts with value [REDACTED]
Results: 0; Indicators: "
- 24/03/2020 21:19:13 - 70182 - ASI - Search Initiated:**
Sender's Email on Contacts with value [REDACTED]
- 24/03/2020 21:19:13 - 70182 - ASI - Search Initiated:**
Sender's Email on RMS with value [REDACTED]
- 24/03/2020 21:19:12 - 70182 - ASI - Applicable Search Item generated:**
Sender's Email with value [REDACTED]
- 24/03/2020 21:19:12 - 70182 - ASI - Search Initiated:**
Sender's Email on Events with value [REDACTED]
- 24/03/2020 21:20:07 - 70182 - ASI - Applicable Search Item generated:**
Location with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OL5 0JS (396795.0, 402274.0)
- 24/03/2020 21:19:24 - 70182 - ASI - Applicable Search Item generated:**

Requested by: 08419, at 09:06 2020 13:44

Person with value Myles/Matt

24/03/2020 21:19:24 - 70182 - ASI - Search initiated:

Person on Events with value [REDACTED]

24/03/2020 21:19:25 - 70182 - ASI - Search initiated:

Person on RMS with value [REDACTED]

24/03/2020 21:20:07 - 70182 - ASI - Search initiated:

Location on Events with value THE BILLY GOAT, BILLY GOAT INN, 71 STAMFORD STREET, MOSSLEY, OLS OJS (396795.0, 402274.0)

24/03/2020 21:19:25 - 70182 - ASI - Search completed:

Person on Events with value [REDACTED]

Results: 0; Indicators: "

24/03/2020 21:19:25 - 70182 - ASI - Search completed:

Person on RMS with value [REDACTED]

Results: 0; Indicators: "

24/03/2020 21:24:35 - 70182 - RSU - Event created in the RMS with RMS ID: INC/0284961/20

24/03/2020 22:04:10 - 62673 - RSU - Closure details sent to the RMS

24/03/2020 21:31:47 - 12429 - RSU - Closure details sent to the RMS



RESTRICTED (when complete)

MG11

WITNESS STATEMENT

Criminal Procedure Rules r 27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5B

URN

[Empty box for URN]

Statement of: **Martin Dench**

Age if under 18: 0/18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature:

Date: 25th March 2020

Check box if witness evidence is visually recorded (supply witness details on last page)

I am PC 15875 Dench of Greater Manchester Police based at Ashton Under Lyne Police Station and the neighbourhood officer for Mossley and Carrbrook a role I have held for about 6 years.

Part of my role is to have an understanding of the area and those individuals and businesses that have or might have an impact on the community.

On Saturday 21st March 2020 I was on duty with SPC Howard, PCSO Gordon and PCSO Lisic on mobile patrol. At about 2.30pm I was driving along Mossley Road heading into Mossley. My general patrol for the day was to check for premises that were flaunting recent government guidelines about the COVID-19 pandemic. Recent government guidelines was that as of Friday the 20th March various premises including public houses had to close

As I was patrolling I saw a large number of vehicles parked in the rear car park of The Billy Goat Public House, Mossley.

I turned my vehicle around and drove into the car park. The premises has two points of entry one to the front facing Mossley Road the other facing the rear car park hidden from public view. As I drove in I could see all the curtains were drawn and on some windows had what appeared to be condensation. As I parked up I looked over to my right to see a female in an orange top crouched down in a downstairs rear window this area being the kitchen.

As I got out of my vehicle the female had fled the only way she could have gone was back indoors.

Signature:.....

Signature witnessed by:.....



2010/11

RESTRICTED (when complete)

I approached the public house and could see a white paper sign with the words "PRIVATE PARTY" written by hand on the rear public door.

I knocked on the kitchen door after a few second the manger Cath O'Neil answered; I have known Cath for years as the local officer and have a good relationship with her.

I said "Cath are you open", she replied "We are having a party", I asked "Are you selling alcohol", she replied "Yes"

At that point I entered the premises via the kitchen that leads to the bar area as I approached the bar area I heard a male shout "He needs a warrant"

I could see about 25/30 patrons of varying age stood around the bar and in the main public room with varying types of alcohol.

At this point Cath was with me I said "Cath you need to close now you are not allowed to be open". At that point Cath said "Dench can you give me 1/2 an hour to clear the pub".

Due to the numbers of people and not wanting to cause a potential public order incident and Cath assuring me she will clear the premises I said "I will be back within 30 minutes", and instructed her not to serve any alcohol.

At that point as the enforcement was new I spoke to the response sergeant for clarification on what was needed, if there was paperwork to serve etc.

I alerted the radio operator and submitted a log, log reference 1665 refers.

I returned to the pub about 20 minutes later having taken advice to find groups of people walking along Mossley Road. I returned and entered the pub again to find people leaving.

Signature:.....

Signature witnessed by:

I later spoke with Cath O'Neil who stated she was having the private gathering due to the closure and was a goodbye.

I stated to Cath that The government has instructed all public houses to close as of Friday 20th March, She stated she was aware of this but felt she had to honour her commitment.

I advised Cath about the guidelines and was about to leave when she said "Dench can I ask you something"

I said "yeah no problem what is it". At that point Cath shared her concerns about the premises owner who will continue to open despite the guidelines and wanted advice about her position.

I informed Cath that I couldn't answer for any future action from the police or the council but advised her that the owner has to keep the pub closed or it could have an effect on the licence. Cath was more upset about how his actions would affect her again I advised Cath that I will feed this into the licencing officer.

I left the premise and returned to the police station where I made PC Thorley Licencing officer aware.

On the 25th March 2020 I returned after two days rest days and as I usually do check any logs on my area.

Log 2740 of the 24/3 refers to a member of the public alerting the police to The Billy Goat continuing to serve to members of the public and using the rear door for patrons.

I made PC Thorley aware of this log as well and my inspector.

Signature:.....

Signature witnessed by:

Witness contact details		URN
Home address:	C/O Mossley Police Post	Postcode:
Home telephone no.:		Work telephone no: 69350
Mobile no:		E-mail address:
Preferred means of contact:	<i>(Specify details for vulnerable/intimidated victims and witnesses only):</i>	
Gender:		Date and place of birth:
Former name:		Ethnicity code 16+1
DATES OF WITNESS NON-AVAILABILITY:		
Witness care		
a) Is the witness willing and likely to attend court? If 'No', include reason(s) on form MG6.		<input type="checkbox"/> Yes <input type="checkbox"/> No
b) What can be done to ensure attendance?		
c) Does the witness require Special Measures Assessment as a vulnerable or intimidated witness? <i>Youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case</i> If 'Yes' submit MG2 with file in anticipated not guilty, contested or indictable only cases.		<input type="checkbox"/> Yes <input type="checkbox"/> No
d) Does the witness have any particular needs? If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)		<input type="checkbox"/> Yes <input type="checkbox"/> No
Witness consent (for witness completion)		
a) The Victim Personal Statement scheme (victims only) has been explained to me:		<input type="checkbox"/> Yes <input type="checkbox"/> No
b) I have been given the Victim Personal Statement leaflet:		<input type="checkbox"/> Yes <input type="checkbox"/> No
c) I have been given the leaflet 'Giving a witness statement to the police'		<input type="checkbox"/> Yes <input type="checkbox"/> No
d) I consent to police having access to my medical record(s) in relation to this matter: <i>(obtained in accordance with local practice)</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
e) I consent to my medical record in relation to this matter being disclosed to the defence:		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
f) I consent to the statement being disclosed for the purposes of civil or other proceedings if applicable: e.g. child care proceedings, CICA.		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
g) Child witness cases only. I have had the provision regarding reporting restrictions explained to me.		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
I would like CPS to apply for reporting restrictions on my behalf		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
I understand that the information recorded above will be passed on to the Witness Service, which offers help and support to witnesses pre-trial and at court;		
Signature of witness:.....	PRINT NAME:
Signature of parent/guardian/appropriate adult:	PRINT NAME:
Address and telephone number if different from above:		
Statement taken by (print name): self written	Station: Mossley	
Time and place statement taken: 0730		

POPULATION HEALTH

ASHTON-UNDER-LYNE · AUDENSHAW · DENTON · DROYLSDEN · DUKINFIELD · HYDE · LONGDENDALE · MOSSLEY · STALYBRIDGE

Jeanelle De Gruchy
Director of Population Health
Population Health

Tameside One, Market Place
Ashton-under-Lyne, Tameside. OL6 6BH

www.tameside.gov.uk
e-mail : James.mallion@tameside.gov.uk

Call Centre 0161 342 8355

Doc Ref
Ask for James Mallion
Direct Line 0161 342 2328
Date 13 July 2020

Re: Representation from the Population Health Department at Tameside Council regarding the review of premise application in regards of Billy Goat Inn, 71 Stamford Street, Mossley, OL5 0JS

I, James Mallion on behalf of Public Health in their capacity as a Responsible Authority under the Licensing Act 2003 make representation in relation to the premises licence review at (On License) Billy Goat Inn, 71 Stamford St, Mossley, OL5 0JS submitted to the Licensing Authority on 16 June 2020.

The representation relates primarily to: the prevention of crime and disorder; public safety; and the prevention of public nuisance.

The Health Protection Regulations which came into effect on 21 March 2020 specifically required the closure of restaurants, cafes, bars and public houses. The rationale for this was to reduce the overall mixing of people in the community; and to avoid people gathering in enclosed indoor spaces where there may be a high risk of transmission of Covid-19, due to the transmission routes from respiratory droplets and other contact.

As a Responsible Authority, we have reviewed the underlying risk posed by the circulation of Covid-19 in the wider community during the period in question (late March-early April).

Firstly the reproduction number (R number) of the virus gives us an overall estimate of the number of people each infected person will infect on average. Without any control measures, the R number for Covid-19 is estimated to be between 2 and 3. So for every person with the virus, 2 to 3 others are infected. In comparison, now that more protective measures are in place, which the majority have adhered to, the R number has reduced to an estimated 0.7-1.0 in the North West.

During the time in question in late March, some of the protective measures that are now in place to reduce the risk of further spread, and reduce the R number, were not yet implemented including 'covid-safe' measures in public spaces, the wider use of face coverings (eg. on public transport), the national Test & Trace system and the Local Authority Outbreak Management plan. Due to the

high R number of Covid-19 we know that one infected person could pass this on to others, resulting in up to 400 further people being infected after 30 days, from a single case. The range of protective measures to reduce contact and contain the virus reduce this number substantially, which is why it is crucial that measures such as the Health Protection Regulations are adhered to.

The panel should also note that there is evidence of substantial asymptomatic spread which means people who are infected are able to pass the virus on before their symptoms actually start, and therefore before they are aware they have it. Evidence from the World Health Organisation also suggests that large numbers of small outbreaks of Covid-19 that have been identified have been linked to crowded indoor spaces. In the circumstances around this review, the fact that it was reported there were around 30 people on the premises on 21 March 2020 in a relatively small space suggests that there would be a large degree of close contact and risk of transmission.

In terms of the actual numbers in Tameside, it is important to note that at the time in question in late-March, the rate of infection was high with much higher levels of Covid-19 circulating in our population than we see now. During the 7 days leading up to Friday 27 March 2020, 40 people tested positive for Covid-19 in Tameside. This compares to 18 people who tested positive during the 7 days leading up to Friday 10 July 2020. It should be noted that during late March, only a relatively small number of tests were being conducted in the hospital on those patients who were severely ill with Covid-19 symptoms. Therefore this number likely reflects only a small proportion of the actual rate of infection at the time. As the number of tests being done, and the infection rate increased, these numbers continued to rise to 94 people testing positive in the 7 days up to Friday 3 April and a peak of 178 people testing positive in the 7 days up to Friday 22 May 2020.

Based on this information I think it is appropriate to review the license for these premises as the evidence we have indicates that there was a substantial risk of Covid-19 transmission on the date of Saturday 21 March 2020. Allowing a relatively large number of people to gather and spend time in these premises would have potentially increased the risk of transmission of Covid-19.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'James Mallion', written over a horizontal dotted line.

James Mallion
Public Health Consultant

References

- Bryden, A., Roberts, B., McKee, M. and Petticrew, M. (2012) '*A systematic review of the influence on alcohol use of community level availability and marketing of alcohol*', *Health and Place*, Vol. 18, pp.349-357.
- Gruenewald, P.J., Freisthler, B. Remer, L., La Scala, E.A. and Treno, A. (2006) '*Ecological models of alcohol outlets and violent assaults: crime potentials and geo-spatial analysis*', *Addiction*, Vol. 101, pp.666-677.
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- Livingston, M. (2008) '*A longitudinal analysis of alcohol outlet density and assault*', *Alcoholism: Clinical and Experimental Research*, Vol. 32, pp.1074-1079
- Livingston, M. (2011) '*Alcohol Density and Harm: Comparing the Impacts on Violence and Chronic Harms*', *Drug and Alcohol Review*, Vol. 30, pp.515-523
- Pasch, K.E., Hearst, M.O., Nelson, M.C., Forsyth, A. and Lytle, L.A. (2009) '*Alcohol outlets and youth alcohol use: exposure in suburban areas*', *Health and Place*, Vol. 15, pp.642-646
- Pereira, G., Wood, L., Foster, S. and Haggart, F. (2013) '*Access to alcohol outlets, alcohol consumption and mental health*', *PLoS*, Vol.8, Issue 1.
- Richardson, E.A., Shortt, N.K., Pearce, J. and Mitchell, R. (2014) '*Alcohol-related illness and death in Scottish neighbourhoods: Is there a relationship with the number of alcohol outlets?*' Centre for Research on Environment, Society and Health, University of Edinburgh and University of Glasgow.
- Theall, K.P., Scribner, R., Cohen, D. Blunthenthal, R.N., Schonlau, M. and Lynch, S. (2009) '*The neighbourhood alcohol environment and alcohol-related morbidity*', *Alcohol and Alcoholism*, Vol. 44, pp. 491-499.

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

Re incident on THE 20TH MARCH
 I AM THE PREMISES OWNER
 AT THAT TIME I WAS RECOVERING
 FROM CANCER I HAVE HAD FIVE
 OPERATIONS. LUCKILY I AM ON THE
 MEND BUT STILL UNDER CHRISTIES.
 IM NOT MAKING EXCUSES BUT ALL
 THE PRESSURE WAS PUT ON KATH.
 KATH HAD ALREADY BOOKED A PARTY
 FOR SOMEONE WITH LEARNING DIFFICULTIES.
 THE BICY GOAT IS MADE UP OF 75%
 REGULERS + 25% PASSING TRADE,
 THE REGULERS HAVE BEEN COMING
 FOR 7 YRS NEARLY EVERYDAY,
 SO IT WAS UNDER PRESSURE THAT
 KATH OPENED. BUT NO ONE NEW
 HOW SERIOUS IT WAS,
 LEGISLATION WAS PASSED ON
 THE 23RD MARCH


 U BOVENS

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DEAR SIR/MADAM,

I AM WAITING TO APPEAL TO YOU NOT TO REVOKE THE LICENCE OF THE BILLY GOAT PUB HOUSE IN MOSSLEY.

THE BILLY GOAT ISNT JUST A PUB ITS A COMMUNITY HUB. PEOPLE OF ALL KINDS COME IN TO A Warm WELCOME FROM ALL THE REGULARS AND STAFF. WEVE GOT WELL BEHAVED TEENAGERS TO PEOPLE IN THERE BOYS THAT COME IN FOR A CHAT AND A DRINK AND IM SURE MOST OF THE OLDER ONES WOULDNT GO ANYWHERE ELSE WERE THE PUB TO SHUT DOWN.

KATH THE LANDLADY IS AN ABSOLUTE BARMAN, STEP OUT OF LINE AND YOUR IN TROUBLE, BUT IF YOU NEEDED SUPPORT IN ANYWAY SHE'S

THERE FOR YOU, SHE RUNS A VERY TIGH SHIP AND HAS HADY PICKED HER STAFF AND TAUGHT THEM WELL PLEASE KEEP THIS PUB OPEN AS I KNOW MANY PEOPLE WOULD BE LOST WITHOUT, INCLUDING ME



EVERY VISIT TO THE BILLY GOAT HAS BEEN VERY PLEASURABLE, GOOY COMPANY, AND ALWAYS A GOOD LAUGH, AND GOOD BEER.



02.07.2020

To whom it may concern,

I am writing this letter to express my concern over the potential closure of a well-loved local business, the Billy Goat. This has been our local pub for as long as we can remember. We have always had a great time and the atmosphere is fantastic.

Kath has always been a friendly face in the pub and has had high standards. We have never once witnessed any trouble. The Billy Goat holds great events throughout the year which brings the community closer together.

It would be a real shame for the pub to lose its licence, and yet another business close during an already difficult time for jobs and the economy.

We hope you will take into consideration our thoughts and those of so many others in Mossley & beyond.

Regards

To Whom it May Concern,

I have been a regular customer of The Billy Goat public house, for a number of years. I have always known the establishment to be a safe, secure and professional environment, that myself, my friends and many members of the community love and enjoy.

During the times I have visited The Billy Goat, I have always found the staff, especially the Landlady Kath, to be professional, honest & trustworthy. Over the years customers and staff have formed valuable friendships and have been able to rely on one another for advice and support.

The Billy Goat will be missed by many if it was to close.

Kind Regards

[Redacted Signature]



To whom it may concern,

I am writing to you regarding the possibility of the Billy Goat, I ask that you please reconsider this. The Billy is a very friendly and family orientated pub and I am proud to feel part of that pub. I have been going in there for 16 years now, I live on an over 55's caravan park about 2 minutes away from the pub and most of us don't drink in the Billy and we are all over 60, it is one of the friendliest pubs I have been up here. I am a lady in my sixties and live on my own, I find that I can go in the Billy Goat on my own anytime and feel secure, it is like a home from home, my family don't live close and they are happy as they know I am looked after when I go out. Vic, Kath and the barstaff go out of the way to make new customers welcome old or new all looked after a good community spirited pub. There are not many other world friendly pubs anymore but with the Billy we still have this. I would still be left in lockdown when the restrictions are lifted and pubs re-open if you close the Billy. For me that pub with its friendly staff and customers got me through a bad personal experience. I apologise I am not the best at putting things into words but the Billy Goat is the hub of some of this community. I ask that you please consider again this closure.

Thank you.

Tameside Council Licensing Department.



Re: The Billy Goat Public House. Stamford St., Mossley.

Dear Sirs,

We are writing this letter in support of the above.

We live at the above address which is an over 55 site with ages ranging from 60 plus to over 90. This pub to us, is not just a place to drink but an important part of our social life. It is a place where we can meet socially outside our homes in an environment which we feel secure and within easy access, which is vital as a few of us need mobility aids. It is a place where our children love to join us for a drink happy in knowing it is a place we feel safe and not having to venture too far from home.

It is not just a place for people of our age group to meet but young families are welcomed and this is evident on occasions like bonfire night where a wonderful bonfire and firework display is put on completely without charge, which in today's climate is extremely important and is evident by the number of families who look forward to this year after year.

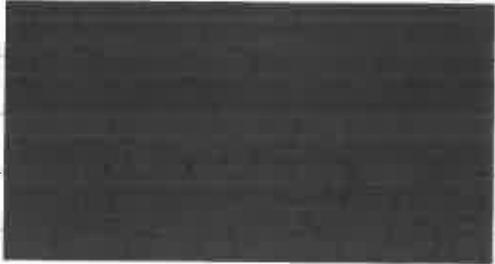
Christmas day is another example of what this pub means to the area. It opens all day, which is invaluable for a lot of the people of Mossley who live on their own and may not have families, to meet up and enjoy the festivities that Vic and staff put on for the day. This pub is not just frequented by the people of Mossley but we have had many a good conversation with people who have dropped in by chance and who have returned on many occasions.

Having lived in Saddleworth prior to the last 11 yrs here in Mossley, we can honestly say that this is one of the most friendliest, genuine pubs and feel content to call it our "local". So in conclusion to lose our Billy Goat would be devastating. We have just had a period of time where we were in total isolation due to the pandemic and to lose this vital amenity would throw us back into isolation and be extremely detrimental to many of us both physically and mentally.

Should require any further information or discuss this further please do not hesitate to contact us at the above.

Yours Faithfull,





I am writing in support of the Billy Goat Pub. I am a single lady, I've had a stroke and although I can't drink alcohol I still meet up with friends and neighbours socially. Being alone I also enjoy Christmas Day with others in a similar situation, without the Billy Goat my life would be mainly in isolation.



To

Licence Authorities

Please do not close the Billy Goat Pub

There are a lot of pensioners go there
to see friends and family.

We have not seen any trouble in there
it is a friendly Pub.

We have all been in lockdown for 4 months.

Kash O'Neil is a Pub Licensor.

Thank you



To whom it may concern.

I believe that it is essential that The Billy Goat should reopen along with the rest of the pubs during this next phase of easing lock down.

I have been going to this pub for many years, as have my family and friends. Throughout these years, The Billy Goat has always been a warm and friendly place.

It's welcoming to all ages, young and old, and it really brings the community together. Also, it is one of the main pubs in Mossley and one of the most popular, and I think that is down to the lovely and friendly barstaff, the great atmosphere and the fun events they hold such as bonfire nights and live acts.

It is also one of the safest pubs I know of. Not once in the years I've been going, have I ever witnessed any negative behaviour or incidents. It has always felt welcoming and friendly.

After everything that has happened this year, and the negative impact Covid 19 has had on people's lives, the community of Mossley, now more than ever, needs a place that people can come together again and enjoy each other's company, and The Billy Goat is that place.

Thank you,



Subject: The Billy Goat (Public House), Mossley, OL5 0JS

It has been brought to my attention that the above detailed public house could potentially be having its licence revoked / suspended when the current lockdown situation is lifted.

My interest / concern in this matter is my retired parents live very close by on Sovereign Hall Caravan Park and they use the Billy Goat as a social venue to meet local friends and residents.

The Billy Goat is a community pub that my parents and their friends plus other patrons rely on to meet and socialise in a safe, friendly location.

For some of these people, this is their only chance to socialise with other people and due to their circumstances, they are not in a position to travel so they rely on the Billy Goat being close by.

I am aware (Via local media) that they potentially breached the pub closure lockdown on Saturday 21st March and I 100% do not agree with that action, however, the reason for my letter is to make you aware that if the Billy Goat did close down then it would affect a local community, a number of which rely on attending the Billy Goat as it is their only opportunity to meet, chat and socialise with others.

Should you wish to discuss this matter or require any further information then please feel free to contact me on the details above.

Many thanks,



19th June 2020

To whom it may concern

KATHLEEN O'NEIL

I am writing this letter to confirm the following:

I have known Kathleen O'Neil for several years as a regular customer of The Billy Goat Public House on Stamford Street, Mossley. I can vouch for her, and say that she has been a person of exceptionally high morals and integrity over the time we have known each other.

I can further state that Kathleen O'Neil has been immensely dedicated and diligent to the daily running of the above establishment

If you should require any further information please come back to me

Yours faithfully,



To whom it may concern.

I am a long standing resident of Mossley. I am a firm believer of local business and use the facilities and services offered.

My free time is spent outdoors taking in the splendid views Mossley has to offer. Unfortunately there is a lack of rest stops which cater for outdoor pursuits however there is one such licenced premises with an outside area which is ideal.

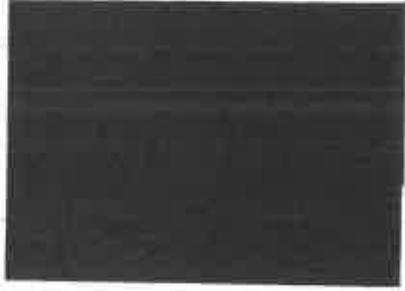
The premises I refer to is the Billy Goat public house which myself and friends refer to as the "life saver" where we can stop and refresh and provide water for our pets.

This is the only premises available and I consider it to be an asset to the village.

I am aware the premises licence is up for review but I feel compelled to assist in any way I can for this establishment to operate as normal. It would be a great loss to the village should this facility not be available.

Kind regards





Dear Sir / Madam,

I would like to say I have always found the Billy Goat a friendly welcoming place for all the family including my 3 year old son, we go weekly to the Karaoke nights and always have a good night, the landlord and staff have always given us a warm welcome and have all the regular patrons.

Events such as the fireworks and bonfire display are a great community event that all ages can enjoy.



Date / /

To whom it may concern

I am writing in concern to
the Billy Goat Pub in Mossley

I have been going to the Billy
Goat for a number of years.
I have always found it to
be a family friendly place
and never had any problems
there and think it is a
great place for the Mossley
community.



[REDACTED]

To whom it may concern,

I am writing to you re. the
Billy Goat pub in Mossley.

I would like to say I have
always found the place very warm and friendly
for all ages. I have taken our grandson to the
beer garden on numerous occasions and have
always been made very welcome.

The pub has a warm and
friendly atmosphere with fantastic staff, my
family have enjoyed many a good keraoke night
without any trouble.

[REDACTED]

1st July 2020

To Whom it may Concern



Dear Sirs, Madam,

RE: Appealing Possible Closure of The Billy Goat Pub Mossley

I would like to show my support for the Licensees of The Billy Goat Pub Mossley, I have had the pleasure of the people who frequent the pub plus Victor and Kath over a long period of time. The community feel inside the place is second to none. The support shown throughout the pub to all and sundry is amazing. The Billy Goat is a community pub, of which will be sorely missed if their license is revoked, along with numerous people out of employment. I sincerely hope that the board can use their wisdom and knowledge on how important a local pub is to enable Victor and Kath to provide a safe, happy environment that they have provided for many more years to come

Yours faithfully



1st July 2020



Dear Sirs,

Ref: Possible Closure of The Billy Goat Pub Mossley

I have frequented The Billy Goat Pub Mossley, for several years now, through working alongside colleagues who live in Mossley. I am not from Mossley ,however I soon realised that people from here especially the personnel who frequent the Billy Goat are kind ,generous and thoughtful .They took me under their wing straight away .Kath is one of the most lovely, caring and dare I say it ! "doesn't suffer fools lightly!" land ladies you could ever wish to meet. Many, many people can confirm this. The closure of this community pub would be disastrous to all who visit and to all the hard-working staff who would have to seek other employment. I hope that after reviewing their license I am allowed more years in this energetic and family orientated pub.

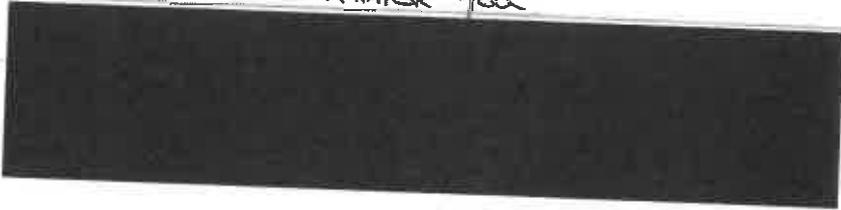
Yours sincerely



TO LICENSEE

WE ARE TWO CUSTOMERS THAT GO
INTO THE BILLY GOAT ON STAMFORD STREET
MOSSLEY WE GO IN QUITE REGULAR.
WE ARE BOTH IN OUR MIDDLE SIXTYS, AND
GOING INTO THE BILLY GOAT FEELS TO US
LIKE A SAFE PUB. WE OURSELVES HAVE NEVER
SEEN ANY TROUBLE. THE PUB IS A GOOD LOCAL
ONE AND ITS NOT TOO FAR TO WALK TO IT
WOULD BE A GREAT SHAME IF IT WAS TO
LOSE THE LICENSE. PLEASE DONT TAKE IT AWAY.
THERE ARE MANY PUBS TO GO INTO IN MOSSLEY,
AND WE DONT REALLY WANT TO BE TRAVELLING
TO GO FOR A DRINK. ITS A GOOD LOCAL PUB.
WE ARE JUST TWO CUSTOMERS WE ARE SURE
THERE ARE MANY WHO WOULD SAY THE SAME
AS US.

Thank you



[REDACTED]

RE: THE BILLY GOAT MOSSLEY

DEAR SIR,

I WISH TO WRITE IN SUPPORT
OF THE BILLY GOAT PUB MOSSLEY.

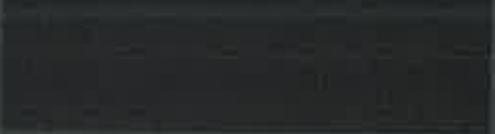
I HAVE VISITED THIS PUB ON MANY
OCCASIONS WITH MY FAMILY AND HAVE
ALWAYS FOUND A VERY WARM FRIENDLY
ATMOSPHERE. MY PARENTS LIVE ON
SOVEREIGN HALL CARAVAN PARK AND
THIS IS THEIR LOCAL. TO THEM AND
THEIR FRIENDS AND NEIGHBOURS THIS PUB
IS NOT JUST A PLACE TO DRINK BUT AN
IMPORTANT PART OF THEIR SOCIAL LIFE.

I AM HAPPY THAT THEY HAVE SUCH
A PLACE TO MEET IN SAFETY, CLOSE
TO HOME. WITHOUT THIS I AM
SURE IT WOULD HAVE A
DETREMENTAL EFFECT ON BOTH

THEIR PHYSICAL + MENTAL
WELLBEING. WE AS A FAMILY
HAVE JUST ENDURED A PERIOD
OF ISOLATION. MY PARENTS ENJOY
THE SOCIAL WAY OF LIFE WITH
FRIENDS SOME OF WHOM HAVE
MOBILITY PROBLEMS THAT THE
BILLY GOAT PROVIDES DURING DAYTIME
HOURS. WITHOUT THIS MANY OF
THEM WILL BE PUT BACK INTO
ISOLATION.

Yours Faithfully





To who it may concern

Re: Possible revoke of The Billy Goat licence

The Billy Goat pub is an establishment that is like no other. Kath and her staff are always very welcoming and like to have banter with the customers. The pub is a hub for many, regardless of age and you know that you are always welcome through the doors. It is an asset to the town, (we have lost far too many pubs) and it would have a negative impact especially for those who rely on employment from the pub

Both myself and my partner have grown up in Mossley and the pub has always been a part of our lives. We both have fond memories of being there with family and friends, some who are no longer with us. It is place that you can go to and you know that there will be someone to give you support if you need to, or just have a drink after work with friends. For some, it's the only place that they have someone to talk to.

Please think about the impact this will have on the people of Mossley

Regards



28/06/20

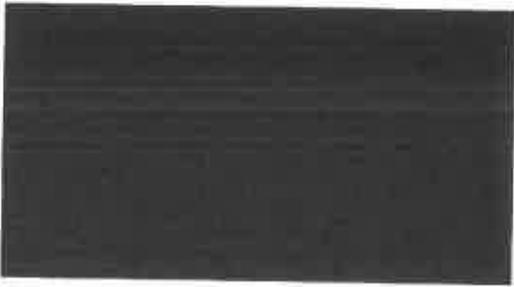
Billy Goat in Mossley is a pleasant
pub that has always made
friends and family feel safe +
ed. It is a respectable venue
I am so discouraged by the fact
to write this letter.

local pubs are part of this country's heritage
and so many are dying out,
due to the economy. It would be
absolute shame and a great loss
lose such a quaint pub

To the person in charge
of pub licencing.

Just writing a few words to you
because yesterday I was told that you
was intending to close the Billy Goat Pub
Mossley. This is very sad news to me
and my husband as we have been going
in there since we were 18 years old
and now we are both 72 years old who
have mobility issues. The Billy Goat Pub
is nearest to us. I myself have got
3 knee hip and spine problems and my
husband has different health problems so we
depend on that pub for our entertainment.

We do know it is not without its
modern problems with some of the people
who go in there but it is certainly not the
only pub who has modern problems.
So we do think you could reconsider and
not close it down all together



To whom it may concern.

I have been a regular patron of the Billy Goat Pub for many years and have always found it to be, safe, welcoming and friendly.

I have really missed my visits there to meet friends and watch football. I am looking forward to visiting again very soon.

Regards





Dear Sirs,

Could I just make my feelings felt in favour of the 'Billy Goat' public house. Formerly of Mossley and still a regular customer since 1970.

It is a well run pub, I have never seen any trouble, there is no drug problems and hundreds of people have a good time enjoying the music, football etc every week.

Pubs are closing all the time and to lose the 'Billy Goat' would be devastating for the town. It isn't just a hub for local people it brings in people from all over Tameside. The 'Billy Goat' has been going for hundreds of years and for it not to remain open would be a crying shame.

This is a pub where people come to socialise and meet other like minded people, decent people who a lot of them know no other pub they would be lost if the 'Billy Goat' didn't remain open.

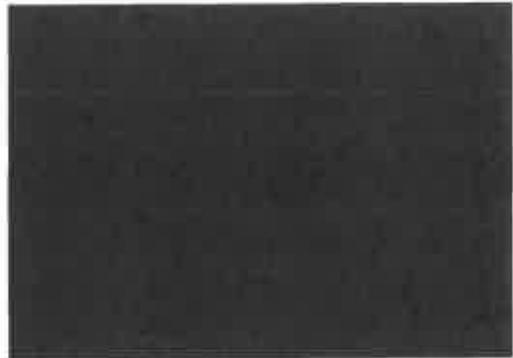
I do hope you look upon this case favourably and this misunderstanding is worked out without the need to punish the dozens of MOSSLEY pub goers.

Thanking you in anticipation



05.07.20

PREMISES LICENCE PL0427



Dear Sirs / Madames, a matter regarding 'THE BILLY GOAT' public house MOSSLEY.

I was very shocked to find out the pub had broken the lockdown rules, and in my mind I had NO DOUBT that Kath the licensee would have had NO KNOWLEDGE of this happening

I am a regular customer in this pub and choose it above all others in the town for its hygiene standards and my own safety in many ways.

cont-d

Kath is very much respected in the pub and has a 'reputation', for being very strict.

I have witnessed her policing her licence and having a, "NO NONSENSE", approach, she was always very, very possessive about her licence.

I cannot judge 'Vic' the manager, but he is a kind man with a ^{Friendly} generous nature.

Kath is an absolute asset in times like these with the strict social distancing rules (after all, she already has the respect there)

Kind Regards



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