

SPEAKERS PANEL (LIQUOR LICENSING)

Day: Tuesday
Date: 26 January 2021
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 as a correct record the Minutes of the proceedings of the Speakers' Panel (Liquor Licensing) held on 11 January 2021 and 12 January 2021 (attached).	1 - 10
4.	APPLICATION FOR A REVIEW OF A PREMISES LICENCE - JOLLY HATTERS, 119 TOWN LANE, DENTON, M34 2DJ To consider the attached report of the Assistant Director, Operations and Neighbourhoods.	11 - 126

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Charlotte Forrest, Senior Democratic Services Officer at charlotte.forrest@tameside.gov.uk or on 0161 342 2346, to whom any apologies for absence should be notified.

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Agenda Item 3.

SPEAKERS PANEL (LIQUOR LICENSING)

11 January 2021

Commenced:10.00am

Terminated: 2.30pm

Present: Councillors Sweeton (Chair), Bowden and Quinn

In Attendance:	Mike Robinson	Regulatory Services Manager
	James Horton	Regulatory Compliance Officer
	Nicola Healey	Regulatory Support Officer
	David Joy	Legal Representative TMBC
	Ashleigh Melia	Legal Services Officer TMBC (observer)
	PC Thorley	Greater Manchester Police
	PC Lawton	Greater Manchester Police
	Nicola Briers	Trading Standards Officer (observer)
	James Mallion	Public Health
	Rebecca Penfold	Counsel
	Jeitan Panchani	Premises Licence Holder

9. DECLARATIONS OF INTEREST

There were no declarations of interest.

10. MINUTES

To approve as a correct record the Minutes of the proceedings of the Speakers' Panel (Liquor Licensing) held on 12 August, 13 August and 20 August 2020 (attached).

11. APPLICATION FOR A REVIEW OF A PREMISES LICENCE – JITS SUPERSHOP, 21 MARKET STREET, STALYBRIDGE. SK15 2AL

Consideration was given to an application for a review of a premises licence for Jits Super Shop, 21 Market Street, Stalybridge. SK15 2AL.

It was explained that Jits Super Shop, 21 Market Street, Stalybridge, SK15 2AL, was first granted a Premise Licence under the Licensing Act 2003 on 8 September 2006. Mr Jeitan Panchani had been the Premises Licence Holder and Designated Premises Supervisor since September 2013.

On 23 November 2020 the Licensing Authority received an application from Tameside MBC Trading Standards Service (in its capacity as a Responsible Authority under the Licensing Act 2003) for a review of the Premises Licence for Jits Super Shop.

An application was made by Nicola Briers on behalf of Trading Standards to exclude the public and press for part of the hearing, namely, whilst the CCTV evidence was presented. The grounds of the application were that the CCTV identified persons under the age of 18.

Having applied the public interest test (Sch 12A LGA 1972/Reg 14 of the Licensing Hearing Regs) the Panel decided to proceed with the hearing in private but only whilst the CCTV was played in the

hearing and any questions regarding the CCTV content were asked and answered. The Panel considered that to proceed with this part of the hearing in public would be prejudicial to the interests of the young persons identified on the CCTV and more generally, the interests of justice. Once this part of the hearing was concluded the hearing returned to public session. (This part of the hearing was repeated as a Panel member dropped out of the hearing for a short period).

Mr Robinson presented the report to the Panel and identified the steps available to the Panel in determining the review (s52 (4) Licensing Act 2003). Mr Robinson informed the Panel of the brief background to the review as set out in the report and summarised the representations received.

Nicola Briers, Trading Standards Officer, then presented the Review application on behalf of Tameside MBC Trading Standards Service. Ms Briers referred the Panel to the Review Application, her witness statement and the exhibits identified in the statement (all appended to the report to the Panel). The Panel and those in attendance at the hearing viewed the CCTV in relation to an incident at the premises on 19 October 2020 presented by Ms Briers.

James Mallion presented a representation on behalf of Tameside MBC Population Health. Mr Mallion referred the Panel to his written representation (appended to the report to Panel).

Regulatory Compliance Officer James Horton submitted a representation on behalf of the Licensing Authority. Mr Horton referred the Panel to the content of the representation (appended to the report to Panel).

PC Thorley presented a representation on behalf of Greater Manchester Police. PC Thorley referred the Panel to his statement (appended to the report to Panel). PC Lawton then presented his statement to the Panel (appended to the report to Panel).

A number of additional written representations were received in relation to the Review as follows:

- Assistant Principal, Copley Academy
- Assistant Head, West Hill School
- Parent of pupil of West Hill School

These representations were read out to the Panel by Mike Robinson, Regulatory Services Manager.

Ms Penfold (Counsel) on behalf of the Licence Holder then addressed the Panel and read out the witness statements provided by the licence holder and the recently appointed manager of the premises. Reference was also made to the Document Bundle served by the Licence Holder which included details of till improvements, staff training, increased signage in the premises relating to age restricted sales and details of refusals (for the period June – December 2020). Mr Panchani, Premises Licence Holder, also addressed the Panel and responded to questions asked.

All parties were 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 then retired to carefully consider the written report, representations and questions and answers during the hearing in addition to all the information provided. The Panel were accompanied by the Legal Representative and the Principal Democratic Services Officer who provided legal and procedural advice only and took no part in the decision making process.

In determining this matter, the Panel has had due regard to:

- The report to Panel
- The Review application and representations
- All oral and written evidence and submissions
- The Council's Statement of Licensing Policy,
- The relevant sections of the Licensing Act 2003 and Regulations made thereunder

- The Guidance issued by the Secretary of State under section 182 of that Act.

The Panel noted that in determining this review it must, having regard to the application and any relevant representations, take such steps as identified in s52(4) of the Licensing Act 2003 as it considered appropriate for the promotion of the licensing objectives, in particular, the protection of children from harm and the prevention of crime and disorder.

The Panel noted the recent history of relevant events at the premises, summarised as follows:

- Between November 2017 and November 2018 TMBC Trading Standards received 3 complaints from local schools that the premises were selling both alcohol and cigarettes to under age persons.
- There was a visit to the premises in September 2018 and a discussion with the Licence Holder regarding the issue. Advice was given regarding proxy sales/notices. The refusals book was unavailable for inspection.
- A meeting was held in February 2019 between TMBC Officers and the Licence Holder following a visit to the premises in January 2019 (during which a staff member was abusive to a police officer in attendance). At this meeting advice was given and an agreement reached to amend the licence conditions (as an alternative to a licence review). The licence conditions were amended with effect from March 2019 and included conditions relating to CCTV, Challenge 25, Refusals book, proxy notices, staff training etc.
- In June 2019 a complaint was received by TMBC Trading Standards relating to the sale of cigarettes from the premises to under age persons/pupils from West Hill School.
- In September/October 2019 reports were received of illicit/counterfeit tobacco being sold from the premises. A visit revealed no illicit tobacco on the premises.
- In October 2019 concerns were raised regarding the selling of single cigarettes from the premises to local school pupils (West Hill School and Copley Academy). A further report was received in November 2019.
- On 6 June 2020 alcohol was sold from the premises to under age persons. Upon the Police intervening the alcohol was returned and a refund given. There were issues with the CCTV system at the premises. A proxy notice was displayed in the premises. The refusals book was available for inspection but had no entries for the previous 12 months.
- On 16 June 2020 the refusals books was inspected and recent entries had been made. Advice was given regarding the sale of age restricted products.
- In September 2020 a report was received that alcohol had been sold from the premises to 3 under-age girls. This report could not be investigated further due to lack of details.
- In October 2020 two single cigarettes were sold from the premises to an under-age person. The person was identified as a pupil of Copley Academy.
- In November 2020 fireworks were reportedly sold from the premises to an under-age person. The till record and CCTV did not identify a sale.
- In November 2020 a single cigarette appeared to have been sold from the premises to the same under-age person who purchased cigarettes from the premises in October 2020. There were issues obtaining the CCTV footage.
- On 23 November 2020 an inspection was undertaken. The CCTV was not fully compliant. The training records were not available for inspection.

The Panel further noted with concern, the health statistics for the Borough/postcode area arising from alcohol consumption and use of tobacco and the impact of alcohol and tobacco consumption on young persons.

The Panel noted that:

- The Licence Holder stated that he had problems with staff over a number of years and that the staff rather than the Licence Holder were present at the time of the reported under-age sales. The Licence Holder said that he had dismissed staff involved in under-age sales.
- The Licence Holder had issues with adults purchasing age restricted products for under age persons (proxy sales)

- The License holder said that reports of sales from the premises (eg fireworks) were not always accurate.
- The Licence Holder had recently taken additional steps to try and prevent the sale of age restricted products from the premises, namely,
 - Employing a manager
 - Improving staff recruitment
 - Improved staff training
 - Increased signage in the premises relating to age restricted products and proxy sales.
 - A till upgrade (including alert to help prevent under age sales)
 - Trying to prevent young people congregating outside the premises

The Panel concluded that:

There was a long history of issues at the premises regarding age restricted products. The Licence Holder/DPS was responsible for managing the premises and in doing so must promote the licensing objectives.

Despite the imposition of conditions in 2019 and provision of advice there had been no significant improvement in preventing the sale of restricted products to under age persons.

The Panel had considered all available options.

The Panel noted the very recent measures taken by the Licence Holder to try to prevent further issues arising with regard to the age restricted products. Whilst the Panel had, in light of the history of issues and additional conditions imposed in 2019, seriously considered revoking the premises licence, on balance, the Panel concluded that, having regard to proportionality, the Licence Holder should be given a further opportunity to demonstrate that with:

- the additional measures identified by him;
- a short licence suspension (to reflect the seriousness of the situation and allow the licence holder time to fully implement the required changes); and
- the imposition of additional conditions (to ensure that staff are fully/appropriately trained and help prevent future under age sales)

He could manage the premises in a way that prevented under-age sales and promoted the licensing objectives.

The Licence Holder was reminded that he was ultimately responsible for what occurred on the premises whether he was present or not.

RESOLVED

The steps to be taken that were considered appropriate to promote the licensing objectives are:

- (i) That the licence be suspended for a period of 2 months. This will enable the Licence Holder time to properly put in place the new measures that he has identified.**
- (ii) Additional licence conditions to be inserted in Annex 3 of the licence:**
 - a. A personal licence holder must be present on the premises at any time that there is a retail sale of alcohol on the premises.**
 - b. There shall be no more than 2 customers under the age of 18 years of age allowed in the premises at the same time (excluding any persons under the age of 18 who are accompanied on the premises by a responsible adult).**

Whilst the Panel could not tie the hands of a future Panel, this decision should be regarded as a final opportunity for the Licence Holder to demonstrate that he could promote the licensing objectives. Any future issues may lead to the licence being revoked.

SPEAKERS PANEL (LIQUOR LICENSING)

12 January 2021

Commenced:10.00am

Terminated: 12.15pm

Present: Councillors Sweeton (Chair), Bowden and Quinn

In Attendance:	Mike Robinson	Regulatory Services Manager
	Rebecca Birch	Regulatory Compliance Officer
	David Joy	Legal Representative TMBC
	Ashleigh Melia	Legal Services Officer (observer)
	PC Thorley	Greater Manchester Police
	James Mallion	Public Health
	Richard Taylor	Gosschalks Solicitors
	Joanne Hipkiss	Licensing Manager
	Adam Hancox	Regional Manager, Ei Group

12. DECLARATIONS OF INTEREST

There were no declarations of interest.

13. APPLICATION FOR A REVIEW OF A PREMISES LICENCE – THE COCK HOTEL, TOWN LANE, DENTON. M34 7SZ

Consideration was given to an application for a review of a premises licence for The Cock Hotel, 60 Two Trees Lane, Denton. M34 .7SZ.

It was explained that the Premises Licence Holder of The Cock Hotel, 60 Two Trees Lane, Denton is Ei Group Limited of 3 Monkspath Hall Road, Solihull B90 4SJ. A copy of the Premises Licence was appended to the report to Panel and identified the licensable activities and operating hours for the premises.

In April 2020 Mr Michael Andrew became the Designated Premises Supervisor for the premises.

On 4 December 2020 the Licensing Authority submitted an application for a review of the Premises Licence.

Mr Robinson presented the Report to the Panel and identified the steps available to the Panel in determining the review (s52 (4) Licensing Act 2003). Mr Robinson informed the Panel of the brief background to the review as set out in the report and summarised the representations received from:

- The Licensing Authority
- Greater Manchester Police
- Tameside MBC Population Health

Rebecca Birch, Regulatory Compliance Officer presented the Review application (appended to the report to the Panel) on behalf of the Licensing Authority. Ms Birch referred to her witness statement and exhibits (appended to the report to the Panel). Ms Birch informed the Panel that agreement had been reached with the Licence Holder to modify the conditions on the licence with a view to

promoting the licensing objectives. Ms Birch had the opportunity to consider the proposed conditions. She confirmed that she was satisfied with the conditions and considered that they would meet the licensing objectives going forward.

James Mallion then presented the representation that had been submitted on behalf of Tameside MBC Population Health. The content was noted by the Panel in particular the local levels of infection and deaths from Covid and the importance of premises complying with Covid restrictions.

PC Thorley presented a representation (appended to the report to the Panel) on behalf of Greater Manchester Police. Witness statements from PC Thorley and PC Cookson detailed the police investigation and the content of the CCTV. Key extracts of the CCTV recordings of the premises on the relevant dates were played in the hearing.

PC Thorley informed the Panel that agreement had been reached with the Licence Holder to modify the conditions on the licence with a view to promoting the licensing objectives.

PC Thorley thanked Mr Taylor of Gosschalks for his co-operation in responding to this matter. PC Thorley also thanked PC Cookson for his efforts on the evening of 25 November 2020.

PC Thorley agreed that the proposed conditions were appropriate to meet the licensing objectives.

Mr Taylor on behalf of the Licence Holder, then addressed the Panel and explained that Mr Andrew was removed as DPS and tenant within one hour of the report of the breach to Ei Group. He added that Mr Andrew was permitted to remain in the living accommodation of the premises as there was currently a Covid related moratorium on evictions from residential premises.

Mr Taylor explained that this issue had provided an opportunity to review and update the current conditions. Mr Taylor informed the Panel that following discussions between the Licence Holder, the Licensing Authority and Greater Manchester Police an agreement had been reached, subject to consideration/approval by this Panel, in relation to appropriate conditions (to replace those currently in Annex 2 to the licence). The proposed conditions are appended to the Minutes as Appendix A and if approved will appear in Annex 3 to the licence).

All parties were 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 then retired to carefully consider the written report, representations and questions and answers during the hearing in addition to all the information provided. The Panel were accompanied by the Legal Representative and the Principal Democratic Services Officer who provided legal and procedural advice only and took no part in the decision making process.

In determining this matter, the Panel had due regard to:

- all oral and written evidence and submissions
- the Council's Statement of Licensing Policy,
- the relevant sections of the Licensing Act 2003 and Regulations made thereunder
- the Guidance issued by the Secretary of State under section 182 of that Act.

The Panel noted that in determining the review it must, having regard to the application and any relevant representations, take such steps as identified in s52(4) of the Licensing Act 2003 as it considered appropriate for the promotion of the licensing objectives, in particular, the prevention of crime and disorder.

The Panel noted the recent incidents at the premises as outlined in the report to Panel and the details in the Review Application. Relevant representations and supporting evidence.

The Panel noted that:

- The DPS involved in the breaches of Regulations was immediately dismissed by the Licence Holder.
- Ei Group provided relevant information and advice to the DPS to avoid a breach of the Covid restrictions.
- The now former DPS had initially informed Officers that the incident on 25 November 2020 was an isolated incident.
- The former DPS had purchased his own barrels of beer to sell to customers during the lockdown. The barrels were not purchased from or via Ei Group.
- The premises were operated on the breach dates by invitation only (by the former DPS).
- The conditions (at Appendix A to this Notice) had been agreed between the Licensing Authority, Greater Manchester Police and the Licence holder as appropriate for the promotion of the licensing objectives.

The Panel was satisfied that the breaches of the Covid Regulations were due to the conduct of the former DPS rather than the Licence Holder.

The Panel considered all available options and carefully scrutinised the proposed conditions.

Having regard to the factors identified above, the Panel considered that the imposition of conditions would be a proportionate response to the identified issues and appropriate to promote the licensing objectives, in particular the prevention of crime and disorder.

Accordingly, the Panel concluded that the step that it considered appropriate to promote the licensing objectives was to modify the conditions attached to the licence.

The Panel thanked Ei Group for their prompt action in removing the DPS and the high level of co-operation with both the Licensing Authority and GMP.

RESOLVED

That the conditions at Annex 2 to the licence be removed and replaced at Annex 3 with the conditions set out in Appendix A, attached.

APPENDIX A

1. INCIDENT BOOK

An incident book (with the pages numbered sequentially) must be kept on the premises and be made available for inspection by responsible authorities. The incident book must 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 18's 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

2. 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 on 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 authority.

3. 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 & 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.

4. DOOR STAFF

The DPS will risk assess the need for door supervision and engage SIA registered door supervisors on such dates, in such numbers and between such times as identified as necessary by the risk assessment.

5. CHALLENGE 25

The premises must 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 must be displayed in prominent positions inside the premise to inform customers of this condition.

6. REFUSALS BOOK

A refusals book must be kept at the premises and must 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 must be recorded. The details to be recorded must 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 I d. offered (if shown)

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

7. DPS VETTING

Future appointments of the Designated Premises Supervisor for the premises will only be made following consultation with the Police and Licensing Authority who will vet the individual prior to submission of an application.

8. PREVENTION OF NOISE BREAKOUT FROM PREMISES

1. To prevent noise nuisance, all windows and doors at the premise must be kept closed at any time when regulated entertainment, live music (amplified or unamplified), recorded music or any other type of entertainment (amplified or unamplified) is being performed at the premise, except to allow people to enter or exit.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
3. The Designated Premises Supervisor must ensure that perimeter inspections are undertaken every hour when regulated entertainment, live music (amplified or unamplified), recorded music or any other type of entertainment (amplified or unamplified) is taking place. These inspections must be recorded in a book which must be made available for inspection to Local Authority Officers and Greater Manchester Police on request.
4. No music to be played outside at any time.
5. No live music (amplified or unamplified) to be performed at the premises after 23:00.

9. DRUG POLICY

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

10. PUBWATCH CONDITION

Where a pubwatch scheme is in operation in (town), the designated premises supervisor must be an active member of the scheme.

"Active member" is defined as someone who:

- i. Attends a minimum of 50% of Pubwatch meetings between 1 January and 31 December annually. Attendance at Pubwatch meetings will be measured by the use of written records kept by the Chair and/or Secretary of the relevant Pubwatch group. When calculating whether 50% of meetings have been attended by the DPS, any meetings cancelled by the Chair/Secretary, or meetings cancelled for any other reason out of the control of the DPS will not be counted.
- ii. Actively enforces all collective banning orders imposed by the Tameside pubwatch group. The DPS must ensure that any individual subject to a collective banning order by the pubwatch group is not allowed to enter or remain on the premises. If a banned individual enters or attempts to enter the premises and attempts to remove them are unsuccessful, the DPS must ensure that the police are contacted % asked to assist in removing the individual.
- iii. Shares information with other members of the pubwatch group. Whenever a banned individual is refused entry or removed from the premise, the DPS must ensure that the other members of the pubwatch group are informed as soon as practicable.

The DPS must ensure that all members of staff are made aware of all individuals who are currently banned by the Tameside pubwatch scheme. Staff must be regularly updated by the DPS whenever individuals are added or removed from the list of banned persons.

11. LIST OF AUTHORISED PERSONS

The Designated Premises Supervisor must maintain a written record of all members of staff who are authorised 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.

12. OUTSIDE AREA

The outside drinking area will not be used for the consumption of alcohol or other drinks after 2300.



13. NOTICES

Prominent and clear notices to be displayed at all exits requesting customers to respect the needs of local residents and to leave the premises and area quietly.

14. UNDER 16S

Under 16s will not be permitted on the premises after 19.00 unless they are attending a function or event in the function room.

Agenda Item 4.

Report to:	SPEAKERS PANEL (LIQUOR LICENSING)
Date:	26 January 2021
Reporting Officer:	Emma Varnam – Assistant Director, Operations & Neighbourhoods
Subject:	APPLICATION FOR A REVIEW OF A PREMISES LICENCE – JOLLY HATTERS, 119 TOWN LANE, DENTON, M34 2DJ
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, impose amendments or conditions to a licence or to take no action 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 Mike Robinson, Regulatory Services Manager (Licensing).
Background Information:	The background papers relating to this report can be inspected by contacting Mike Robinson
	 Telephone: 0161 342 4122
	 e-mail: mike.robinson@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.
- 1.3 The steps mentioned in subsection (4) are:-
 - (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 suspend the licence for a period not exceeding 3 months;
 - (e) to revoke the licence.

2. REPORT

- 2.1 Jolly Hatters, 119 Town Lane, Denton, M34 2DJ was first granted a Premises Licence under the Licensing Act 2003 on 5 November 2005. The Premises Licence Holder is Ei Group Limited and the most recent Designated Premises Supervisor (DPS) is Deborah McCallum, who was in place from 6 March 2020 until 18 September 2020. A copy of the Premises Licence is attached at **Appendix 1**.
- 2.2 The Health Protection (Coronavirus Business Closure) (England) Regulations 2020, came into force at 14:00 hours on 21 March 2020. On 4 July 2020, the Prime Minister relaxed coronavirus restrictions imposed on all pubs, bars, restaurants and other specified premises since 23 March 2020. The restrictions previously imposed had been in an effort to suppress the coronavirus outbreak.
- 2.3 On 4 July 2020, officers from Greater Manchester Police and the Licensing Authority conducted an inspection at the Jolly Hatters. The premises was found to be non-compliant with the coronavirus regulations, customers were not maintaining social distancing, multiple households were mixing together and the premises were overcrowded.
- 2.4 Following the visit, the Authorities raised concerns with Ei Group Ltd that the DPS was unable to manage the premises effectively and ensure the venue was covid secure.
- 2.5 On 13 July 2020, the Local Authority received a complaint from a member of the public alleging the premises had been trading beyond its terminal hour on 11 July 2020. A review of CCTV footage confirmed the complaint to be justified. The premises was found to be trading outside of its licensable hours and had patrons on site until 04:00 hours. Ei Group were made aware and a copy of the warning letter relating to this incident is attached at **Appendix 2**.
- 2.6 On 14 August 2020 the premises was visited by Licensing and Greater Manchester Police. A jukebox was being operated and the volume of music was at an unacceptably loud level, which made it difficult to have a conversation. The guidance issued by the government to assist premises to operate safely, states that music must be kept at a low background level so that voices need not be raised in order to prevent transmission of coronavirus. A warning letter was served and a copy is attached at **Appendix 3**.

- 2.7 On 15 August 2020, a large brawl involving approximately 15-20 people took place inside the premises and then spilled out onto the street. This incident was not reported to the Police. CCTV obtained by the Police, showed that prior to the fight taking place, covid regulations had been breached, large groups were sat together not socially distanced and the DPS had been watching football and drinking within the large group. Still images taken from the CCTV at 21:54, immediately before the fight on 15 August 2020, are attached at **Appendix 4**.
- 2.8 No crimes were recorded in relation to the fight that occurred on 15 August 2020; however, PC Thorley contacted Ei Group to advise that in his opinion, the broadcasting of football matches was a trigger for covid related incidents at the premises and to request that Ei Group Ltd considered not showing future football matches. PC Thorley received no reply.
- 2.9 On 11 September 2020, Licensing and Greater Manchester Police carried out a visit to the premises. At the time of their visit, a DJ was playing loud music and the DPS was asked to turn the music down. Following this, it is reported that the DPS, who was extremely intoxicated, became confrontational towards the Police. Louise Ashton, Regulatory Compliance Officer, served a warning letter on the DPS. A copy of the letter and Ms Ashton's statement is attached at **Appendix 5**.
- 2.10 Consideration was given to serve a Direction Notice requiring the temporary closure of the premises and on 14 September 2020, the Licensing Authority contacted Ei Group to request the immediate removal of the DPS and voluntary closure of the premises.
- 2.11 Following this, Ei Group terminated their contract with the DPS, Ms Deborah McCallum. The Council raised its concerns about the DPS remaining on site as this could present a risk. On 16 September 2020, Ei Group Limited provided assurance that the premises would remain closed whilst the DPS remained on site until a replacement was appointed.
- 2.12 On 17 September 2020, the premises re-opened and received an inspection conducted by officers from Greater Manchester Police and the Licensing Authority. During the visit, the DPS was found to be intoxicated and Greater Manchester Police had reasonable grounds to suspect the condition of the DPS at the premises was likely to cause nuisance to members of the public. This resulted in Greater Manchester Police serving a Closure Notice under the Antisocial Behaviour Crime and Policing Act 2014, closing the premises for 24 hours.
- 2.13 On 18 September 2020, a Direction Notice was served under the Health Protection (Coronavirus Restrictions) England Regulations 2020. This notice required the premises to close from 18 September 2020 until 12 October 2020. A copy of the Direction is attached at **Appendix 6**.
- 2.14 On 18 September 2020, Ei Group Limited submitted an application to the Council to remove Ms Deborah McCallum from the position of DPS at the premises.
- 2.15 The Licensing Department have received historical complaints regarding disorder and anti-social behaviour, including noise and drug use associated with the premises dating back through the tenure of previously appointed Designated Premises Supervisors at the premises.
- 2.16 On 4 December 2020, James Horton, Regulatory Compliance Officer, on behalf of the Licensing Authority acting in their capacity as a Responsible Authority under the Licensing Act 2003, reviewed the premises licence for Jolly Hatters, 155 Haughton Green Road, Denton, M34 2DJ. A copy of the Premises Licence Review Application is attached at **Appendix 7**.

3. REPRESENTATIONS & EVIDENCE SUBMITTED

3.1 TMBC Licensing

A supporting statement relating to the application provided by James Horton, Regulatory Compliance Officer, Licensing, is attached at **Appendix 8**.

3.2 Greater Manchester Police

A statement has been provided by PC Martin Thorley in relation to his involvement with the premises. This is attached at **Appendix 9**.

3.3 TMBC Population Health

A representation has been received from James Mallion on behalf of TMBC Population Health, is attached at **Appendix 10**.

3.4 Members of the Public

A representation has been received from a member of the public. This is attached at **Appendix 11**.

A representation has been received from a member of the public. This is attached at **Appendix 12**.

A representation has been received from a member of the public. This is attached at **Appendix 13**.

A representation has been received from a member of the public. This is attached at **Appendix 14**.

3.5 CCTV

CCTV obtained from the premises relating to an incident on 15 August 2020.

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, 11.20, 11.21 and 11.22 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.*

11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed

at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

11.21 *For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.*

11.22 *Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would.*

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

PL0292

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 Jolly Hatters** **TELEPHONE: 0121 272 5000**

ADDRESS Jolly Hatters, 119 Town Lane, Denton, Tameside, M34 2DJ

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; |
| 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
Exhibition of films	Monday-Sunday	09:00 - 01:00
Exhibition of films	New Years Eve	09:00 -
Exhibition of films	New Years Day	- 09:00
Indoor Sporting Event	Monday-Sunday	09:00 - 01:00
Performance Of Live Music	Monday-Sunday	09:00 - 23:30
Performance Of Live Music	Monday-Sunday	09:00 - 01:00
Performance Of Live Music	New Years Eve	09:00 - 02:00
Performance Of Live Music	New Years Eve	09:00 -
Performance Of Live Music	New Years Day	- 09:00
Playing Of Recorded Music	Monday-Sunday	09:00 - 23:30
Playing Of Recorded Music	New Years Eve	09:00 - 02:00
Performance Of Dance	Monday-Sunday	09:00 - 23:30
Performance Of Dance	Monday-Sunday	09:00 - 01:00
Performance Of Dance	New Years Eve	09:00 -
Performance Of Dance	New Years Eve	09:00 - 02:00
Performance Of Dance	New Years Day	- 09:00
Sale by retail of alcohol	Monday-Sunday	09:00 - 00:30
Sale by retail of alcohol	New Years Eve	09:00 -
Sale by retail of alcohol	New Years Day	- 09:00
Provision of Regulated Entertainment	Monday-Sunday	09:00 - 23:30
Provision of Regulated Entertainment	New Years Eve	09:00 - 02:00

THE OPENING HOURS OF THE PREMISES:

Page 17

Premises Licence

Licensing Act 2003

PL0292

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Stalybridge
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web: www.tameside.gov.uk
Tel: 0161 342 4262

Description	Times
Monday-Sunday	09:00 - 01:00
New Years Eve	09:00
New Years Day	09:00

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

PL0292

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

Ei Group Ltd
3 Monkspath Hall Road, Solihull, B90 4SJ, ,

Tel: 0121 272 5000
Email: licensing@eigroupplc.com

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

Business Reg No:

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

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

SIGNED ON BEHALF OF THE ISSUING LICENCE AUTHORITY

 Sharon Smith

Head of Public Protection - Operations & Neighbourhoods

ANNEXES

Annex 1 – Mandatory conditions

1 Annex 1 - Mandatory conditions

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) "value 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

(a) General - all four licensing objectives (b,c,d,e)

i. Risk assessments to be made and regularly reviewed in relation to activities at the premises and in relation to the licensing objectives and the terms of the local licensing policy.

ii. Should the premises reach their peak at any time during a session this will be closely monitored by the DPS/PLH. Using discretion and common sense appropriate action will then be considered/taken to reduce the risk of public safety issues.

(b) The prevention of crime and disorder

i. Providing an extension of opening hours after the end of the sale of alcohol to provide drinking up time and to allow orderly dispersal.

(c) Public safety

i. Legislation will address Health and Safety and Fire Safety issues and risk assessments).

ii. Fire fighting equipment to be maintained and inspected annually.

iii. Risk assessment regularly reviewed to prevent overcrowding.

(d) The prevention of public nuisance

Provision of regulated entertainment to be restricted to that shown in schedule.

Live music, and live performance of recorded music will end as shown unless de-regulated, following which background music only to be played.

Doors and Windows to be kept closed, except for entry and exit, during performance of live or amplified music.

No amplified music to be relayed into outside drinking area.

Outside drinking area to be closed for sale/consumption of alcohol at 2300 hrs.

Prominent and clear notices to be displayed at all exits requesting customers including 'to respect the needs of local residents and to leave the premises and the area quietly'

(e) The protection of children from harm

(The restrictions set out in the Licensing Act 2003 will apply)

Children will not be permitted in the premises after 20.00 hrs. unless part of an organised function or event.

Proof of age scheme to be adopted and enforced.

CONDITIONS ADDED FOLLOWING MINOR VARIATION ON 01/06/2018

1. 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 & 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.

2. Incident Book

An incident book (with the pages numbered sequentially) must be kept on the premises and be made available for inspection by responsible authorities. The incident book must 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

3. Drug Policy

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

4. Challenge 25

The premises must 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 must be displayed in prominent positions inside the premise to inform customers of this condition.

5. 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 on 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 authority.

6. List of Authorised Persons

The Designated Premises Supervisor must maintain a written record of all members of staff who are authorised 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.

7. DPS Vetting

Future Appointments of Designated Premises Supervisor for the premises will only be made following consultation with the Police and Licensing Authority who will vet the individual prior to submission of an application.

8. List of excluded individuals

Premises will retain a list of barred individuals with photographs if possible. This list should be kept on the premises and made available for inspection. Any person identified by the police as a drug dealer or with known links to criminal activity should be added to the list at the request of the Police.

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

ANNEX 4 – AUTHORISED PLANS

As attached

Premises Licence Summary

Licensing Act 2003

PL0292

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 Jolly Hatters** **TELEPHONE: 0121 272 5000**

ADDRESS Jolly Hatters, 119 Town Lane, Denton, Tameside, M34 2DJ

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;
- 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
Exhibition of films	Monday-Sunday	09:00 - 01:00
Exhibition of films	New Years Eve	09:00 -
Exhibition of films	New Years Day	- 09:00
Indoor Sporting Event	Monday-Sunday	09:00 - 01:00
Performance Of Live Music	Monday-Sunday	09:00 - 23:30
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Provision of Regulated Entertainment	New Years Eve	09:00 - 02:00

Premises Licence Summary

Licensing Act 2003

PL0292

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SK15 1ST
web: www.tameside.gov.uk
Tel: 0161 342 4262

THE OPENING HOURS OF THE PREMISES:

Description	Times
Monday-Sunday	09:00 01:00
New Years Eve	09:00
New Years Day	09:00

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 Summary

Licensing Act 2003

PL0292

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Stalybridge
Tameside
SK15 1ST
web: www.tameside.gov.uk
Tel: 0161 342 4262

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

Ei Group Ltd
3 Monkspath Hall Road, Solihull, B90 4SJ, ,

Tel: 0121 272 5000
Email: licensing@eiigroupplc.com

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

Business Reg No:

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

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


Sharon Smith

Head of Public Protection - Operations & Neighbourhoods

Tameside Area Manager
EI Group PLC
3 Monkspath Road,
Sollihull,
West Midlands
B90 4SJ

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: james.horton@tameside.gov.uk

Doc Ref 20/07367/LICGEN
 Ask for James Horton
 Direct Line 0161 342 3359
 Date 11 August 2020

Dear Sir / Madam,

RE: INCIDENT AT THE JOLLY HATTERS, 119 TOWN LANE, DENTON, M34 2DJ

I would like to thank you for meeting with me on Thursday 16th July 2020 to discuss an incident that occurred at the premises on Saturday 11th July 2020.

As you are aware we have been forwarded information with regards to alleged unauthorised activities taking place at the premises outside the permitted licensable hours, namely; the sale of alcohol (and consumption) on the premises. I have reviewed the supplied CCTV footage since the initial visit with my colleague Sharon Campbell. The CCTV footage clearly corroborates the information provided by showing customers making the purchase of alcohol, and then consuming it outside of the licensable hours.

During the visit your partner mentioned the incident was a "one off" and stated it was a gathering of former servicemen your partner had served with during his time in the armed forces. Whilst we do appreciate that some incidents are isolated, on this occasion this type of behaviour is unacceptable from a licensed premises within the borough.

We have to investigate incidents of this nature and part of our role a responsible authority 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 Jolly Hatters is promoting the licensing objectives we both discussed how this is not acceptable and if any further incidents of this nature are received, we will look to investigate the matter further.

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

Yours sincerely,


 James Horton
 Regulatory Compliance Officer

Cc Deborah McCallum, Jolly Hatters, 119 Town Lane, Denton, M34 2DJ

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MR/2

To: Any person carrying on business at the Premises including the owner proprietor and manager

WARNING - NOTICE OF POTENTIAL ACTION
TEMPORARY CLOSURE OF YOUR PREMISES

PURSUANT TO THE HEALTH PROTECTION (CORONAVIRUS, RESTRICTIONS) (ENGLAND) (NO. 3) REGULATIONS 2020 (REGULATION 4 - PREMISES)

This communication **responds to a serious and imminent threat to public health.**

It is considered necessary to prevent, protect against, control or provide a public health response to the incidence or spread of infection in Tameside of coronavirus. You are referred to the Regulations and the Government Guidance which can be found at: <https://www.gov.uk/coronavirus>

It is intended to give you due notice of action that Tameside Council may be forced to take unless you take steps to make your premises covid secure.

There are concerns following a visit to your premises that you and/or your staff and/or visitors to your premises are not adhering to the current covid restrictions.

As explained to you, it is vital the restrictions in place in Greater Manchester are complied with as they are necessary to protect the public from the further spread of the coronavirus and the impact that this will have on communities and businesses.

You can find out more at: <https://www.gov.uk/government/collections/local-restrictions-areas-with-an-outbreak-of-coronavirus-covid-19>

Greater Manchester has been experiencing an increase in the number and rate of new cases of the Coronavirus (COVID-19) over the past month such that Tameside and Greater Manchester is now on the Government's watch list. This indicates that the rate of increase in new cases of COVID-19 in Tameside is amongst some of the highest in England. Local data suggests that the majority of new cases of COVID-19 are occurring in the community, that is, within people's own households, rather than in communal establishments, such as residential care or nursing homes. We also know that an increasing proportion of new cases of COVID-19 are in younger people.

These two factors combined mean that public places like restaurants, gyms or shops and/or licensed settings have the potential to be a particularly potent source of transmission for COVID-19 if these premises are not managed in a way that is compliant with the current regulations.

This warning is necessary for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus in Greater Manchester and more particularly Tameside.

The premises to which this warning relates has failed to ensure effective social distancing controls, manage behaviour of customers on site (including where appropriate the wearing of face coverings

and/or restricting entry to the premises to make it covid secure) and/or prevent the spread of coronavirus.

As a result the Council is now having to consider considering taking action, which could include the **TEMPORARY CLOSURE OF YOUR PREMISES** under The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020.

Whilst cognisant that this would be a draconian step, and would likely cause you and your business adverse impact, we believe this would be a necessary and proportionate means of responding to the serious and imminent threat to public health caused by the spread of coronavirus if you fail to take the necessary steps to prevent the spread of coronavirus.

The Council is of the view that adequate controls and measures can be put in place to make the premises covid secure to avoid the need for the Council to issue a Direction to: (a) close the premises; (b) restrict entry into the premises; or (c) secure restrictions in relation to the location of persons in the premises.

In the event it is necessary to issue such a direction we will be required to publish it on our website and communicate it as widely as possible to residents of the borough through social media.



Failure to comply with the actions set out in this letter will result in action being taken without further notice should further breaches be observed.

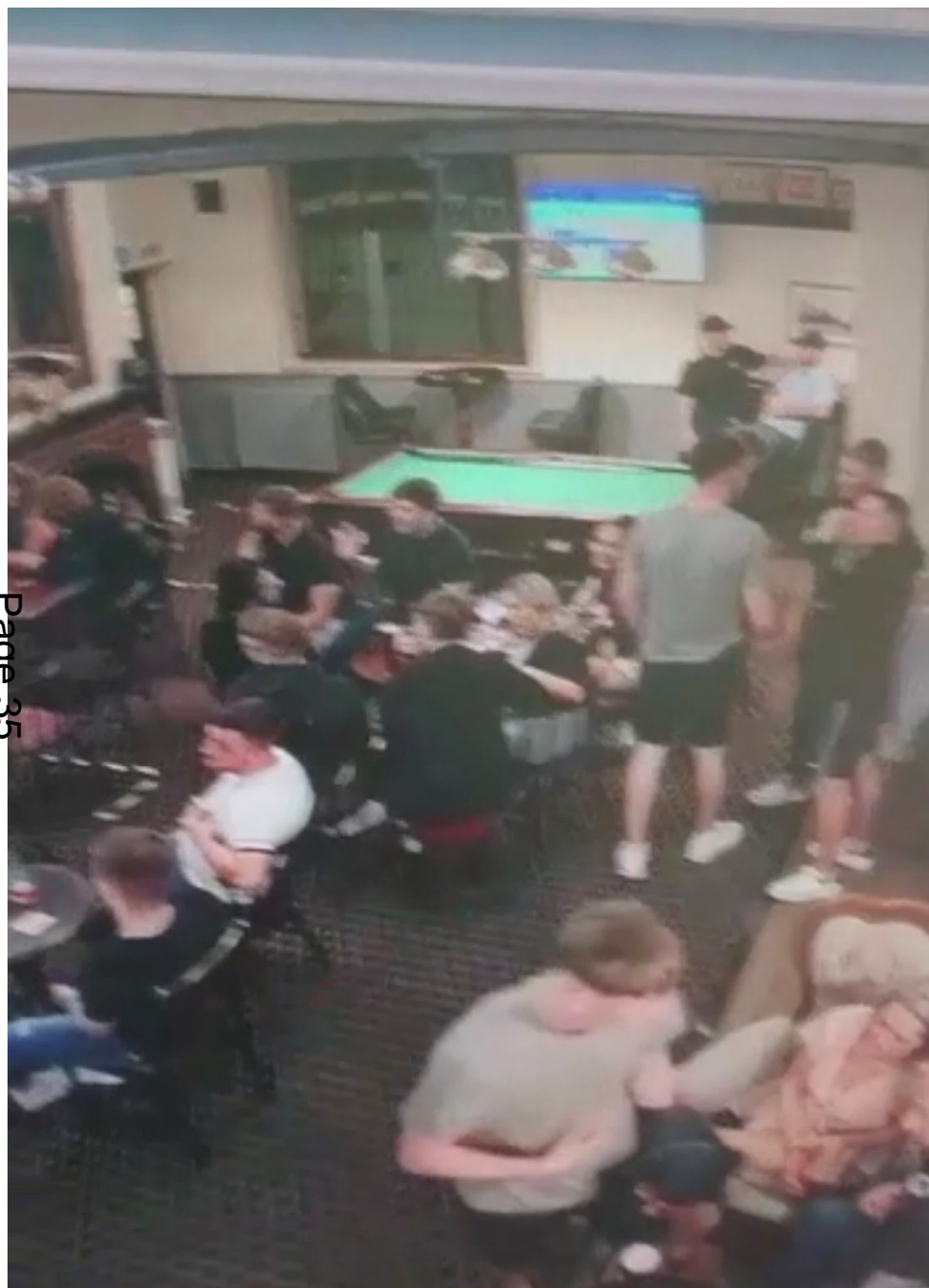
We know that this is a difficult time for business and none of us want to bring Covid home, putting our families at risk. If we all work together in controlling the virus we can help avoid a local lockdown and allow a more significant return to normality and protect our economy.

If you need any support or wish to discuss this letter please contact the number shown below.

Yours sincerely,

Ian Saxon
Director of Operations and Neighbourhoods

Name of person(s) receiving warning notice:	Deborah McCallum		
Name of Premises:	Jolly Hatters		
Address:	119 Town Lane Denton Tameside M34 2DJ		
Action required to be taken to control Covid19 virus:	Urgent action required to ensure loud music is not played at the premises. Any music must be played a low background level at all times.		
Name of Enforcement Officer issuing warning:	Mike Robinson		
Signature of Enforcement Officer		Contact No:	
Date of visit and issue of warning notice:	Visit: 14/08/2020 Issue of Notice: 17/08/2020		



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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: Louise Ashton

Age of Witness (if over 18 enter over 18): Over 18

Occupation of Witness: Regulatory Services Manager

1. I am Louise Ashton, I am employed by Tameside Metropolitan Borough Council as a Regulatory Compliance Officer.
2. On Friday 11 September 2020, I was working with the Police as part of Operation Gritstone carrying out a series of pro-active visits to licensed premises across Tameside to check that they were adhering to Government Guidance and were covid secure.
3. At approximately 21:00, I arrived at Jolly Hatters, 119 Town Lane, Denton, in the company of Sergeant Chris Beck and a Special Constable from Greater Manchester Police.
4. Upon arrival at the premises, I noticed that the front door was closed and I could hear loud music emanating from inside the premises. We entered the premises and the lighting was very dark, disco lights were operating and a DJ was playing loud music.
5. I asked to speak with Debroah McCallum, the Designated Premises Supervisor and requested that the volume of the music was turned down.
6. I asked Ms McCallum if we could go outside, where it would be quieter so that I could complete the inspection paperwork. Ms McCallum, who appeared to be intoxicated, disputed that the music was too loud and said "What's the point of me paying a DJ if he can't play loud music?"
7. Ms McCallum informed me that she was having a singer performing at the premises on Saturday 12 September, I advised her that the volume of the music must be at a low, background level and that she must adhere to the Government Guidance if carrying out this activity.
8. I provided Ms McCallum with a warning letter, confirming the identified breach and informing her of the action required to control COVID-19 and rectify the issues.
9. I left the premises at approximately 21:15.

This statement, consisting of 1 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 15 September 2020

Signed L. Ashton

EV1ST2

Issue 2

MR/5

LICENSEE PHRASES
TAKING OF LOCKDOWN REPORT

July 2020

on Deborah Mc Callister Deborah McCallister

- 1 Person sang for church
- Uses laser thermometer on customer to entry
- 1 Person sang for church
- Uses laser thermometer on customer to entry
- 1 Person sang for church
- Uses laser thermometer on customer to entry
- 1 Person sang for church
- Uses laser thermometer on customer to entry
- 1 Person sang for church
- Uses laser thermometer on customer to entry

Current Opening Hours
Mon - Thurs 3 - 11:30
Fri Sat Sun 12 - 12:30 Sun 12 - 11:30

Any entertainment/big screens/music/vpn/te?
Broadcast on big screen low volume. No big celebration. May not show second table
is music being played at background level only? Yes No Too loud/asked to not reduce

Comments/Concerns

Volumes of singers Dj etc. Needs monitoring

Officer Name and Contact Details Louise Ashton 0161 342 3

As a result of the Council's decision to issue a warning notice, you are required to take the following steps to ensure compliance with the relevant provisions of the Act.

When required, you must ensure that the premises are kept clean and tidy, and that any waste is removed in a timely manner. You must also ensure that the premises are kept free of any clutter or obstruction which may impede the movement of persons or goods.

The Council is of the view that adequate measures will be taken to ensure that the premises are kept clean and tidy, and that any waste is removed in a timely manner. It is noted that the premises are kept free of any clutter or obstruction which may impede the movement of persons or goods.

In the event it is necessary to issue such a notice, you will be required to provide a written response and inform the Council of any steps you intend to take to ensure compliance with the relevant provisions of the Act.


Failure to comply with the measures set out in this notice will result in enforcement action without further notice should further breaches be observed.

We know that this is a difficult time for business and many of us want to bring Covid home, putting our families at risk. If we all work together in controlling the virus we can help a good business perform and allow a more significant return to normality and protect our economy.

If you need any support or wish to discuss this notice please contact the person listed below.

Yours sincerely,

Ian Saxon
 Director of Operations and Neighbourhoods

Name of person(s) receiving warning notice:	Deborah McCann	
Name of Premises:	Jolly Matters 191 Town Lane Derby	
Address:		
Action required to be taken to control Covid19 virus:	Music too loud (DJ) Risk assessment needs reviewing no separate exit (not enough) Need to watch Arch Point.	
Name of Enforcement Officer issuing warning:	LOUISE ASUTTON	
Signature of Enforcement Officer:		
Contact No:	0161	

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**OPERATIONS &
NEIGHBOURHOODS**
PRIVATE & CONFIDENTIAL

Derick Cooper,
Ei Group Ltd,
3 Monkspath Road,
Sollhull,
B90 4SJ

Ian Saxon
Director of Operations & Neighbourhoods

PO BOX 317
Ashton under Lyne, OL6 0GS

Call Centre 0161-342-8355

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

Doc Ref	DN/Jolly Hatters
Ask for	Ian Saxon
Direct Line	0161 342 3470
Date	18 September 2020

Dear Mr Cooper,

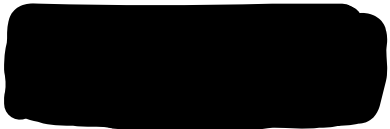
Re: Jolly Hatters, 119 Town Lane, Denton, Tameside, M34 2DJ

Following significant concerns in relation to the above premises, please find attached a Direction under the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 requiring the premises to close from 7pm on Friday 18 September 2020. Please read this carefully.

In order for the Local Authority to revoke this Direction you will be required to take measures to rectify the management of the premises and ensure a Covid secure environment where public health is not put at risk.

A copy of this Direction will be hand delivered to Jolly Hatters, 119 Town Lane, Denton, Tameside, M34 2DJ this evening.

Yours sincerely,



Ian Saxon
Director of Operations and Neighbourhoods



**DIRECTION (INDIVIDUAL PREMISES)
THE HEALTH PROTECTION (CORONAVIRUS, RESTRICTIONS) (ENGLAND) (NO. 3)
REGULATIONS 2020 (No.2020/750)¹, REGULATION 4(1)**

1. Tameside Metropolitan Borough Council ("the Authority"), in exercise of the powers conferred by regulation 4(1) of the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020² ("the No. 3 Regulations"), gives the following direction.
2. The Authority considers that the following conditions are met—
 - a. this direction responds to a serious and imminent threat to public health;
 - b. this direction is necessary for the purpose of preventing, protecting against, controlling or providing a public health response to the incidence or spread of infection by coronavirus in the Authority's area; and
 - c. the prohibitions, requirements or restrictions imposed by this direction are a proportionate means of achieving that purpose.³
3. Before giving this Direction, the Authority has had regard to—
 - a. any advice given to it by its Director of Public Health; and
 - b. the need to ensure that members of the public have access to essential public services and goods (including whether the individual premises forms part of essential infrastructure).

The Authority has taken reasonable steps to give advance notice of this direction to the owner or any occupier of or any other person involved in managing entry into or departure from such premises or the location of persons in them.

DIRECTION

Person(s) and premises

4. This Direction is given to **Derick Cooper, Ei Group Ltd, 3 Monkspath Hall Road, Solihull, B90 4SJ**, who is the Regional Manager on behalf of Ei Group Ltd who are the Premises Licence Holder and **Deborah McCallum, Jolly Hatters, 119 Town Lane, Denton, Tameside, M34 2DJ**, who is the Designated Premises Supervisor for the premises to which the direction relates and
5. This Direction is given in respect of **Jolly Hatters, 119 Town Lane, Denton, Tameside, M34 2DJ** ("the Premises").
- 6.

¹ SI 2020/750 accessed at <https://www.legislation.gov.uk/uksi/2020/750/contents/made>; guidance on local authority powers at: <https://www.gov.uk/government/publications/local-authority-powers-to-impose-restrictions-under-coronavirus-regulations/local-authority-powers-to-impose-restrictions-health-protection-coronavirus-restrictions-england-no3-regulations-2020>

² In this Direction, any reference to a regulation is a reference to a regulation of the Health Protection (Coronavirus Restriction) (No. 3) (England) 2020 (S.I. 2020/750).

³ See regulation 2(1).

Directed actions

7. This Direction requires the following:⁴

The premises must close with immediate effect.

No persons shall be admitted to the premises unless employed there or contracted to work there.

Timing and duration of direction

8. Any actions required to put into effect the restrictions set out in paragraph 6 must be undertaken by 7pm on Friday 18 September 2020. The restrictions set out in paragraph 7 have effect until 10am on Monday 12 October 2020.

In accordance with Regulation 2(2)(b) of the No. 3 Regulations, the Authority will review this Direction at least once every seven days. If the Authority considers that one or more of the conditions in regulation 2(1) are no longer met in relation to the Direction, it will either be revoked without replacement or revoked and replaced with another direction.

Grounds for Direction

9. This Direction is given on the basis that:

Restrictions on gatherings have been implemented in Tameside due to rising Coronavirus infection rates. Gatherings between different households are of particular concern and are increasing transmission rates. The number of outbreaks in the hospitality sector are increasing.

The premises to which this direction relates has repeatedly failed to implement appropriate social distancing controls and failed to manage the behaviour of staff and customers on site. See Annex A for additional details.

Consequences of not meeting the requirements of the Direction

10. If this Direction is not complied with the Authority may issue a Prohibition Notice⁵ against you or may commence criminal proceedings against you.

11. A person commits an offence if, without reasonable excuse, the person:⁶

- contravenes a direction under regulation 4(1); or
- obstructs a person carrying out a function under the No. 3 Regulations, including any local authority designated officer under regulation 12 or a constable.

⁴ As per regulation 4(2), a direction may only be given for the purposes of (a) closing the premises; (b) restricting entry into the premises; or (c) securing restrictions in relation to the location of persons in the premises.

⁵ See regulation 12(2) of the No. 3 Regulations.

⁶ See regulation 13(1) of the No. 3 Regulations.

Such an offence is punishable on summary conviction by an **unlimited fine**.

Appeal/representations

12. If you believe that this Direction should not have been issued, and/or it contains incorrect information, please inform the specified point of contact set out below, setting out your reason(s).
13. You have a right to appeal against this Direction to a magistrates' court by way of complaint for an order.⁷ There is a time limit of **up to six months from the date of issue of this Direction to appeal to the Magistrates' Court**. However, bear in mind that this Direction will be reviewed by the Authority at least every seven days and it will decide whether to revoke this Direction or revoke and replace it with another direction.
14. You also have the right to make representations to the Secretary of State about this Direction.⁸ The Secretary of State must consider any such representations as soon as is reasonably practicable, and decide whether it would be appropriate to exercise the Secretary of State's powers set out in regulation 3 of the No. 3 Regulations. The Secretary of State may direct the Authority to revoke this Direction, or revoke and replace this Direction. The Secretary of State must provide written reasons for the decision to the person who made the representations and to the Authority.
15. In making any representations to the Secretary of State about this Direction, the recipient of the Direction should do this via NHS Test and Trace, with representations emailed to directionnotification@dhsc.gov.uk. This should include:
 - a. The name of the Authority;
 - b. The reference **COVID/D/001** listed at the top of this Direction;
 - c. An explanation as to how you have been impacted by the Direction and their relationship to the premises, such as whether you are the owner, occupier or involved in managing entry into, or departure from, the Premises, as set out in Regulation 4(5) of the No.3 Regulations;
 - d. An explanation of the basis upon which the Direction should not have been made and was or is not appropriate, with reference to the conditions set out in Regulation 2(1) / paragraph 2 of this Direction;
 - e. Any evidence which supports this contention; and
 - f. What action you would like to be taken.
16. You are still required to comply with this direction pending the outcome of any appeal to the magistrates' court or the Secretary of State.

You may wish to obtain independent legal advice should you seek to pursue an appeal.

⁷ See regulation 4(9)(a) of the No. 3 Regulations.

⁸ See regulation 4(9)(b) of the No. 3 Regulations.

Additional powers and requirements that accompany this Direction

Publication

17. This Direction may be published in such manner as the Authority considers appropriate to bring it to the attention of other persons who may be affected by it.

Notification

18. The Authority is required to notify any local authority whose area is adjacent to the Initiating authority's area of this Direction (and any revocation of the Direction) by the No. 3 Regulations⁹. All Greater Manchester Local Authorities have been notified of the service of this Direction.

19. The Authority is required to notify the Secretary of State as soon as reasonably practicable after the Direction is given.



As authorised by
Ian Saxon
Director Operations and Neighbourhoods
Appeal Details

You have the right to appeal against this Direction to Tameside Magistrates Court, Henry Square, Ashton-under-Lyne, OL6 7TP on the grounds that one or more of the three conditions above have not been met. Any appeal must be made within 6 months from the date that the direction is made. You may appeal by means of laying a complaint at the court for an order and serving a summons upon the Council. You may also make representations to the Secretary of State.
The address for service of the summons is: **The Borough Solicitor, Tameside One, Market Place, Ashton-under-Lyne, Tameside, OL6 6BH**

⁹ See Regulation 11(1)(a) – (d) of the No. 3 Regulations

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**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, James Horton, Regulatory Compliance Officer

(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

The Jolly Hatters
119 Town Lane
Denton

Post town
Denton

Post code (if known)
M34 2DJ

Name of premises licence holder or club holding club premises certificate (if known)
Ei Group Ltd.

Number of premises licence or club premises certificate (if known)
PL0292

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

Please tick ✓ yes

I am 18 years old or over

**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 James Horton Licensing Office Tame Street Depot Tame Street Stalybridge SK15 1ST
Telephone number (if any) 0161 342 3359
E-mail address (optional) James.horton@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 | X |
| 2) public safety | X |
| 3) the prevention of public nuisance | X |
| 4) the protection of children from harm | |

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

The operation of this premises has seriously undermined three of the four licensing objectives, namely;

The Prevention of Crime and Disorder and;

Public safety

Public Nuisance

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

On 4 July 2020, the premises reopened and began trading following a period of closure due to the National lockdown, to protect public health in response to the serious and imminent threat of the Covid-19 pandemic.

Upon reopening, licensed premises were required to be covid-secure. The premises was required to demonstrate compliance with risk assessments, implement control measures implemented to mitigate the identified risks and adhere to Covid Regulations and Government Guidance to ensure public safety.

The premises was visited on 4 July and serious issues and concerns were identified, which included;

- The Designated Premises Supervisor (DPS) found to be intoxicated when compliance visits were carried out, impairing the ability of the DPS to manage the premises effectively and placing members of the public at risk.
- Failure to ensure effective social distancing controls were in place
- Failure to manage the behaviour of customers
- Playing of loud music

These concerns were raised with both the DPS, who was in place at the time and the Premises Licence Holder (PLH) on the 4 July. Both the DPS and PLH were informed that in the opinion of the Licensing Authority and Greater Manchester Police the premises was not covid secure and the Covid Regulations were being breached.

A series of verbal warnings were given, before two warning letters (17/8/20) and 11/9/20) were issued to the DPS, giving notice that further action would be taken to close the premises if steps were not taken to make the premises covid secure.

Following complaints from members of the public, licensing compliance officers found that on 11 July 2020, the premises had been trading beyond the terminal hour (00:30) on the premises licence and continuing to serve customers until 4am. A meeting took place between Licensing, Ei Group and the DPS and a warning was issued in respect of this offence.

On 15 August 2020, a large brawl involving 15-20 customers took place inside the premises, upon reviewing the CCTV it was evident that social distancing measures had not been adhered to and the DPS had been drinking with the group prior to the fight.

The advice given to the DPS regarding the necessity for the premises to be Covid secure was not heeded and the warnings were ignored.

Following the second warning letter that was issued, Ei Group terminated the contract of the DPS.

The Council still had concerns that although the contract had been terminated, the DPS remaining in position and on site, could present a risk. On 16 September 2020,

Ei Group provided assurances that the premises would remain closed whilst the DPS remained on site and would continue to remain closed until a new DPS had been appointed.

On 17 September 2020, the premises reopened. Licensing Officers and GMP visited the premises and the DPS to be intoxicated. GMP were satisfied that there were reasonable grounds to suspect that the premises was likely to result in nuisance to members of the public and served a Closure Notice under the Antisocial Behaviour Crime and Policing Act 2014

Given the behaviour of the DPS and refusal to comply, a Direction Notice under the Health Protection (Coronavirus Restrictions) England Regulations 2020, was served requiring the premises to close until from 18 September until 12 October 2020.

On 18 September 2020, the PLH submitted an application to remove the DPS and informed the Council that they would commence eviction proceedings to take vacant possession of the premises.

The premises has been closed to the public since 17 September 2020.

In October 2020, GMP carried out Neighbourhood Surveys at properties in the vicinity of the Jolly Hatters. 7 respondents indicated that the pub had caused public nuisance related issues including; noise, drug dealing and other anti-social behaviour.

Since the closure of the premises Licensing and GMP have remained in contact with the premises licence holders and their representatives to agree a way forward and prevent a repeat of the issues previously experienced.

On 16 November 2020 a meeting took place at the premises between the Licensing Manager, Mike Robinson and Police Licensing Officer, Martin Thorley together with Adam Hancox and Derick Cooper from Ei Group. The purpose of this meeting was discuss what measures were required to the licence to ensure that the concerns of the authorities and residents were allayed. These measures included amending the terminal hour for sale of alcohol on the licence, which is currently 00:30 (Thursday-Saturday) to 23:00.

It was also discussed that cheap drinks and broadcasting live sports were the catalyst for much of the crime and disorder and public nuisance concerns at the premises.

Since this meeting, no minor variation application has been submitted to amend the hours or attach further conditions to satisfy the Licensing Authority the issues will not recur.

The premises has been owned by Ei Group since 2003 and the premises has a history of complaints from local residents regarding public nuisance and non-compliance.

In April 2018, the Licensing Authority received an application from GMP to review the premises licence because the Police received information that the premises had been frequented by Organised Crime Group members, drugs were being dealt from the premises and a male had been employed as a manager at the premises with a view

to becoming the DPS. This staff member had been convicted for the supply of a controlled drug (class A cocaine) and was still on licence for that offence.

Following submission of the review application, the premises licence holder agreed to immediately terminate the employment of this individual and voluntarily added a number of conditions to the premises licence, by way of a minor variation.

Recently there have been flagrant breaches of the Covid Regulations, however the premises has been associated with disorder and non-compliance over a prolonged period and the DPS and PLH have failed to uphold the licensing objectives.

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

Please tick ✓ yes
X

If yes please state the date of that application

Day	Month	Year

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

Please tick ✓

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

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

Part 3 – Signatures (please read guidance note 4)

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

Signature

.....

Date

4.12.2020

.....

Capacity

REGULATORY COMPLIANCE OFFICER

.....

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

--	--

Post town

Post Code

Telephone number (if any)

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

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.

TAMESIDE METROPOLITAN BOROUGH COUNCIL**Statement of witness**

(Criminal Procedure Rules, r27.2);
Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B)

STATEMENT OF: James Horton

Age of Witness (if over 18 enter over 18): Over 18

Occupation of Witness: Regulatory Compliance Officer

I am the above person. I am employed by Tameside Metropolitan Borough Council as a Regulatory Compliance Officer within the Public Protection Division, I have been employed in this role from November 2017.

Tameside Licensing Department in its capacity as a responsible authority wish to apply for a review of the premises licence for Jolly Hatters, 119 Town Lane, Denton, M34 2DJ, as this premises have seriously undermined three of the four licensing objectives, namely; The prevention of Crime and Disorder, Public Safety and Public Nuisance.

On 4 July 2020, the premises reopened and began trading following a period of closure due to the National lockdown, to protect public health in response to the serious and imminent threat of the Covid-19 pandemic.

Upon reopening, licensed premises were required to be covid-secure. The premises was required to demonstrate compliance with risk assessments, implement control measures implemented to mitigate the identified risks and adhere to Covid Regulations and Government Guidance to ensure public safety.

The premises was visited on 4 July and serious issues and concerns were identified, which included;

This statement (consisting of 5 pages 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 in it anything which I know to be false or do not believe to be true.

Dated: 14.1.21

Signed: 

Continuation of witness statement of:

Page 2 of 5

(Criminal Procedure Rules, r 27.1(1); Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s5B)

-The Designated Premises Supervisor (DPS) found to be intoxicated when compliance visits were carried out, impairing the ability of the DPS to manage the premises effectively and placing members of the public at risk.

-Failure to ensure effective social distancing controls were in place

-Failure to manage the behaviour of customers

-Playing of loud music

These concerns were raised with both the DPS, who was in place at the time and the Premises Licence Holder (PLH) on the 4 July. Both the DPS and PLH were informed that in the opinion of the Licensing Authority and Greater Manchester Police the premises was not covid secure and the Covid Regulations were being breached.

A series of verbal warnings were given, before two warning letters (17/8/20) and (11/9/20) were issued to the DPS, giving notice that further action would be taken to close the premises if steps were not taken to make the premises covid secure.

On the 13th of July 2020 the Local Authority received a complaint from a member of the public stating that the premises had been trading beyond the terminal hour (00:30) on the premises licence and continuing to serve customers until 4am. Following this I visited the premises with Sharon Campbell, Regulatory Compliance Officer on 16th of July 2020 to collect the CCTV footage from this night. After reviewing the CCTV footage it was proved that the complaint was justified and that unauthorised activities were taking place outside the permitted licensable hours. A meeting then took place between Licensing, EI Group and the DPS, on this occasion a warning was issued in the respect of this offence.

This statement (consisting of 5 pages 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 in it anything which I know to be false or do not believe to be true.

Dated: 14.1.21

Signed: 

Continuation of witness statement of:

Page 3 of 5

(Criminal Procedure Rules, r 27.1(1); Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s5B)

On the 15th August 2020, a large brawl involving 15-20 customers took place inside the premises, upon reviewing the CCTV it was evident that social distancing measures had not been adhered to and the DPS had been drinking with the group prior to the fight.

The advice given to the DPS regarding the necessity for the premises to be Covid secure was not heeded and the warnings were ignored.

Following the second warning letter relating to covid breaches that was issued, Ei Group terminated the contract of the DPS.

Although the contract had been terminated, the council raised its concerns about the DPS remaining in position and on site as this could present a risk. On the 16th of September 2020, Ei Group provided assurance that the premises would remain closed whilst the DPS remained on site and would continue to stay closed until a new DPS was appointed.

On 17 September 2020, the premises reopened. Licensing Officers and GMP visited the premises and the DPS to be intoxicated. GMP were satisfied that there were reasonable grounds to suspect that the premises was likely to result in nuisance to members of the public and served a Closure Notice under the Antisocial Behaviour Crime and Policing Act 2014

Given the behaviour of the DPS and refusal to comply, a Direction Notice under the Health Protection (Coronavirus Restrictions) England Regulations 2020, was served requiring the premises to close until from 18 September until 12 October 2020.

This statement (consisting of 5 pages 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 in it anything which I know to be false or do not believe to be true.

Dated: 14.1.21

Signed: 

Continuation of witness statement of:

Page 4 of 5

(Criminal Procedure Rules, r 27.1(1); Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s5B)

On 18 September 2020, the PLH submitted an application to remove the DPS and informed the Council that they would commence eviction proceedings to take vacant possession of the premises.

The premises has been closed to the public since 17 September 2020.

In October 2020, GMP carried out Neighbourhood Surveys at properties in the vicinity of the Jolly Hatters. 7 respondents indicated that the pub had caused public nuisance related issues including; noise, drug dealing and other anti-social behaviour.

Since the closure of the premises, Licensing and GMP have remained in contact with the premises licence holders and their representatives to agree a way forward and prevent a repeat of the issues previously experienced.

On 16 November 2020 and meeting took place at the premises between the Licensing Manager, Mike Robinson and Police Licensing Officer, Martin Thorley together with Adam Hancox and Derick Cooper from Ei Group. The purpose of this meeting was discuss what measures were required to the licence to ensure that the concerns of the authorities and residents were allayed. These measures included amending the terminal hour for sale of alcohol on the licence, which is currently 00:30 (Thursday-Saturday) to 23:00.

It was also discussed that cheap drinks and broadcasting live sports were the catalyst for much of the crime and disorder and public nuisance concerns at the premises.

This statement (consisting of 5 pages 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 in it anything which I know to be false or do not believe to be true.

Dated: 14.1.21

Signed: 

Continuation of witness statement of:

Page 5 of 5

(Criminal Procedure Rules, r 27.1(1); Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s5B)

Since this meeting, no minor variation application has been submitted to amend the hours or attach further conditions to satisfy the Licensing Authority the issues will not recur.

The premises has been owned by Ei Group since 2003 and the premises has a history of complaints from local residents regarding public nuisance and non-compliance. The Council has received a total of seven complaints from local residents in relation to noise issues from this particular premises dating back to February 2018:

In April 2018, the Licensing Authority received an application from GMP to review the premises licence because the Police received information that the premises had been frequented by Organised Crime Group members, drugs were being dealt from the premises and a male had been employed as a manager at the premises with a view to becoming the DPS. This staff member had been convicted for the supply of a controlled drug (class A cocaine) and was still on licence for that offence.

Following submission of the review application, the premises licence holder agreed to immediately terminate the employment of this individual. In an attempt to address the ongoing issues related to noise and anti-social behaviour, the DPS at the time, Matthew Bonilla and the premises licence holder, voluntarily added a number of conditions to the premises licence, by way of a minor variation.

Recently there have been flagrant breaches of the Covid Regulations, however the premises has been associated with disorder and non-compliance over a prolonged period and the DPS and PLH have failed to uphold the licensing objectives.

This statement (consisting of 5 pages 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 in it anything which I know to be false or do not believe to be true.

Dated:

14-1-21

Signed:



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WITNESS STATEMENT

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

URN

[Redacted box for URN]

Statement of: **Martin Richard THORLEY**

Age if under 18: Over 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: [Redacted]

Date: 9th December 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, Strategic Demand Reduction 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. (Exh Ref MRT/9)

I am aware that this statement will be used as part of an application for a review of the licensed premises **The Jolly Hatters, 119 Town Lane, Denton M34 2DJ**. I have exhibited a map of The Jolly Hatters and the surrounding area of Town Lane Exh Ref MRT/1

On Saturday 4th July 2020 The Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 came into effect. These Regulations were made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 in England. This was the first date that Licensed Premises were permitted to open since they were ordered to close on 20th March 2020.

On this date I was working on Operation Kingfisher which is a Greater Manchester Operation for the Policing of Licensed Premises across the force area. I was teamed up with Pete Grimes who is employed as a Regulatory Compliance Officer from Tameside Council. The areas which I was allocated to visit on this date were both the Hyde and Denton areas of Tameside. My tour of duty on this date was 1000-1800hrs.

During my tour of duty at around 1455hrs I visited **The Jolly Hatters, 119 Town Lane, Denton M34 2DJ**. On visiting it was evident that the Manchester United football match against Bournemouth was being televised via a large projector screen in the main bar area of the pub. The kick off was 1500hrs.

On my visit there were persons at the Bar, waiting to be served. There were no screens in place at the bar and customers were standing face to face with the staff that were serving and not wearing face coverings. As a result of this Peter and myself advised the Designated Premises Supervisor who I know to be Debbie McCallum to place a table up against the bar in order to create a two metre distance to offer some form of protection for the staff and promote social distancing.

There were persons standing and moving between tables congregating in large groups and there was little or no social distancing taking place. Having spoken with Debbie McCallum it was my opinion that she appeared to be intoxicated and Debbie was slurring her words. I informed them of my opinion that the pub had too many

Signature: [Redacted]

Signature witnessed by:

patrons in to adhere to the social distancing guidance. The only place in the pub which appeared socially distanced was the vault which had approx. ten persons in it. Both Pete Grime and I advised the DPS to thin the crowd out and disperse some of the numbers. The DPS was informed that we would be re-attending to ensure that the premises were compliant.

At 1640hrs I re-attended with Pete Grimes. On arrival there were numerous persons outside the premises and the crowd had thinned out though there were still persons vertically drinking and freely wandering in and out of the premises unchallenged. We were met by Debbie who informed me that she had turned the match off and had removed approximately 20-25 persons for the premises sending them off towards Denton Town Centre. Debbie was informed of our concerns and that a follow up visit would be undertaken in the near future. Body Worn Video relating to these visits is exhibited as Exh Ref MRT/2

On 6th July at 0801hrs I emailed Derick Cooper from EI Group informing him of my concerns with regards to The Jolly Hatters, a premise for which he is the Regional Manager. The contents of these emails and the responses are attached as Exh Ref MRT/3

On Friday 14th August whilst working on Operation Kingfisher I visited the Jolly Hatters, Town Lane together with Mike Robinson from Tameside Licensing. On entering the premises it was clear that again, procedures were not being followed or adhered to. A signing in sheet had been left by the front door, which had clearly not been filled in, given the number of patrons present. I could see groups stood up drinking and lack of social distancing between parties/tables. There was a DJ playing music which was so loud that the speakers on the wall were vibrating. As such the DJ was advised to turn the music down to a level where it was possible to speak and be heard. On this visit the DPS not present. The premises were being managed by the husband of the DPS who appeared to be intoxicated and was sat drinking pints with a group from a different household to his own. I am aware that following this visit a Prohibition notice was served by TMBC to the DPS.

On Saturday 15th August Police were notified of an incident at the premises. Incident Number 004143 refers. On this occasion information was received by the Police that a large group had attended the Pub to watch the City match. The report states that the doors were shut so it would appear that the pub is closed. There had been a fight outside as persons had been thrown out of the Pub. The landlord was seen to be swearing and trying to fight a group walking down the middle of the road. The landlady is screaming outside. There's obviously something broken inside as they are now sawing and drilling now for repair whatever it is outside. Noise is unbearable from the shouting, the cars pulling up outside and causing trouble. It's the same report I make every week and nothing is being done about it. Please can this be looked into as soon as possible? There was police presence which seemed to really stop this from happening, but its starting up again but 10 times as bad.

As a result of this incident I spoke in person with the informant to confirm information and as a result of what I was informed I made arrangements with Debbie McCallum and I requested full CCTV Footage of all cameras from inside and outside the premises from Saturday 15th August from 2145hrs until the last sale of alcohol and the premises closing.

On Monday 17th August I received an email from a concerned resident highlighting many issues associated with the premises. This email was copied into MP Andrew Gwynne. As a result of reading this email I forwarded my concerns onto Rebecca Birch, Regulatory Compliance Officer for Tameside Council who covers the Denton area. I have exhibited a redacted version of this correspondence as Exh Ref MRT/4

I attended at The Jolly Hatters Pub at 1030hrs on Tuesday 18th August 2020 where I was handed a memory stick containing footage from cameras covering incidents from 15th August 2020. This footage has been exhibited as Exh Ref MRT/5

Signature:..... 

Signature witnessed by:

This footage has been viewed and was found to show a large scale disturbance and fighting inside the Premises, a window being punched and smashed, the DPS's husband arguing outside the premises and the DPS falling over in what I would describe as a state of intoxication. Despite the large number of patrons present, the fight and the damage, no call had been made to the Police from the any customer, staff member or management at the Premises. The only call was that of the resident having to endure this whilst in their own home.

At 1002hrs on Wednesday 16th September 2020 I was copied into an email from Derick Cooper from EI Group. This email confirmed that he had spoken to Debbie McCallum earlier that day. Derick stated "The Jolly Hatters will not open today and will remain closed until Debbie's notice has expired and she has vacated the premises which she is due to leave on Monday 21st September 2020."

On Thursday 17th September 2020 I was made aware by PC 13448 Cookson that he had attended the Jolly Hatters which was open and had customers present. The DPS was spoken with and claimed that she had taken legal advice and had been advised she could open as she had not received any written instruction from Enterprise Inns.

Later on Thursday 17th September 2020 at 2320hrs I received an email from Inspector Smith, the Neighbourhood Inspector for the Denton area of Tameside detailing how Mr Smith attended the Jolly Hatter PH, Town Lane Denton at 1940 hours on Thursday 17th September to conduct a VLP. At 1950hrs Mr Smith issued a closure notice to Debbie McCallum. Four other notices were distributed around the pub including the outer and inner doors. Debbie was informed that a breach would lead to a fine or imprisonment up to 3 months. This email is attached as Exh Ref MRT/6

On 22nd October 2020 I was informed by PCSO Leech that he was intending to carry out Neighbourhood Surveys in the Denton area. One of the areas surveyed was the Town Lane area. A blank copy of the survey is exhibited as Exh Ref MRT/7

On the 7th November 2020 PCSO Leech confirmed that Neighbourhood surveys had been completed on Town Lane, where residents had been asked what issues they may be facing in the local area.

As a result of the surveys I was able to identify residents who had voiced concerns about licensing matters in the local area. I composed a letter to residents which I hand delivered to each resident on 16th November 2020. A blank copy of the letter is exhibited as Exh Ref MRT/8

At 0852hrs on 9th September 2020 I sent a text message to Derick Cooper, from Enterprise Inns. The email was asking if any measures had been introduced at the premises with regards to the showing of football at the premises as I believe that the showing of Football at this Licences premises is a contributory factor in the disorder and problems which were being experienced at these premises. A copy of the message is available as Exh Ref MRT/10

At 1200hrs on 16th November 2020 I attended The Jolly Hatters Town Lane Denton along with Mike Robinson from TMBC to have a meeting with Derick Cooper who had been the representative of Enterprise Inns who covers the Tameside area. At this meeting I was introduced to Adam Hancox who is Derick's replacement as Regional Manager for the Tameside area. At this meeting we openly discussed the problems and issues caused at the premises and the concerns I had heard from the local residents. Different ideas were discussed as possibilities moving forward with various operators and operating models being muted.

Despite these discussions and suggestions I have not been made aware of any proposals being put forward of volunteered to resolve the issues and show a commitment to promoting the licensing objectives. My main concern is the lack of commitment shown from Enterprise Inns to return this premises back to a safe, good

Signature: [Redacted]

Signature witnessed by:.....

local community Public House that the residents of Town Lane would be proud of.

I have used the Greater Manchester Police IOPs system to research incidents at the Jolly Hatters, Town Lane Denton and I have noted the following incident numbers:-

- 002287-041120
- 000005-310820
- 000273-160820
- 004143-150820
- 000932-080820

All have been included as Exh Ref MRT/11

It is my opinion that neither Debbie McCallum as DPS or EI Group as Premises Licence holder have managed to promote the Licensing Objectives. There has been disorder and breaches of The Health Protection Regulations 2020. These incidents are evidence of crime and disorder which have had an impact on the quality of life experience of residents from the local community.

It is the case that the manner in which the premises have been managed, allowing the congregation of persons falls short of what is expected from a licensee in Promoting the Licensing Objectives.

Both the Designated Premises Supervisor and the Premises Licence Holder are jointly responsible for putting the welfare of staff, customers, attending Police, 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 Jolly Hatters to have been totally irresponsible especially during the period of 4th July until the premises was closed down on the 17th September.

The instructions and regulations given to Licenced Premises are clear and should be understood by everybody. There is a clear risk to Public Health during a global pandemic. I am not satisfied that papering over the cracks with another change of DPS without additional conditions and or changes to the Licence and the operating model of this premises will change this Premises for the good of all staff, customers, residents and the Authorities in the future.

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

MRT/1 Map of Town Lane

MRT/2 Body Worn Video of visit on 4th July 2020

MRT/3 Correspondence between PC Thorley and Enterprise Inns (Derick Cooper) dated 6th July 2020 and 7th July 2020 and responses

MRT/4 Redacted correspondence from Resident / responses dated 17th August 2020

MRT/5 CCTV in relation to 15th August 2020

MRT/6 Email - Mr Smith, Denton Neighbourhood Inspector dated 17th September 2020

MRT/7 Blank Neighbourhood Survey from Town Lane Surveys

MRT/8 Copy of blank GMP letter sent to local residents dated 16th November 2020

Signature:...

Signature witnessed by:.....

MRT/9 Delegated Authority from Chief Constable.

MRT/10 copy of Text message to Derick Cooper EI Group

MRT/11 List of incidents at The Jolly Hatters, Town Lane 2020

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.

[Redacted signature area]

PC 14627 Martin Thorley

Signature: [Redacted]

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:		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)</i> If 'Yes' submit MG2 with file in anticipated not guilty, contested or indictable only cases.		<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: 1600 hrs Hyde Police station		

Martin Thorley

From: Mike Robinson <mike.robinson@tameside.gov.uk>
Sent: 09 December 2020 12:43
To: Martin Thorley
Subject: FW: The Jolly Hatters - Town Lane, Denton

Mike Robinson
Regulatory Services Manager (Licensing)
Environmental Services (Public Protection)
Operations and Neighbourhoods
Operations and Neighbourhoods

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Fax. 0161 342 2275

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From: g.licensing@gmp.police.uk <g.licensing@gmp.police.uk>
Sent: 06 July 2020 08:01
To: Derick.Cooper@eigroupplc.com
Cc: Pete Grimes <pete.grimes@tameside.gov.uk>; Mike Robinson <mike.robinson@tameside.gov.uk>;
Subject: The Jolly Hatters - Town Lane, Denton

Good morning Derick,

Pete Grimes from TMBC and myself visited The Jolly Hatters on Town Lane on two occasions on Saturday and we were disappointed with the number of patrons inside the pub. There was no social distancing and very little signage displayed on the entrance to the premises. There are two large white display boards either side of the entrance which are currently empty and could be utilised. There were too many persons wandering around, large groups seated together, cheering during the televised football, and shouting. All of these actions were not unchallenged and the guidance was clearly not being adhered to.

I attended again at the request of the DPS on Sunday with the local Police Officer, PC Tinsley. The DPS has removed some tables and chairs and the pub was still busy though spacing was better (The tables and chairs were piled on the pool table and need moving from the lounge area). The DPS informed me that you had attended after myself on Saturday and also had some concerns about the premises.

I appreciate that the DPS was opening for the first time on Saturday since taking over the premises, though on walking in at 3pm on Saturday it was like a busy Saturday night in a Town Centre pub. At this moment in time with the Covid 19 guidance this cannot be allowed to happen .

Other pubs in the area appear to have got measures in place and upon opening had numbers managed and at a safe level.

Could I please ask you to confirm the following:-

Has a risk assessment been carried out for this premises?

Has any guidance / support been provided by EI Group to this premise?

Should a member of staff be controlling the entrance to the Premises?

Has any posters and signage being distributed for use?

What is the current occupancy of the premises?

From what I observed on Saturday it is my opinion that the Premises which did not show the Football appeared to have less issues inside the premises though were still at a safe capacity.

For the safety of both staff and customers I would expect to see improvements in the safe operating of this premises.

If you would like to discuss, please call me on the below number.

Regards and thanks

14627 Thorley | PC
District Licensing Officer | Tameside 'G'

Address: Ashton DHQ, Manchester Road, Tameside, OL7 0BQ



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Martin Thorley

From: Mike Robinson <mike.robinson@tameside.gov.uk>
Sent: 09 December 2020 12:43
To: Martin Thorley
Subject: FW: The Jolly Hatters - Town Lane, Denton

Mike Robinson
Regulatory Services Manager (Licensing)
Environmental Services (Public Protection)
Operations and Neighbourhoods
Operations and Neighbourhoods

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From: g.licensing@gmp.police.uk <g.licensing@gmp.police.uk>
Sent: 07 July 2020 09:10
To: Mike Robinson <mike.robinson@tameside.gov.uk>
Subject: FW: The Jolly Hatters - Town Lane, Denton

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FYI

From: Licensing Tameside District
Sent: 07 July 2020 09:07
To: 'Derick Cooper'
Subject: RE: The Jolly Hatters - Town Lane, Denton

Many thanks for that Derick.

I am in work today and have a couple of visits arranged at lunch time.

I appreciate the DPS is new to this premises and the Saturday opening together with the screening of the football was not helpful on getting to know the patrons and meet the customers' expectations.

Moving forward, this premises can be challenging and will need to be managed firmly. Is the showing of the football a must?

The noise levels were too loud and as you state the customer numbers needed reducing.....I believe the numbers would have been manageable without the added risk of the patrons who were attracted to the screening of the football.

Many thanks for your assistance....

14627 Thorley | PC
District Licensing Officer | Tameside 'G'

Address Ashton DHQ, Manchester Road, Tameside, OL7 0BQ



From: Derick Cooper [<mailto:Derick.Cooper@eigroupplc.com>]
Sent: 06 July 2020 17:36
To: Licensing Tameside District
Subject: RE: The Jolly Hatters - Town Lane, Denton

Hi

I did call in after your visit on Saturday and helped the Publican thin out customers and reduce numbers, it seems the issue was managing customers in the beer garden who moved indoors which was to capacity.

I am back on site tomorrow morning and will be advising the Publican on further measures she can take and on tweaks she can make to her current Risk assessment and procedures to ensure that Covid-19 Secure Guidelines are met and adhered to

I will send you a further update after my meeting tomorrow and if time allows we can meet up if you would like

Many thanks

Derick Cooper

Derick Cooper
Regional Manager - Beacon

[REDACTED]
e: Derick.Cooper@eigroupplc.com | w: www.eigroupplc.com
Ei Group, 3 Monkspath Hall Road, Solihull, B90 4SJ

From: g.licensing@gmp.police.uk <g.licensing@gmp.police.uk>
Sent: 06 July 2020 08:01
To: Derick Cooper <Derick.Cooper@eigroupplc.com>
Cc: pete.grimes@tameside.gov.uk; mike.robinson@tameside.gov.uk; [REDACTED]
Subject: The Jolly Hatters - Town Lane, Denton

Good morning Derick,

Pete Grimes from TMBC and myself visited The Jolly Hatters on Town Lane on two occasions on Saturday and we were disappointed with the number of patrons inside the pub.

There was no social distancing and very little signage displayed on the entrance to the premises. There are two large white display boards either side of the entrance which are currently empty and could be utilised.

There were too many persons wandering around, large groups seated together, cheering during the televised football, and shouting. All of these actions were not unchallenged and the guidance was clearly not being adhered to.

I attended again at the request of the DPS on Sunday with the local Police Officer, PC Tinsley. The DPS has removed some tables and chairs and the pub was still busy though spacing was better (The tables and chairs were piled on the pool table and need moving from the lounge area). The DPS informed me that you had attended after myself on Saturday and also had some concerns about the premises.

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Could I please ask you to confirm the following:-

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Has any posters and signage being distributed for use?

What is the current occupancy of the premises?

From what I observed on Saturday it is my opinion that the Premises which did not show the Football appeared to have less issues inside the premises though were still at a safe capacity.

For the safety of both staff and customers I would expect to see improvements in the safe operating of this premises.

If you would like to discuss, please call me on the below number.

Regards and thanks

14627 Thorley | PC

District Licensing Officer | Tameside 'G'

Address Ashton DHQ, Manchester Road, Tameside, OL7 0BQ



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Martin Thorley

From: Mike Robinson <mike.robinson@tameside.gov.uk>
Sent: 09 December 2020 12:43
To: Martin Thorley
Subject: FW: The Jolly Hatters - Town Lane, Denton

Mike Robinson
Regulatory Services Manager (Licensing)
Environmental Services (Public Protection)
Operations and Neighbourhoods
Operations and Neighbourhoods

Tameside MBC | Twitter | Facebook | Instagram
Tame Street Depot | Tame Street | Stalybridge | Tameside | SK15 1ST

Tel. 0161 342 4122

Fax. 0161 342 2275

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From: g.licensing@gmp.police.uk <g.licensing@gmp.police.uk>
Sent: 21 July 2020 10:36
To: Mike Robinson <mike.robinson@tameside.gov.uk>
Subject: FW: The Jolly Hatters - Town Lane, Denton

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Have you spoken with Mr Cooper and explained the concerns with the premises??
Were there any licensing issues when the alleged late night trading was reported?

Martin

From: Derick Cooper [<mailto:Derick.Cooper@eigroupplc.com>]
Sent: 10 July 2020 14:37
To: Licensing Tameside District
Subject: RE: The Jolly Hatters - Town Lane, Denton

Hi Martin

I've visited the Jolly Hatters and further improved procedures have been put in place

It seemed a factor in the overcrowding on the initial opening day was around the management of the front door and customers in the rear external beer garden coming back into the site when it had reached capacity

The following is now in place

New Table Chair layout with markings to ensure Social Distancing is in place and reducing capacity further
Wait at the door policy to allow control of numbers internally and externally and ensure customers are seated by a member of the team

Training to ensure the team are spacing groups at tables to stop small groups merging into one large group

Test and Trace information collection point

Table service only no queuing at the bar or ordering at the bar

Improved signage to explain the rules to Customers and informing them service will be refused if the rules are broken

Signage explaining to customers they may not be allowed into the pub from the beer garden if Capacity has been reached

Signage, wipes and sanitiser at the Fruit Machine

Football will be shown this weekend with the new rules in place, signage is up asking customers to be quiet during the game or the channel will be turned off. Should the new rules not help control the customers during sport the TV will be turned off and Sport will be removed

Many thanks

Derick Cooper

Regional Manager - Beacon

e: Derick.Cooper@eigroupplc.com | w: www.eigroupplc.com

Ei Group, 3 Monkspath Hall Road, Solihull, B90 4SJ

From: g.licensing@gmp.police.uk <g.licensing@gmp.police.uk>

Sent: 07 July 2020 10:46

To: Derick Cooper <Derick.Cooper@eigroupplc.com>

Cc: mike.robinson@tameside.gov.uk; [REDACTED]

Subject: RE: The Jolly Hatters - Town Lane, Denton

Derick....

Many thanks for the update.

Police patrols and licensed visits will be undertaken in the coming weeks and as we stand this premises is a potential risk.

Your assistance in addressing the risk assessment and reducing numbers is appreciated.

Please let me know the outcome of the visit and if the premises is likely to be a risk for the coming weekend.

Regards

Martin

From: Derick Cooper [<mailto:Derick.Cooper@eigroupplc.com>]

Sent: 07 July 2020 09:11

To: Licensing Tameside District

Subject: Re: The Jolly Hatters - Town Lane, Denton

Hi

I'm now visiting first thing tomorrow morning, I'll be looking at the risk assessment for sport, I think it may need adjusting or sport may need to be removed and reviewed in line with any change to guidelines at the start of the new season

Once we've discussed tomorrow I'll send an update

Thanks

Derick Cooper

Regional Manager - Beacon

[REDACTED]
e: Derick.Cooper@eigroupplc.com | w: www.eigroupplc.com

Ei Group, 3 Monkspath Hall Road, Solihull, B90 4SJ

From: g.licensing@gmp.police.uk <g.licensing@gmp.police.uk>

Sent: Tuesday, July 7, 2020 9:06:51 AM

To: Derick Cooper <Derick.Cooper@eigroupplc.com>

Subject: RE: The Jolly Hatters - Town Lane, Denton

Many thanks for that Derick.

I am in work today and have a couple of visits arranged at lunch time.

I appreciate the DPS is new to this premises and the Saturday opening together with the screening of the football was not helpful on getting to know the patrons and meet the customers' expectations.

Moving forward, this premises can be challenging and will need to be managed firmly. Is the showing of the football a must?

The noise levels were too loud and as you state the customer numbers needed reducing.....I believe the numbers would have been manageable without the added risk of the patrons who were attracted to the screening of the football.

Many thanks for your assistance....

14627 Thorley | PC

District Licensing Officer | Tameside 'G'

[REDACTED]
Address Ashton DHQ, Manchester Road, Tameside, OL7 0BQ

UNDER 25?
BE PREPARED TO SHOW ID

25
CHALLENGES ONE

From: Derick Cooper [<mailto:Derick.Cooper@eigroupplc.com>]
Sent: 06 July 2020 17:36
To: Licensing Tameside District
Subject: RE: The Jolly Hatters - Town Lane, Denton

Hi

I did call in after your visit on Saturday and helped the Publican thin out customers and reduce numbers, it seems the issue was managing customers in the beer garden who moved indoors which was to capacity.

I am back on site tomorrow morning and will be advising the Publican on further measures she can take and on tweaks she can make to her current Risk assessment and procedures to ensure that Covid-19 Secure Guidelines are met and adhered to

I will send you a further update after my meeting tomorrow and if time allows we can meet up if you would like

Many thanks

Derick Cooper

Derick Cooper
Regional Manager - Beacon

[REDACTED]
e: Derick.Cooper@eigroupplc.com | w: www.eigroupplc.com
Ei Group, 3 Monkspath Hall Road, Solihull, B90 4SJ

From: g.licensing@gmp.police.uk <g.licensing@gmp.police.uk>
Sent: 06 July 2020 08:01
To: Derick Cooper <Derick.Cooper@eigroupplc.com>
Cc: pete.grimes@tameside.gov.uk; mike.robinson@tameside.gov.uk; [REDACTED]
Subject: The Jolly Hatters - Town Lane, Denton

Good morning Derick,

Pete Grimes from TMBC and myself visited The Jolly Hatters on Town Lane on two occasions on Saturday and we were disappointed with the number of patrons inside the pub.

There was no social distancing and very little signage displayed on the entrance to the premises. There are two large white display boards either side of the entrance which are currently empty and could be utilised. There were too many persons wandering around, large groups seated together, cheering during the televised football, and shouting. All of these actions were not unchallenged and the guidance was clearly not being adhered to.

I attended again at the request of the DPS on Sunday with the local Police Officer, PC Tinsley. The DPS has removed some tables and chairs and the pub was still busy though spacing was better (The tables and chairs were piled on the pool table and need moving from the lounge area). The DPS informed me that you had attended after myself on Saturday and also had some concerns about the premises.

I appreciate that the DPS was opening for the first time on Saturday since taking over the premises, though on walking in at 3pm on Saturday it was like a busy Saturday night in a Town Centre pub. At this moment in time with the Covid 19 guidance this cannot be allowed to happen .

Other pubs in the area appear to have got measures in place and upon opening had numbers managed and at a safe level.

Could I please ask you to confirm the following:-

Has a risk assessment been carried out for this premises?
Has any guidance / support been provided by EI Group to this premise?
Should a member of staff be controlling the entrance to the Premises?
Has any posters and signage being distributed for use?
What is the current occupancy of the premises?

From what I observed on Saturday it is my opinion that the Premises which did not show the Football appeared to have less issues inside the premises though were still at a safe capacity.

For the safety of both staff and customers I would expect to see improvements in the safe operating of this premises.

If you would like to discuss, please call me on the below number.

Regards and thanks

14627 Thorley | PC
District Licensing Officer | Tameside 'G'

Address: Ashton DHQ, Manchester Road, Tameside, OL7 0BQ



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Elise Brophy

From: [REDACTED]
Sent: 10 December 2020 14:28
To: Elise Brophy
Subject: FW: The Jolly Hatters redacted correspondence MRT/4

Importance: High

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Good Afternoon Rebecca

With regards to the on-going issues at the premises I have now had enough of the excuses and lack of control shown by the DPS.

There were breaches of regulations and guidance witnessed by Mike and myself on Friday night and things are not improving.

This morning I have received the below complaint relating 'mainly' to incidents and fighting on Saturday night. This complaint is from a local resident who's quality of life is now being directly affected by this premises. She speaks on behalf of others in the area who due to fear of reprisals are fearful of coming forward and being named.

Police have a log in (which was not attended) relating to fighting at the Pub. Incident No 4143-150820

I have spoken with Derick Cooper, area manager from Enterprise Inns. I have filled him in with my concerns about how the premises is not being managed and the fact that I have major concerns in the ability of the DPS and her husband who I believe are always drunk and no managing the premises. Derick assures me he is taking this matter seriously and will be visiting the premises on Wednesday to meeting with the DPS and her husband to explain in detail what is acceptable and what is not acceptable.

He assures me that if improvements are not made and we get further issues reported that he will consider terminating the contracts of the current DPS and her husband.

Derick states that it is his intention to attend again at weekend to complete a spot check to see if improvements and his suggestions have been implemented.

I told Derick that this DPS and the premises is his responsibility and his problem and I expect immediate improvements.

I informed Derick of the intention to consider the serving of a Prohibition Notice in relation to the premises operating in a manner that poses a threat to public health through the spread of severe acute respiratory syndrome coronavirus 2 (SARSCoV-2) in England.

I have spoken at length with the complainant [REDACTED] and sympathise with them. I would imagine what they describe is occurring as I have seen things leading up to the incidents and have heard excessively loud music and I have seen young people not respecting social distancing and very little being done by the management to encourage it or enforce it.

The complainant called the police in relation to this matter and has spoken with TMBC. I have asked them to continue to call in relation to any incidents at the premises and record times in order to support the request for a reduction in operating hours from the current 0100hrs, which I believe is unreasonable for the location of the premises.

I have spoken with Debbie McCallum this afternoon and I have requested full cctv footage is provided of all cameras inside and outside the premises from Saturday 15th August from 2145hrs until the last sale of alcohol and the bar closing.

She claims the incident was as a result of her throwing somebody out who then smashed a window. NO REPORT TO POLICE.

Debbie was not present at the pub at the time of the call and certainly did not sound enamoured to me calling her and requesting her to take some responsibility and provide footage.

This requested footage should establish if social distancing was being adhered to during the football.

Confirm the numbers in attendance as the doors were locked.

Capture the 'fighting' inside the pub.

Capture the 'fighting' outside the pub.

Show the Window getting smashed.

Domestic involving vehicle outside the pub.

Landlord being involved in the fighting.

Time the last sale of alcohol was made and drinks stop being served.

I hope to have the cctv made available for 1000hrs tomorrow. I have requested it to be on a memory stick in a viewable format by tomorrow.

Rebecca.....Will you be free to view the footage with me at Hyde Police Station at some point tomorrow in order to see exactly what is going on.

I intend to liaise with Derick Cooper again if the situation is as feared in order for proportionate and timely action to be taken by the Premises Licence holder to assist in promoting the licensing objectives and conforming with the regulations and guidance under The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020

NOT HAPPY

14627 Thorley | PC
District Licensing Officer | Tameside 'G'

Address Ashton DHQ, Manchester Road, Tameside, OL7 0BQ



From: Licensing [<mailto:licensing@tameside.gov.uk>]
Sent: 17 August 2020 13:00
To: Martin Thorley
Subject: FW: The Jolly Hatters Town Lane Denton
Importance: High

FYI

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

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From: [REDACTED]
Sent: 17 August 2020 10:34
To: Licensing
Cc: GwynneA@parliament.uk
Subject: The Jolly Hatters Town Lane Denton
Importance: High

Good morning

I have been asked to send the below to yourselves in relation to the Jolly Hatters on Town Lane In Denton, following a phone call I made this morning to the licensing department:

I have spoken to the licensing officers several weeks ago about this premises and I have seen the polices and licensing officers making visits, however the past few weeks have been unbearable, especially since the weekend which has just gone.

Could someone kindly ring me please to discuss the below asap?

Just to highlight the following to you:

- Thursday late night / early morning Friday – people coming out shouting, loud music playing from 2pm until really late
- Front doors wide open and music playing loudly from 2pm onwards right the way through into late evening again on Friday, Saturday
- Friday – large groups of people mainly young lads, gathering inside and out. Music playing loudly and shouting. From about 12.30pm this large group of really young people were shouting outside on the front for a long time
- Drug dealers are outside pulling up in cars, they deal the drugs and then you can see them being taken inside the pub or taken outside on the benches
- People urinating outside homes right next to the pub up the walls and fences
- Women screaming late on in the evening – this is most nights and the same woman
- Saturday – the pub seemed to closed late afternoon, the doors were closed and the lights went out in time for the City match to start. We thought they had closed the pub, but around 10pm a very large group of young lads came out of the pub shouting an swearing, the landlord followed them out shouting and swearing too. There seemed to of been an altercation inside which spilled outside onto the road. Then following the large group of young lads and the landlord, there followed another large group of young lads trying to stop the landlord from fighting, this went on for about an hour.
- In the meantime, a man turned up to repair something which had been broken, inside, so we had drilling and sawing at 11pm outside on the front as he tried to repair what ever had been broken
- We then had the cars pulling up outside beeping horns, young lads who are clearly really drunk driving off, people shouting on mobile phones outside the pub, in the road

- At around 12.45am we had a couple fighting outside, he trapped his partner in the car and locked her inside, she was screaming to be let out and he was being aggressive towards her, I called the police at just before 1am as I had concerns for her welfare, I know someone came out of one of the house to check on them to see what was going on
- Last night / early hours this morning we were woken up around 1.30am by a group of kids screaming and shouting outside and down the road for at least 30 minutes
- Landlord is drunk early evening, and has not control over the pub
- The groups are not from the same household at all, there is no social distancing taken place whatsoever

This is the same every night Thursday to Sunday every week and when the pub decides to close the noise is unbearable for a good hour after the doors shut.

I would like to know the following:

- Why this establishment has been granted a 1am license being in a highly residential area ?
- Why nothing is being done about it?
- What responsibility do the landlord and landlady have for operating a pub in a residential area?
- Why the noncompliance of social distancing isn't being adhered to even though Tameside is one of the highest infection rates at the moment and is still subject to local lockdown ruling?

Speaking to the landlord and landlady clearly isn't doing anything at all to stop this, they don't care.

They are allowing underage drinking, drug dealing to take place, they must know how young these groups of up to 30 people are and what they are doing, as it isn't being hidden. The noise and anti-social behaviour has got to a point where doing nothing isn't an option anymore.

The police and council are supposing to be watching this establishment as it is on a watch list, but it's getting worse.

I have lived here for 16 years, and seen many different landlords at the Jolly, but this couple are the worst yet.

I have spoken to neighbours who feel the same way, but they feel with the type of people the pub is being ran by and who they allow in, they don't want to highlight it due to any repercussions, and to honest so am I, but I can't do another weekend with no sleep for myself or my family.

My contact details are as follows:

[REDACTED]

I would like a phone call today to discuss this further.

Regards,

[REDACTED]

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Thank you for your co-operation.

Martin Thorley

From: Stuart Smith
Sent: 17 September 2020 23:20
To: Lee X Broadstock; Martin Thorley
Subject: Jolly Hatter PH

Sir,

I attended the Jolly Hatter PH, Town Lane Denton at 1940 hours on Thursday 17th September to conduct a VLP. I was aware of the issues the Brewery were having with the licensee, Debbie McCullum.

When I arrived there were no bar staff present and approx. 20 persons in the main room. A short time later I was joined by Debbie and her husband and we spoke in private in the snug at the front of the premises. Present with me was Sergeant Playford. Debbie and her husband had been having dinner upstairs. I introduced myself as the neighbourhood Inspector for Denton.

Our conversation started regarding what the brewery, Enterprise Ins had stated to her. Debbie showed me a letter which referred to her tenancy being ended on Monday morning at 10am. Debbie went on to say that she had taken independent legal advice and that this advice was that if she hadn't received a hard copy of any further information about not opening she was entitled to remain open. Debbie stated she had spoken to her area manager who advised her to close but hadn't received the email he had allegedly sent.

We then discussed the previous issues we had had with the pub whilst she was the licensee. Each of these issues referred to her being intoxicated when the incidents occurred and she had not dealt with them appropriately. Debbie was under the influence toady, this was obvious and admitted to having consumed 3 pints. Her husband who was present throughout, admitted to having drunk more. I told Debbie I was concerned that as she hadn't the backing of the management team, had been requested to close and hadn't, the fact she was leaving soon - she had nothing to lose. This situation itself gave cause for concern. The fact that she was inebriated already, that there had been previous issues whilst under the influence, I believed there was a very strong likelihood that this lack of proper supervision and control would lead to nuisance incidents to local residents that she could not either control or deal with.

As a result of all of the above advised that I was issuing a closure notice. This was at 19.50 hours. Debbie was served with a notice and 4 other notices were distributed around the pub including the outer and inner doors. Debbie was made aware there was no appeals process for this closure until she had attended court. She made no representations. The customers were asked to leave - there were no issues. None of the customers appears to have drunk as much as Debbie and her husband. Debbie was aware that she was entitled to remain on the property any anybody else who wanted to, had to be a resident. The doors were closed at 8pm and locked. Only the one bar staff member remained and this was to help tidy up. Debbie was informed that a breach would lead to a fine or imprisonment up to 3 months.

Debbie at no point made any representations about my decision.

I hope to be back in tomorrow at 12 if you need further.

Stuart

Inspector 03166 Stuart Smith
Tameside West Neighbourhood Inspector
Hyde Police Station



DENTON NORTH EAST BURGLARY / CRIME SURVEY.

NAME.....

ADDRESS.....

.....

POSTCODE.....

TELEPHONE No's.

(HOME).....

(MOBILE).....

Do you have any problems with Criminallity Yes No
in your area?

If yes what are your problems?

.....
.....
.....

When are these problems occurring?

.....
.....
.....
.....

Have your ever had any property stolen Yes No
from your home address?

When was this and were the Police
contacted?

.....
.....
.....
.....



Do you know anybody who buys stolen property in the local area?

.....
.....
.....

Can you identify anybody who is dealing drugs?

.....
.....
.....
.....

Do you know who is committing Burglaries in the local area? Yes No

If so, who is committing Burglaries?


.....
.....
.....
.....

Is there any further information which you would like to share with Greater Manchester Police?

.....
.....
.....
.....



PC 14627 Thorley
Tameside Police Licensing Officer
Hyde Police Station
Clarendon Road
Hyde
Tameside
SK14 2LJ



16th November 2020

Dear Resident

JOLLY HATTERS, 119 TOWN LANE DENTON M34 2JD

As the Police Licensing Officer for the Tameside District I would like to hear from you with regards to The Jolly Hatters, Town Lane, Denton.

I am aware that PCSO Leech has recently carried out a Neighbourhood survey in the Denton area. It has been noted that you have made mention and raised your concerns about this particular Licenced Premises.

As you will be aware the premises was closed by the Police and Tameside Council on 17th September 2020, due to repeated failure to implement appropriate Social Distancing controls as required by The Health Protection Coronavirus Restrictions.

It is accepted that under The Health Protection (Coronavirus, Restrictions) (England) (No 4) Regulations 2020 all Licenced premises including The Jolly Hatters must remain closed until 2nd December 2020 at the earliest.

The Police and the Local Authority work closely together and are holding meetings with the Premises Licence holders, EI Group to establish what their plans are moving forward anticipating the re-opening of this premises.

It may be that a Licensing Review is required prior to the re-opening. If this is the case, would you be willing / able to either attend at the hearing or submit representation with regards to the issues you have experienced from these premises

I would appreciate if you could reply to me via the above email with details of your experiences and issues. Alternatively you may contact your Local Authority Regulatory Compliance Officer or me on the following telephone numbers:-

Denton, Audenshaw and Mossley:
Tameside District

Rebecca Birch
PC Martin Thorley



Regards

14627 Thorley | PC
District Licensing Officer for Tameside District



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**

Martin Thorley

From: [REDACTED]
Sent: 09 December 2020 13:08
To: Martin Thorley
Subject: Communication with Derick Cooper 0852hrs 9th September 2020

Good morning Derick.

Have you put anything in place for Jolly Hatters with regards to the showing of football?

As we discussed this form of entertainment is a risk to the premises and would appear to be what is attracting the issues to the premises.

We have a window this weekend as no utd or city games.

Please could you let me know your thoughts.

PC 14627 Thorley.

Thanks

[REDACTED]

Incident CW BK: 062207-0112020

Incident Created Date Short Date	Incident Created Time	Incident Closed Date Short Date	Incident Closed Time	Grade	Least incident code & description	Parent Value	Best View	Change code & description	Quarter code & description	Title	Details	Contact Comments	Created by	Incident Address Location House Number	Incident Address Location Building	Incident Address Location Street	Incident Address Location District	Incident Address Location Area	Incident Address Location Postcode	Incident Address Location County	Incident Address Location Easing	Incident Address Location Neighbouring	
06/11/2020	18:51:06	04/11/2020	20:19:21	1.3	PO1 - Police Generated or Resourced Activity - (Opening Cuts)	0	G172 091 View Tree	L17 Olympic Games related Incident	COVID	Bizarr			70796 Taylor	119	JOLLY HATTERS	TOWN LANE			DEPTON	M14 2DU	TAMESIDE	200713	214744

details log subjects police employees locations objects documents linked events
References: 002287-05112020 Investigation Officer: **3**
Category: Incident Access Level: Quest
Stage: Closed

- eProctbook
- Add to eProctbook
- Actions
- Create Linked Event
- Visualisation
- View Network Diagram

details qualifiers closure

Description

COVID Breach

Reporting Person

CV 70795 TAYLOR

Recording Person

Enter (see Note)

Investigating Officer

Emergency Telephone Call (999)

How notified to police

Notifier's phone number

Notifier's email address

Date/Time Reported 04/11/2020 18:50 GMT

Occurrence

Occurrence Start On On or about On up before Between

Occurrence End GMT

Incident Location 119, JOINTLY HATTERS TOWN LANE DENTON,

Initial Type P91

Grade 3

details **by** **subjects** **police employees** **locations** **objects** **documents** **linked events** **Events**
 Reference: 000005-3400200 Investigation Officer: [redacted] Access Level: Overt
 Category: Incident Stage: Closed

details **qualifiers** **closure**

- * [evidencebook](#)
- [Add to evidencebook](#)
- [Actions](#)
- [Create Linked Event](#)
- [Visualisation](#)
- [View Network Diagram](#)

Description

ASB - group outside pub. Inf says there are approx 20 persons in a mixed group, they have come from the pub, which is now closed and been there for approx 20 mins, and inf says he has heard mixed voices and seen some pushing and shoving, he thinks that it more high spirits due to drinking and it being a bank holiday rather than fighting or arguing. Inf says some cars have pulled up and been talking to people on the street and then made off.

Reporting Person
 Recording Person
 Investigating Officer
 How notified to police
 Number's phone number
 Number's email address
 Date/Time Reported

Occurrence
 Occurrence Start
 Occurrence End
 Incident Location
 Initial Type
 Grade

details by **subjects** **police employees** **locations** **objects** **documents** **linked events** Events **0**
Reference: 000273-1600200 Investigation Officer: Over
Category: Incident Access Level: Over
Stage: Closed

- eNodebook **0**
- Add to eNodebook **0**
- Actions **4**
- Create linked event **0**
- Visualisation **0**
- View Network Diagram **0**

details **qualifiers** **closure**

Description: domestic male and woman fighting

Reporting Person: CV 67702 GRIME **0**

Recording Person: CV 67702 GRIME **0**

Investigating Officer: Enter last four... **0**

How notified to police: Emergency Telephone Call (999)

Notifier's phone number: [REDACTED]

Notifier's email address: [REDACTED]

Date/Time Reported: 16/09/2020 **0** 01:07 BST

Occurrence: Occurrence Start: 16/09/2020 01:07:00 **0** Occurrence End: 16/09/2020 01:07:00 **0** Incident Location: 119, JOLLY HATERS, TOWN LANE, DENTON, **0** Initial Type: C01 **0**

Grade: 1

details **log** **subjects** **police employees** **locations** **objects** **documents** **linked events** **events**
Reference: 0M148-15062020 Investigation Officer: Access Level: Query: Events: 0
Category: Incident Stage: Closed

- ↑ eProduction
- ↓ Add to eProduction
- Address
- 🔍 Create Linked Event
- 🔍 Visualization
- 🔍 View Network Diagram

details **qualifiers** **closure**

Description

Drug dealing outside
Social distancing not be adhered too again, but I guess they all must live together in a group of 30 lads
They've allowed a large group to watch city this evening indoors but the lights are off and doors shut so it looks like its closed, but its
There's been a fight outside as they all got thrown out.
The landlord was sneezing and trying to fight a large group walking down the middle of the road, the landlady is just screaming outside

Reporting Person

CW 71852 BYROM

Recording Person

Enter full name

Investigating Officer

Email to the Police

How notified to police

Member's phone number

Member's email address

Date/Fine Reported

15/06/2020 2252 BST

Occurrence

Occurrence Start

GMT

Occurrence End

GMT

Incident Location

110, HOLLY HATTENS, TOWN LANE, DENTON

Label Type

001

Grade

3

[details](#) [log](#) [subjects](#) [police employees](#) [locations](#) [objects](#) [documents](#) [linked events](#) [Events](#)
 Reference: 000632-08082020 Investigation Officer: [0](#)
 Category: Incident Across Level: Overt
 Stage: Closed

- [Productionbook](#) [+](#)
- [Add to Productionbook](#) [+](#)
- [Access](#) [+](#)
- [Create Linked Event](#) [+](#)
- [Visualisation](#) [+](#)
- [View Network Diagram](#) [+](#)

details **qualifiers** **closure**

Description

breach of curfew @ 2258 each report RHM-9937-20-0808-C
 Group of young adults no social distancing Cars pulling
 up outside selling drugs to them. One is a black Mercedes
 They are then buying the drugs from the cars which are
 pulling outside then going in the pub itself Lots of noise
 from front outside and inside too as the front doors are
 wide open Tim reporting this each week its always bad on
 a Friday and Saturday with the same group.

Reporting Person

CIV 72029 NADDEEM [+](#)

Recording Reason

Investigating Officer

[Enter lead here](#) [+](#)

How qualified to police

[Email to the Police](#) [+](#)

Number's phone number
 Number's email address
 Date/Time Reported

08/06/2020 [+](#) 0402 BST [+](#)

Occurrence
 Occurrence Start
 Occurrence End
 Incident Location
 Incident Type
 Grade

On: [On or about](#) [On or before](#) [In between](#)
 14/06/2020 [+](#) GMT [+](#)
 19/06/2020 [+](#) GMT [+](#)
 119, KOLLY HATTENS, TOWN LANE, DENTON [+](#)
 P01 [+](#)
 3 [+](#)

Incident CW BK 002057 25112028

Incident Created Date / Short Date	Incident Created Time	Incident Closed Date / Short Date	Incident Closed Time	Grade	Labour code & description	District Value	Roof Height / Description	Closing code & description	Quarter code & description	Tag	Details	Category Comments	Created by	Incident Address Location House Number	Incident Address Location Building	Incident Address Location Street	Incident Address Location District	Incident Address Location Area	Incident Address Location Postcode	Incident Address Location County	Incident Address Location Eirreg	Incident Address Location Hrefid	
25112020	18:06:13	25112020	20:36:15	3	G15 - Public Safety / Welfare	C - 1 year-on	G276 - Height / Description	G23 - Closing code & description	G27 - Quarter code & description	BREACH COVID-19	DOG TO BARK - HE CAN SEE FROM HERE HOUSE THE LIGHTS ARE ON AT THE BACK OF THE PUB IN THE TOILET AND KITCHEN THERE IS CARDBOARD AT THE FRONT OF THE PUB IN THE WINDOWS. HE SAYS PUB IS ALWAYS OPEN ON MATCH NIGHTS. LANDLORD IS CALLED MICHAEL. HE IS BURNING HIS OWN PRODUCTS AND SELLING THEM BEHIND THE BAR HIS GIRLFRIEND IS CALLED NATALIE. HE HAS SEEN 5 MALES GOING IN THROUGH THE BACK DOOR. THEY WERE WEARING BLUE AND BLACK COATS. THAD A BALD HEAD	ANON FEMALE	68764 - Semmons	60	THE COCK HOTEL	TWO TIER LANE		DENTON	M21 7SZ	TAMESIDE	391029	394467	
											G24 - Natural Disaster / Warning												

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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) The Jolly Hatters, 119 Town Lane, Denton, M34 2DJ submitted to the Licensing Authority on 04 December 2020.

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

The Health Protection Regulations which came into effect in March 2020 were aimed at reducing the overall mixing of people in the community and to avoid people gathering in enclosed indoor spaces. As well as some periods of closure across the hospitality sector, including some licensed premises, other key elements of these regulations involve venues taking reasonable measures to limit the risk of transmission of Covid-19 and to comply with relevant local restrictions. Venues adhering to these requirements is essential to reduce the spread of Covid-19 in enclosed indoor spaces due to the transmission routes from respiratory droplets and other close contact.

As a Responsible Authority, we reviewed the underlying risk posed by the circulation of Covid-19 in the wider community during the period in question (early-July through to mid-September), in the context of public safety.

The reproduction number (R number) of Covid-19 is naturally high with each infected person going on to infect 2-3 others if control measures are not in place. One infected person spreading the virus could result in up to 400 further people being infected after 30 days. This is part of the reason why adhering to restrictions to reduce the amount of social contact is vital in preventing transmission and more people becoming infected.

It should be noted 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 have been linked to crowded indoor spaces. We have also seen evidence of this in Tameside with a high number of outbreaks where transmission has occurred in enclosed, indoor spaces.

At the time in question at the start of July, the rate of infection in the community in Tameside was lower than in the following weeks and months with approximately 30 new cases per week across the borough. We were still seeing the impact of the national lockdown over the preceding 3 months and lower levels of circulation of the virus during the summer. From here the rate of infection steadily increased. By mid-September, when further concerns were raised regarding the premises, there were over 260 new cases per week across the borough. This demonstrates the speed with which the rate of infection can increase, and the underlying risk from community transmission at the time in question. This rate continued to rise in the coming weeks, which at one time showed Tameside to be one of the worst affected areas in the country. By the start of November there were over 1,200 new cases per week across the borough. Tameside has also seen a high death rate from Covid-19 and as of December 2020 Tameside had the highest cumulative Covid-19 death rate in the country with over

500 cumulative Covid-19 deaths. This demonstrates the severe impact that Covid-19 transmission in Tameside has had.

Some of the specific concerns raised by the Tameside Licensing Team such as the failure to ensure social distancing was being adhered to; failure to manage the behaviour of customers; continuing to serve customers beyond the terminal hour on the license; and failure to prevent a large fight within the premises, are all factors which would potentially result in further close contact between customers, further increasing the risk of transmission of Covid-19.

Based on this information I think it is appropriate to review the license for these premises as the evidence we have indicates that there has been an ongoing risk of Covid-19 transmission in Tameside and therefore failing to comply with regulations, particularly lack of social distancing, would have potentially increased the risk of transmission of Covid-19 and put public safety at risk.

From: [REDACTED] <r>
Sent: 19 December 2020 13:13
To: Licensing <licensing@tameside.gov.uk>
Subject: TOWN LANE DENTON MANCHESTER

My name is [REDACTED] and I own the house facing the above licensed premise, number [REDACTED] Town Lane.

My elderly parents own [REDACTED] and have also had many issues with the Jolly Hatters and have had to call on me on a number of occasions as they felt intimidated and scared with the goings on at the pub across the road.

It has been a blessing whilst the pub has been closed down as there has been no hassle from the pub.

I worry about this pub reopening and us having to experience the troubles I will list below.

Extremely loud noise and swearing outside the pub and the drinking on the front of the pub

Bottles and cans in our gardens and smashed glasses in the hedges

Constant coming and goings of cars and obvious drug dealing at all times of the day and night.

Blatant disregard for current regulations in respect of COVID

Loud music and shouting and swearing late into the night as the pub empties.

Hassle and intimidation from drunken bar staff and managers when complaining.

Fights and screaming outside the pub absolutely no regard for residents.

I would be more than welcome to stand up and state my feelings about this den of iniquity ever reopening without massive change.

My wife and I and other neighbours wouldn't dream of setting foot in this place as it stands as the managers constantly break all laws and have no consideration for the neighbours

Regards [REDACTED]

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I would like to remain anonymous but I would like to make the following points when you consider the licence review for the Jolly Hatters Pub, Town Lane, Denton.

I live very close to the pub - on Town Lane, and since it has been closed it has been a really wonderful quiet street to live on. It's actually sad to think that it might be going back to what it was like when the pub was open.

Unfortunately when this pub was open - please note the following points :-

1. Noisy very rowdy behaviour when it was closing time - I have young children and this was particularly stressful for us during the night when we were being awoken by the loud noisy behaviour. People coming out of the pub with their drinks and sitting on walls drinking and being rowdy and arguments, fights etc. This was not just an occasional occurrence this happened every weekend. Car doors constantly slamming from taxis in the night picking people up from the pub.
2. Suspicious drop off activity with numerous people coming out of the pub - meeting someone in a vehicle on the corner and then going back into the pub.
3. My late father felt intimidated and would not go out of his home after dark and on one occasion had something thrown at his window when he was stood there washing up which cracked it - and this was from people out of the pub as they were sitting on the wall with beer bottles and they had come from the pub.
4. Police observed regularly going to the pub with sirens on.
5. People parking all up the street and side roads and mostly leaving their cars until the next day but some were observed looking worse for wear and driving home.
6. If this really has to re-open as a pub I would want it to be a family/restaurant pub and to close at a respectful time.

As previously stated I confirm I wish to remain anonymous but I can be contacted on this email if you require any further information.

I confirm I live on Town Lane.

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I and my wife [REDACTED] are both willing / able to either attend at the hearing or submit representation with regards to the issues I have experienced from these premises

A Local Resident Impact Statement of the Jolly Hatters Town Lane, Denton, Tameside

My name is [REDACTED]. My family home has been on Town Lane since 1957. Myself and my wife live in the family home. My eldest daughter, her husband and my two grandchildren live on Town Lane. My youngest daughter and her husband live on Town Lane. It is reasonable to assume I know Town Lane and have a vested interest the wellbeing of this neighbourhood.

The Jolly Hatters

When the Jolly Hatters was originally built as a large country pub, there were just a few houses on Town Lane. It was enclosed by agricultural green fields on a pleasant country walk from Denton centre along Town Lane and Ross Lave Lane towards Reddish. Urban development has taken place, and the Jolly Hatters is centrally situated now in a highly developed residential area. The Jolly Hatters is less than 100 yards from Greswell Infant and Junior School. It is within 800 yards of St Thomas More secondary school. It is next to a four story development of flats that was build when the "Elsinor Hotel" was demolished when it became unprofitable. These flats now house some of the most vulnerable people in our local society including partially sighted and mentally vulnerable who require round the clock care.

For people moving into, and growing up in the developing and expanding communities just off Town Lane in Denton, the Jolly Hatters once was a centre of the community. I took my father there on a Sunday lunch time. I met my friends there, my parents went there. The small car park at the front held only four cars but in any case most locals would walk to the pub.

The recent Jolly Hatters

Over the last 15 years the pub has changed. The people and friends I know won't use this pub any more because of what it has now become. People tell me they would avoid living in the vicinity of the pub, because of the reputation it has. We have seen and reported so many antisocial incidents at the pub that I have lost count.

Crime and Drug taking

Drug taking and dealing takes place both inside the pub and on the front beer garden and also takes place on the surrounding streets were the pub clientele do their deal, have their fix, and go back to the pub. I have witnessed some of this first hand and reported it to the relevant authorities.

Disorder, Damage and Control of Clientele

The current and previous Owners, Management Teams and Dedicated Premises Licence holders over the last 15 years have all failed to control some of the customers who behave antisocially, and they have shown no interest in controlling their behaviour. Most of these type of customers have the attitude of "If you don't like how I behave - then move", or "you shouldn't buy a house near a pub and not expect noise". Recent posts on Facebook testified to this attitude including calling local residents "Retards" and accusing local families living opposite the Jolly Hatters of being the ones who complained and causing the pub to close, and asking them to "move". I had these posts removed by the people who run the 'Denton Memories' Facebook site as they were threatening and people did not feel safe. Would you really want a pub who have these types of characters as clientele opposite your house, or near where you live?

There have been a regular incidents where the windows at the front of the pub being 'put through' over the years. The most recent only a few weeks before the recent pub closure, and the landlord decided it would be a good idea to have them repaired at half past midnight. Residents had to put up with all the drilling and banging until the early hours. People do not feel safe living near a pub that constantly and consistently attracts antisocial disorder.

Music disturbance

The Jolly Hatters has a Film(TV) Live Music, Recorded Music and an Entertainments Licence until 1am, Monday to Sunday and until 2am on New Years Eve/day.

Music and Karaoke is played until late and the front doors are left open continuously. On the odd occurrence where they are shut, the smokers open them again to go outside to have a cigarette leaving the doors open, or the people taking drugs open the doors to go outside, meet their dealer, have a fix, and return again leaving the doors wedged open. Music is played and heard into the early hours. No one in charge of the pub ever bothers to supervise this. This has happened with every single management team put in place since 2006 with no exception.

Public safety and Antisocial behaviour

People leave the premises openly drunk late at night. They wait noisily outside for a taxi or drive their vehicles and rev them loudly outside residents homes. Screaming and shouting is an often occurrence.

Clients park their cars or white vans, covering the pavements in a way that the vulnerable people living nearby cannot walk side by side with a carer, and they have to walk single file past the vehicles, They make it difficult for a anyone with a pushchair or wheelchair to pass and they usually have to go into the road to get around the vehicle.

During summer, some of the people parking directly in front of the front beer garden open their car doors to play music on the car or van stereo very loudly for the entertainment of people in the front beer garden that faces residential homes on the Lane.

During City or United football matches the beer garden clientele often spill out onto the road and drinking takes place on the street. This results in glasses and bottles being left on residents walls at the front of their properties, and quite often smashed glass strewn over the pavements and road. The school crossing for Greswell Junior School is 10 yards up the road from the pub and glass regularly has to be cleared so it doesn't harm the children, going to and from the school.

Walls of local gardens have been urinated on, or vomited over from clients coming out of the pub drunk.

Recently late at night, a female client who seemed to be drunk was locked in a car by what appeared to be her partner, she was screaming at the top of her voice to be let out and was swearing profusely. This was at a time of night when residents can quite rightly expect to have a decent nights sleep.

Landlords have been known to fight with clientele openly in the street.

Continuous Management Changes

Irrespective of whoever the Owner, Management team and DPLH have been in the last 15 years, the Jolly Hatters has never been controlled satisfactorily. The style of the pub has changed back and forth a number of times with each new Owner, Management company, or DPLH. The same type of clientele are re-attracted and return every time without fail.

In my opinion, Owners, Managers and DPLH's have all come to the same conclusion that the only way to make it profitable is to run it as a Fun Pub, with recorded music, sports TV, live music and karaoke. This attracts a clientele from a wider demographic area who are looking for specific type of entertainment very similar to the Sports Bars in Manchester City Centre and the bars that used to be available in Staley-Vegas in it's hay-day. This type of pub is inappropriate and not suitable for a developed residential area. With its 1am licence people do not see the need to go into Manchester and pay more for their 'booze' and all the expense of taxi's, when they can get all they need at the Jolly Hatters in Denton.

It is unacceptable for a pub in a highly residential area such as Town Lane to have a Licence, to stay open with live music, indoor sporting events TV etc until 1am Monday to Sunday.

Front Car Park conversion to a Beer Garden

The area at the rear of the property was never used as a beer garden. The front car park only held four cars and this has now been converted into a front of the house beer garden. It was done at the front because the rear garden area that could have been developed backed onto a previous DPLH mothers property and we believe that he didn't want any disturbance to her.

Whatever the reason, since the front was converted, the anti social behaviour and noise has increased dramatically. During the day especially if it's good weather, the clientele numbers can swell and the noise can be heard in down the Lane. If there is standing room only, drinking is done on the street. The drug using clients also use the benches to sit on whilst waiting for their dealers to arrive with their ordered drugs. You are less noticeable to the residents sat down rather than stood up.

The benches that have been put at the front provide a nice little loitering area for the pub clientele when they leave the premises at night. They stay sitting or lying (depending on how drunk they are) on these benches shouting, arguing and basically making a nuisance of themselves, until their taxi arrives or until they get bored and decide to go home.

This area at the front of the pub was never designed for this type of use as a beer garden, and Tameside MBC never consulted any of the residents to tell them that the landlord at the time had applied for change of usage. Tameside did not carry out an impact assessment on the residents.

Next steps

There have been so many chances for this pub to improve over recent years, and all without fail have failed to respect the local residents needs. There have been many permutations of management put in place including single people, couples, families, inexperienced and experienced people and supervisory management companies, all of which have reverted back to allowing the same old clientele back who behave criminally and antisocially. Because it is a backwater pub, away from the main road, drug deals can be done more easily. There are no parking restrictions to stop cars drawing up outside, and its an easy location for the drug dealers to control. It is an easy place to behave antisocially and then just disappear into the backstreets. The antisocial and criminal behaviour has to stop along with the noise. With every new management, in a matter of weeks of reopening, it

seems it is back as business as usual, attracting the same kind of clientele. How many times do the residents have to put up with this? It is time to close the pub permanently to keep the peace and quiet residents deserve.

History now shows failure by every single DPLH and owner over the last 15 years. More than enough chances have been given to the management and the owners of this pub to get it right, and letting it remain open simply continues failure. Owners, or new Owners, will say that "the past is in the past and that it is a new start with a new DPLH or Owner" and that the New DPLH will manage it better - but they don't, they never do, the last 15 years has proved the case. They will argue that licensing restrictions put on the pub will be unfair on any new DPLH they want to put in place - but it affects the locals who have to put up with it all. They will argue that they will find someone fit and proper to run the pub - I would argue that they would say that wouldn't they, they have never managed it yet, repeatedly and over and over and over again, and of course they don't have to live opposite or nearby and put up with the pub near them. They have had enough repeated chances and this pub should never reopen - it is time to acknowledge that it has had its day and move on.

(a) Preferably, the current premises should have a Licence to sell alcohol refused permanently, it has had many chances to operate within the bounds of its licence and has failed at every attempt over the last 15 years to do so.

(b) The premises should be allowed to be reused as a different business in line with Tameside MBC planning guidance, and not re-opened as a public house.

(c) If the council seem fit to give it one more chance yet again, the following special conditions must apply:

- 1 The front Beer Garden must be reverted back to a car park.
- 2 No music or entertainment licence should be given.
- 3 The pub must close by 11pm every night including weekends.
- 4 Security must be employed inside and outside the premises during opening hours and until 1/2 hour after closing time to discourage antisocial behaviour and drug taking.

Recent Closure for Covid Measures Violations and Antisocial Behaviour Violations

The recent closure of the Jolly Hatters due to the DPLH violating antisocial disorder measures typifies the pub clientele and management we have endured over the last 15 years. It is closed at the moment and local life is peaceful. Permanent closure would keep it peaceful. Local people who like to go for a drink in a local pub are well served by local public houses within 1/2 a mile of the Jolly Hatters and its closure would be no great loss.

Dear Madam,

I am limited in my response because of the tablet I am working on, there are issues in the way that this has been handled and will be brought up at a later date if necessary.

The Jolly Hatters was first licensed in 1857 and I have a letter from [REDACTED] as follows: I am 86 years old and have been going in the jolly Hatters, town lane for 61 years .

I have difficulty walking any long distance, so the Jolly is the ideal distance for me to walk .

I am not the only person about my age who still go in the Jolly, many of my friends are in their seventies who have been customers for years

Please be kind to us and allow the Jolly to re-open as soon as possible.

Thank you [REDACTED]

As you can appreciate [REDACTED] along with is friends and families go in the Jolly Hatters most days and it really is a communal, sociable place in the community.

Yours Sincerely,
[REDACTED]

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