

Public Document Pack



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

SPEAKERS PANEL (LIQUOR LICENSING)

Day: Tuesday
Date: 7 November 2023
Time: 10.00 am
Place: Tameside One, Market Square, Ashton-Under-Lyne, OL6 6BH

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 Speakers Panel (Liquor Licensing) held on 15 August 2023 and 22 August 2023.	1 - 10
4.	REVIEW OF A PREMISES LICENCE - BACK TO THE 80'S, 37 - 39 MARKET STREET, STALYBRIDGE, SK15 2AA To consider the attached report of the Assistant Director of Operations and Neighbourhoods.	11 - 72

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

This page is intentionally left blank

Agenda Item 3.

SPEAKERS PANEL (LIQUOR LICENSING)

15 August 2023

Commenced: 1.30pm

Terminated: 3.10pm

Present: Councillors Drennan (Chair), Bowden and Colbourne

In Attendance: Mike Robinson Regulatory Services Manager, TMBC
Ashleigh Melia Solicitor, TMBC
Gill Sherratt Napthens Solicitors, for Frederic
Robinson Ltd, Premises Licence Holder
James and Vicki Persons responsible for day to day
Almond operations at the premises
Zack Premises Manager
Person making
representations

1. DECLARATIONS OF INTEREST

There were no declarations of interest submitted.

2. MINUTES

RESOLVED

That the Minutes of the meetings of the Speakers' Panel (Liquor Licensing) held on 21 April 2023 be approved as a correct record.

3. VARIATION OF A PREMISES LICENCE – FLETCHERS ARMS, 445 STOCKPORT ROAD, DENTON. M34 6EG

Mr Robinson, Regulatory Services Manager, presented the report to the Panel and outlined the procedure whereby an application can be made for a variation of a premises licence under Section 34 of the Licensing Act 2003 and identified the steps available to the Panel in determining the application.

Mr Robinson informed the Panel that 5 conditions were proposed to Frederic Robinson Ltd, which appeared at Appendix 6 to the report, and that Frederic Robinson Ltd was in agreement with 4 of the conditions. The condition not agreed was the requirement for training every 3 months; Frederic Robinson Ltd requested that frequency be annually.

Mr Robinson explained that there had been one representation from a member of the public which appeared at Appendix 7 to the report.

The representative of Frederic Robinson Ltd explained that the door intended to be used as the main entrance and exit was already there and in use; the door was not being moved and referred the Panel to pages 14 to 16 of the report which showed a photograph of the door. Ms Sherratt clarified that the door had a self-closer on it and as part of the refurbishment, the door would be upgraded with a more modern version and the current door already in place there was used by the customers.

It was further explained that the Almond family had four premises including the Fletchers Arms. They had a reputation for turning around unloved pubs; they transform them into food led pubs with

a relaxed setting and are prized tenants of Robinsons and Green Kings breweries. In 2022 they won the family business of the year at Stockport Bus awards.

The Panel were informed that the family took on the Fletcher's over 20 years ago and had transformed it into the same type of operation which was food led. It attracted mature clients who came for the carvery and the drink prices reflected that; it was for the more affluent family and they did not sell cheap drinks or shots. The music they played in the premises was background music for diners. In addition, they had a quiz once a week and an acoustic musician playing on Friday which finished by 10pm at the latest.

The plan for change was due to the pub needing severe modernisation as it currently dated back to the 80s. The bar was rotten beyond repair; it was currently an island bar in the middle of the premises which was an operational hindrance and did not allow for food supervision within the premises as people were in pockets all around the bar. They wanted to move the bar so it was against the back wall which would create an open space that could be supervised.

It was explained that Robertson's were in full support of the works and were partnering with the family to finance the renovation. Robertson's were investing around £340,000 for the works and the family were contributing around £160,000 so in total half a million pounds was being invested to update the family friendly pub.

In relation to the objection, it was explained that it was true the door was closest to the neighbour and the double door that was also used would be behind the bar and would be closed; nothing was really changing as the door that would be used was already in use, it would just be a newer upgraded version.

In relation to the conditions, it was explained that the condition relating to the restriction on under 18s was not relevant these days as law restricted under 18s anyway and the additional condition was not needed for a family friendly licence.

The conditions in relation to fire had been requested to be removed as fire safety was already governed by fire legislation.

In relation to staff training, it was explained that doing training every 3 months was counter-productive and was overkill. CPL online training was issued annually to staff and by putting in training every 3 months could create difficulties regarding procedures that were already in place and working perfectly.

The representative clarified that the issues today were the site plan and the conditions.

It was concluded that the application would be a benefit and would uphold the licensing objectives. Finally, it was acknowledged the issues raised by the neighbour and stated that the pub had been operating for 100 years within its ability to trade normally.

Representations were then made by a member of the public in objection to the Application as follows:

- The proposed variation included changing a single door to a double door; the main access route would then be closer to his property
- He had experienced significant noise previously when the door was opened and closed
- There was noise coming from the premises on Thursday and Friday night which was quiz night
- The newly installed hand dryers were subject to an investigation from Tameside's Environmental Services
- A letter should have been sent to the Applicant regarding a complaint
- The corporate plans showed little regard to adjacent neighbours' wellbeing

- The previous plans for smoking shelters had to be moved as the position was right against his property boundary
- He concluded that he wanted the doors to be placed elsewhere

All parties were provided with the opportunity to ask questions.

The Panel then heard brief closing submissions from all parties.

Members of the Panel then retired to carefully consider the written submissions, 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.

DECISION/REASONS

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

- the report to Panel
- the application and representations received
- 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 determined the application pursuant to section 34 of the Act having regard to the relevant representations and the requirement to take such steps as it considered appropriate to promote the licensing objectives.

The Panel identified that the key points to the application were as follows.

The variation application sought (1) to update the plans that accompanied the premises licence to reflect alterations that were being made to the internal layout of the site, namely the relocation of the bar and the entrance/exit being moved to the existing fire exit next to the toilet area on the premises which would involve the existing door being changed from a single door to a double door in order to meet fire regulations, and (2) to remove of some the conditions and the proposal of an additional condition.

The Panel noted that a representation was received by a member of the public who resided adjacent to the Premises. His representation expressed his concern that the entrance/exit being moved to the fire exit would create a noise nuisance to him and his family.

The Panel had regard to the fact that the door proposed to be used as the main entrance/exit, was already in use by customers and that the door frame itself would not be changed. The door that was currently used, which was a single door, was being upgraded to a double door. The Panel considered whether, when a double door was in place, only one of the double doors would be opened and closed when customers entered and exited, compared to now where a full single door was opened and closed. The Panel noted that half of a double door would be smaller than a single door which would mean that, after the renovation, a smaller door would be opened and closed when customers entered and exited the premises and queried whether this could result in noise being reduced.

On this point, the Panel then noted that the member of the public had not submitted evidence to any Responsible Authorities regarding his noise concerns nor did he provide any evidence to support his representation. The Panel correctly acknowledged that they could only make a decision based on the evidence provided before it at the hearing.

The Panel noted that the member of the public did not accept the 5 conditions proposed by the Licensing Authority at Appendix 6 to the report. Furthermore, the Panel noted that the Applicant agreed to all but the condition regarding training every 3 months. The Panel acknowledged that the Applicant sought a condition that staff training took place annually. The Panel discussed this for some time and unanimously determined that 3 monthly training was appropriate as this was standard by the Authority. The Panel did not feel it would be appropriate to meet the Licensing Objectives for training to be provided annually and felt that it was paramount to public safety to stay with the 3 monthly requirement. The Panel concluded that all conditions at Appendix 6 to the report should be imposed on the licence.

The Panel were satisfied that the condition regarding fire doors was not necessary as this was governed by fire legislation and would be duplicitous.

The Panel acknowledged that no representations were received from any Responsible Authorities regarding the licensing objectives being undermined.

The Panel considered all available options.

On balance, having carefully considered all of the available information, the Panel concluded that the variation to the premises licence be granted subject to conditions detailed in Appendix 6 of the report.

STEPS TAKEN PURSUANT TO S52(4) LICENSING ACT 2003

The step that the Panel considered appropriate to promote the licensing objectives was to grant the variation to the premises licence subject to conditions as detailed in Appendix 6 to the report and as appended to the minutes.

If any issues arise with regard to licensed premises which cannot be resolved, a formal review of a licence can take place.

The Panel would like to thank those attending the hearing for their contribution and assisting the Panel in reaching its decision.

RESOLVED

That the application for a variation to the premises licence be approved subject to conditions detailed in Appendix 6 of the report and set out in Appendix A to these minutes.

CHAIR

APPENDIX A

FLETCHERS ARMS, 445 STOCKPORT ROAD, DENTON. M34 6EG – CONDITIONS

1. CCTV

- (a) A tamper-proof digital colour CCTV system must be installed and maintained at the premises to the satisfaction of Greater Manchester Police.
- (b) The system must run and record continuously for 24 hours a day, 7 days per week and recorded footage must be stored for a minimum of 28 days.
- (c) The system must provide a clear head and shoulders view to an evidential quality on every entry/exit route and within any other vulnerable areas as identified by Greater Manchester Police.
- (d) Recorded footage must be provided to a representative of any responsible authority on request. Such footage must be provided in an immediately viewable format and must include any software etc. which is required to view the footage. Any discs, portable drives or other storage media onto which footage is transferred must be provided by the premises and sufficient stock of such storage media must be kept on the premises at all times.
- (e) A member of staff who is trained to operate the system and supply footage must be present at the premises at all times when licensable activities are taking place.
- (f) The Designated Premises Supervisor must ensure that the CCTV system is checked at least once every month by a suitably trained member of staff. This check must include the operation of the cameras, the recording facilities, the facilities for providing footage and the accuracy of the time & date. A written record of these checks must be kept, including a signature of the person carrying out the check. This written record must be kept on the premises at all times and made available to a representative of any responsible authority on request.
- (g) Suitable signage informing customers that a CCTV system is in operation must be placed in prominent positions within the premises, including information on the Data Protection Act and the Human Rights Act.

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)
- (iv) Any refusal to serve alcohol to under 18's or anyone who appears to be under 18
- (v) Any call for police assistance to the premises
- (vi) Any ejection from the premises
- (vii) Any first aid/other care given to a customer

3. 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.

4. 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.

5. LIST OF AUTHORISED PERSONS

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

SPEAKERS PANEL (LIQUOR LICENSING)

22 August 2023

Commenced: 10.15am

Terminated: 1.10pm

Present: Councillors Drennan (Chair), Bowden and Colbourne

In Attendance: Mike Robinson Regulatory Services Manager, TMBC
James Horton Regulatory Compliance Officer
Ashleigh Melia Solicitor, TMBC
Alex Smalley Applicant and Proposed Designated Premises Supervisor

Mark Hobson
Person making representations Agent

4. DECLARATIONS OF INTEREST

There were no declarations of interest submitted.

5. APPLICATION FOR A PREMISES LICENCE – VALE MILL LODGE, HUDDERSFIELD ROAD, MOSSLEY. OL5 9LL

Mr Robinson, Regulatory Services Manager, presented the report to the Panel and outlined the procedure whereby an application can be made for a premises licence under Section 17 of the Licensing Act 2003 and identified the steps available to the Panel in determining the application.

The Applicant and Proposed Designated Premises Supervisor then made his submission to the Panel. He explained that the business was family run and planning permission had been obtained. He felt that alcohol went hand in hand with a restaurant and he was asking for a chance to run it. He had experienced no problems running a pizzeria before and alcohol would only be sold with food. His passion was coming from food but would like to serve alcohol with it. There were local breweries which he wanted to use to support them.

It was further explained that he didn't anticipate the sale of alcohol causing any problems. There would be people in the building anyway, even if they don't sell alcohol and he didn't see how there would be an extra nuisance from selling a couple of drinks. He had been reasonable; and addressed the residents' concerns in relation to parking and he noted that parking wasn't within the scope of the hearing. He had taken on board concerns raised and taken provision to get extra parking on the Vale Mill site and have space outside their building for parking. He couldn't afford to re-do the whole site for the car park but if the business was successful he had promised to re-do the car park.

Regarding nuisance outside, the applicant explained there would be no outside music and that people would only be sitting outside. It was in the planning permission to have seats outside as they were not fixed structures however if there were any problems, they could take away the seats. The seats were there for people to sit for an hour or so with food then go about their way.

Finally, the Applicant stated that he had agreed to staff training and could deal with problems as they arose. He wanted it to be a nice place with nice customers and didn't want to engage in short termism.

The Regulatory Compliance Officer then addressed the Panel in relation to his submission as on behalf of the Licensing Authority as detailed in the report. He explained that in order to meet the Licensing Objectives, the following conditions should be added to the licence:

1. CCTV
2. List of Authorised Persons
3. Challenge 25
4. Staff Training
5. Incident Book
6. Noise Monitoring
7. Notice to Customers
8. Outside Area
 - a. No sales of alcohol for consumption in the outside seating area at any time
9. Licensing Activity Times
 - a. Supply of alcohol 10am to 9pm Monday, Tuesday, Wednesday and Sunday
 - b. Supply of alcohol 10am to 11pm Thursday, Friday and Saturday

Full details of these conditions were at pages 39-40 of the Agenda Pack.

Persons submitting representations in attendance at the meeting were then asked to present before the Panel in turn. Before they addressed the Panel, the Chair assured them that that each and every written representation had been read and considered in detail.

Persons making representations raised objections to the application, including:

- very poor access for bin wagons to get down to the bins to take any rubbish and bottles away;
- If it is not policed properly, there would be problems with vermin in the area as there is a stream running down the side of the houses and people have had issues with rats in their houses and gardens;
- Parking issues;
- The possibility of noise nuisance;
- Privacy of the residents in respect of the outside seating area;
- Implications for public safety in respect of possible parking on the bend of the road;
- Perceived inadequate parking facilities for the premises;
- Concerns re: smell and smoke;
- That the area is situated in a dip and is an echo chamber; and
- Light pollution.

All parties were provided with the opportunity to ask questions.

The Panel then heard brief closing submissions from all parties.

Members of the Panel then retired to carefully consider the written submissions, 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.

DECISION/REASONS

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

- the report to Panel
- the application and representations received
- 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 determined the application pursuant to Section 18(3) of the Act having regard to the relevant representations and the requirement to take such steps as it considered appropriate to promote the licensing objectives.

The Panel identified that the key points to the application were as follows.

The Premises was seeking a licence to permit the sale of alcohol for consumption on the premises (inside and outside), ancillary to table meal including pizza at the restaurant, between the hours of 10am to 9pm Monday, Tuesday, Wednesday and Sunday and 10am to 11pm on Thursday, Friday and Saturday.

The Panel noted that the Applicant had agreed to a list of conditions that appeared at pages 4-7 of the report, namely CCTV, Challenge 25, Staff Training, Incident book, Noise Monitoring, Notice to Customers and a condition that alcohol shall only be served ancillary to a table meal (including pizza) in the restaurant. The Panel also noted that during the hearing, the Applicant indicated that he would be agreeable to a condition regarding the times of bin waste/collections and further conditions for use of the outside area.

The Panel discussed the main concerns of the local residents which primarily related to parking outside the premises and parking on Huddersfield Road, risk of nuisance caused to local residents, risk of privacy issues and risk of litter and smells coming from the premises. The Panel noted the Applicant had considered these concerns and agreed to take the following action to address those concerns:

In relation to nuisance caused by the outside area, the Applicant agreed that the outside area could only be used until 7pm with last orders for food and alcohol consumption outside being 6pm. The Panel acknowledged that if the Applicant wasn't seeking a license to sell alcohol, he would be able to operate as a business regardless and make use of the outside area. The Panel were of the view that in order to promote the licensing objectives and to ensure there were no issues to neighbouring properties and local residents, the sale of alcohol should be limited to consumption indoors only and ancillary to a meal. The Panel felt that alcohol being consumed indoors only would prevent any disturbances to neighbouring properties and by restricting the time by which people could eat outdoors to 7pm, would ensure there were no disturbances in the evening.

The Panel noted the Applicant agreed to use a barrier to prevent the premises from encroaching on the highway and agreed to continue using bistro curtains for privacy reasons or review this should there be any further issues raised by the residents.

In addition, the Panel noted the Applicant agreed to using a signage regarding parking outside the premises and being considerate to neighbouring properties. The Panel discussed the issue of parking and acknowledged that whilst there might be issues, parking was outside the remit of the Panel's powers at the hearing and any concerns regarding parking should be reported to the Council's Highways department.

The Panel noted the Applicant agreed that he didn't want people to smoke on or outside the premises, however the Panel acknowledged that he would be unable to control what customers did outside the premises boundary and on the highway. The Panel therefore felt that by having a condition that there be a designated smoking area outside the premises and away from neighbouring properties, the Applicant can direct encourage customers to smoke there which would prevent smoke going into neighbouring properties and receptacles could be provided for cigarette and tobacco waste to be deposited in, to prevent cigarette and tobacco waste from accumulating.

The Panel noted the Applicant agreed to use bins between certain hours of the day to prevent nuisance to the residents and agreed that a condition that bins not be collected between 6pm and 10am would prevent disturbance to neighbouring properties.

The Panel acknowledged each and every concern of the residents and noted that they only had the power to make a decision based on the evidence it had before it and not based on what might happen in the future. The Panel felt that whilst there were a lot of concerns regarding what might happen, the Panel did not have evidence before it of any issues that had arisen as the business was not yet operating. The Panel therefore felt that the conditions they had imposed would prevent disturbances to the residents and promote the licensing objectives and further noted that if there were any problems, the premises licence could be reviewed.

Finally, the Panel noted that if any issues arose after the business began operating, the residents could complain to Environmental Health for any issues regarding noise and smells/ventilation and should there be any anti-social behaviour, this could be reported to the Council's anti-social behaviour team.

The Panel considered all available options.

On balance, having carefully considered all of the available information, the Panel concluded that

STEPS TAKEN PURSUANT TO S52(4) LICENSING ACT 2003

On balance, having carefully considered all of the available information, the step that the Panel considered appropriate to promote the licensing objectives was to grant the premises licence subject to conditions agreed prior to today's hearing (at pages 4-7 of the report) together with further conditions:

1. supply of alcohol for consumption on the premises only:
12pm to 9pm on Monday, Tuesday, Wednesday and Sunday
12pm to 10pm on Thursday, Friday and Saturday
2. All alcohol sales will be ancillary to the purchase of food.
3. There shall be no vertical drinking at the premises.
4. There shall be no sales of alcohol for consumption in the outside seating area at any time.
5. No food shall be consumed outside the premises after 7pm.
6. There shall be a designated smoking area outside the premises and away from neighbouring properties
7. Bins shall not be collected between the hours of 6pm and 10am

It was noted that if any issues arose with regard to licensed premises which could not be resolved, a formal review of a licence could take place.

The Panel thanked those attending the hearing for their contribution and assisting the Panel in reaching its decision.



RESOLVED

That the premises licence be granted subject to conditions agreed prior to today's hearing (at pages 4-7 of the report) together with further conditions:

1. **supply of alcohol for consumption on the premises only:**
12pm to 9pm on Monday, Tuesday, Wednesday and Sunday
12pm to 10pm on Thursday, Friday and Saturday
2. **All alcohol sales will be ancillary to the purchase of food.**
3. **There shall be no vertical drinking at the premises.**
4. **There shall be no sales of alcohol for consumption in the outside seating area at any time.**
5. **No food shall be consumed outside the premises after 7pm.**
6. **There shall be a designated smoking area outside the premises and away from neighbouring properties**
7. **Bins shall not be collected between the hours of 6pm and 10am**

CHAIR

Agenda Item 4.

Report to:	SPEAKERS PANEL (LIQUOR LICENSING)
Date:	7 November 2023
Reporting Officer:	Emma Varnam – Assistant Director of Operations and Neighbourhoods
Subject:	APPLICATION FOR A REVIEW OF A PREMISES LICENCE – PL0140 – BACK TO THE 80S, 37-39 MARKET STREET, STALYBRIDGE, SK15 2AJ
Report Summary:	Members are requested to determine the application.
Recommendations:	<p>Having regard to the application and the relevant representations, Members are invited to take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. The steps available are:</p> <ul style="list-style-type: none">a) Modify the conditions of the licenceb) Exclude a licensable activity from the scope of the licencec) Remove the Designated Premises Supervisord) Suspend the licence for a period not exceeding 3 monthse) Revoke the licence
Corporate Plan:	Living Well – Improve satisfaction with local community.
Policy Implications:	Members are provided with policy guidelines to assist in the decision making process.
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	There are limited financial implications for the Council, as detailed in the report, however, any legal challenge to a policy decision may potentially incur costs.
Legal Implications: (Authorised by the Borough Solicitor)	Any decision to revoke/suspend a licence or impose amendments or conditions to a licence can be challenged by way of appeal (in the first instance) to the local Magistrates Court.
Risk Management:	Failure to give full consideration to the determination of licensing issues has the potential to impact on public safety.
Access to Information:	The author of the report is Mike Robinson, Regulatory Services Manager (Licensing)
Background Information:	<p>The background papers relating to this report can be inspected by contacting Mike Robinson</p> <p> Telephone: 0161 342 4122</p> <p> e-mail: mike.robinson@tameside.gov.uk</p>

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. INTRODUCTION

- 2.1 Back to the 80s, 37-39 Market Street, Stalybridge, SK15 2AJ is a licensed premises, Mr Ian Whittaker has been the premises licence holder since 12 May 2016. A copy of the premises licence is attached at **Appendix 1**.
- 2.2 A site plan, including an up to date photograph of the premises is attached at **Appendix 2**.
- 2.3 The current licensable hours relating to the premises licence are:

Sale by retail of alcohol
Monday – Sunday 11:00 – 03:00

Regulated entertainment
Monday – Sunday 11:00 – 03:00
- 2.4 On 27 July 2023, the Licensing Authority received a review application for Back to the 80s, 37-39 Market Street, Stalybridge from Greater Manchester Police. The review application is attached at **Appendix 3**.
- 2.5 On 24 July 2023, at approximately 03:10hrs, a serious assault occurred on Market Street, Stalybridge, close to the rear of the premises. The victim of the assault was a customer at the venue until he was ejected from the premises. Following the ejection, a member of bar staff and an off-duty member of door staff subsequently left the venue and assaulted the customer in close proximity to the premises, resulting in the Police and North West Ambulance Service attending the scene to treat the victim and arrest the two males involved who were working at the premises.
- 2.6 CCTV cameras located on Market Street, Stalybridge, monitored by Tameside MBC captured the assault and operatives reported this to Licensing.
- 2.7 Upon reviewing the CCTV footage from inside the premises, it was clear that door staff working at the premises on 24 July 2023 had not taken appropriate measures to prevent this incident from occurring. The CCTV footage shows the door staff lying down, smoking and drinking in the moments preceding the victim being ejected from the premises.
- 2.8 Due to the severity of the incident and to ensure effective promotion of the licensing objectives, a meeting was arranged on 26 July 2023 between the Premises Licence Holder, Mr Ian Whittaker, Police Inspector John Cesarz and Regulatory Services Manager, Mr Mike Robinson. Following the meeting, it was agreed by the Premises Licence Holder that the

below amendments would be implemented in relation to how the venue operates in the interim period before the review hearing took place.

- **Sale by retail of alcohol**

Thursday – Saturday 21:00 – 03:00

Sunday 21:00 – 00:00

- **Opening Hours**

Thursday – Saturday 21:00 – 03:30

Sunday 21:00 – 00:30

- **Door Staff**

A minimum of 3 SIA registered door supervisors shall be employed at the premises on Thursday, Friday, Saturday and Sunday nights from 9.00 pm until 20 minutes after the premises closes. Door supervisors will wear high visibility armbands.

2.9 A copy of the email sent to Mr Whittaker following the meeting on 26 July 2023 is attached at **Appendix 4**.

2.10 Since November 2021, several serious Section 18 (Grievous Bodily Harm) assaults have taken place at the premises, involving customers and staff employed at the premises. These are detailed below:

- On 29 November 2021, the Licensing Department received information from Greater Manchester Police relating to an incident on 21 November 2021, which resulted in a male customer having part of his ear bitten off while on the dancefloor inside the venue. Greater Manchester Police arrested the offender at the scene and the victim was taken to hospital for their injuries.

- On 14 June 2022, the Licensing Department received information from Greater Manchester Police in relation to a Section 18 assault (Grievous Bodily Harm) that occurred at the premises on 12 June 2022. The offender hit the victim, allegedly with a knuckle duster, and the victim of the attack sustained lacerations to the face and a fractured eye socket. CCTV showed the offender remaining in the premises after assault and finishing his drink.

2.11 Greater Manchester Police have provided a list of incidents relating to the premises. A total number of 56 incidents are detailed within the list over a yearlong period from August 2022 until July 2023. A list of incidents provided by Greater Manchester Police relating to the premises is shown at **Appendix 5**.

2.12 The Licensing Department and Greater Manchester Police have previously attempted to work with Mr Whittaker in order to ensure that further incidents did not occur and to ensure that the licensing objectives would be promoted.

2.13 Due to an increase in crime related incidents in Stalybridge and near the vicinity of Back to the 80s, a meeting initially took place on 29 October 2021 with the Premises Licence Holder, Mr Whittaker, Mr Chris Badawed, who owns the door supervisor company employed by Mr Whittaker to operate at the premises, PC Martin Thorley and Regulatory Compliance Officer Mr James Horton.

2.14 The purpose of the meeting was to discuss a recent rise in crime related incidents, and how the venue can provide further measures to ensure the licensable objectives are being promoted. On this occasion, the Licence Holder did not wish to impose any conditions on the premises licence by means of Minor Variation. However, the Licence Holder did agree to voluntary increase door staff at the venue.

- 2.15 Following the incident that occurred on 12 June 2022, the following conditions were proposed to be attached to the licence, by way of a Minor Variation application:
- Increase door staff to minimum of 3 on Friday, Saturday and Sunday nights.
 - The use of metal detectors by door staff upon customer admission.
 - The Personal Licence Holder to be on the premises at all when times licensable activities are taking place.
- 2.16 Mr Whittaker instructed a legal representative to deal with the matter on his behalf and despite numerous attempts to agree to the conditions and reminders to submit a Minor Variation, the application was not forthcoming.
- 2.17 On 10 September 2023, an email was received from the venue's current Designated Premises Supervisor (DPS) Natalie Robinson, requesting to remove herself as DPS from the licence.
- 2.18 The Licensing Department received an application on 12 September 2023 to vary the DPS, nominating Mr Colin Campbell as the newly appointed DPS. Greater Manchester Police subsequently submitted a representation opposing the application as they were of the view that this appointment would undermine the crime prevention objective. The application was withdrawn on 18 September 2023.
- 2.19 The Premises Licence Holder has since submitted a new application on 20 September 2023 to vary the DPS and nominated Ms Taryn Harrington.

3. REPRESENTATIONS & EVIDENCE SUBMITTED

3.1 Greater Manchester Police

In addition to the review application, a supporting statement has been received from Police Inspector John Cesarz on behalf of Greater Manchester Police. This statement is attached at **Appendix 6**.

3.2 TMBC Licensing Authority

A representation has been received from Mr James Horton on behalf of TMBC Licensing Authority. This is attached at **Appendix 7**.

3.3 Public Health

A representation has been received from Mr James Mallion on behalf of Public Health. This is attached at **Appendix 8**.

3.4 TMBC Councillors

A representation has jointly been received from Stalybridge North Ward Members; Councillor Jan Jackson, Councillor Christine Beardmore and Councillor Adrian Pearce. A copy of this is attached at **Appendix 9**.

3.5 Public Representation

A representation has been received from a member of the public. This is attached at **Appendix 10**.

3.6 Greater Manchester Fire & Rescue Service

A representation has been received from Katy Rathfelder on behalf of Greater Manchester Fire & Rescue Service. This is attached at **Appendix 11**.

3.7 CCTV Footage

- CCTV footage obtained from the premises relating to the assault on 24 July 2023 and Tameside MBC operated CCTV footage relating to the assault on 24 July 2023 is attached at **Appendix 12**.

- CCTV footage obtained from the premises relating to an assault on 12 June 2022 is attached at **Appendix 13**.

4. HOME OFFICE GUIDANCE

4.1 In determining this review, the Panel must have due regard to the Guidance issued by the Home Office under section 182 of the Licensing Act 2003 and the Council's Statement of Licensing Policy 2022-2027 published pursuant to s5 of the Licensing Act 2003.

4.2 The current guidance issued by the Home Office under section 182 of the Licensing Act 2003 deals with the Powers of a Licensing Authority on the determination of a review, with particular attention being drawn to sections 12.22, 12.23 and 12.24, where a Licensing Authority considers action under its statutory powers:

12.22 The Licensing Authority must hold a full review of the Premises Licence and determine the review within 28 days after the day of receipt of the Chief Officer's application. There can be no adjournment of the hearing or delay in reaching a determination beyond the end of the 28-day period. This must take place even if the Chief Officer asks to withdraw his application or representations. At the review hearing, the Licensing Authority must consider what steps are appropriate for the promotion of the licensing objectives taking into account any change in circumstances since any interim steps were imposed, consider any relevant representations, and review the interim steps already taken (if any).

12.23 In making its final determination the steps the Licensing Authority can take are:

- the modification of the conditions of the Premises Licence;
- the exclusion of a licensable activity from the scope of the Licence;
- the removal of the Designated Premises Supervisor from the Licence;
- the suspension of the Licence for a period not exceeding 3 months; and
- the revocation of the Licence.

12.24 Modification of the conditions of the Premises Licence can include the alteration or modification of existing conditions or addition of any new conditions, including those that restrict the times at which licensable activities authorised by the Licence can take place.

5. CONCLUSION AND OPTIONS FOR THE PANEL

5.1 The Panel is requested to consider the content of this report and appendices and any oral evidence/submissions put forward at the hearing in order to determine this review and to take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. The steps available are set out at the front of the report.

This page is intentionally left blank

Premises Licence

Licensing Act 2003

PL0140

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 **Back To The 80's** **TELEPHONE:**

ADDRESS Back To The 80's, 37 - 39 Market Street, Stalybridge, Tameside, SK15 2AA

WHERE THE LICENCE IS TIME LIMITED THE DATES:

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE:

- | | |
|----------|---|
| E | - Performance Of Live Music; |
| F | - Playing Of Recorded Music; |
| 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
E - Performance Of Live Music (Indoors)	Monday - Sunday	11:00 - 03:00
F - Playing Of Recorded Music (Indoors)	Monday - Sunday	11:00 - 03:00
G - Performance Of Dance (Indoors)	Monday - Sunday	11:00 - 03:00
J - Sale by retail of alcohol (Both)	Monday - Sunday	11:00 - 03:00
N - Provision of Regulated Entertainment (Indoors)	Monday - Sunday	11:00 - 03:00

THE OPENING HOURS OF THE PREMISES:

Description	Times
Monday-Sunday	11:00 03:00

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

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

Mr Ian Peter Whittaker

Tel:

Email:

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:

Taryn Georgia Harrington

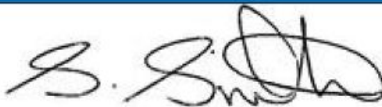
Tel:

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

Licence Number: **261314**

Licensing Authority Issued by: **Manchester**

SIGNED ON BEHALF OF THE ISSUING LICENCE AUTHORITY



Sharon Smith

Head of Public Protection - Operations & Neighbourhoods

Date on which this licence takes effect:

30th June 2005

ANNEXES

Annex 1 – Mandatory conditions

On & Off Licence Premises

1. 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.

2. 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).

3. 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.

4. 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.

5. 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).

6. Free Potable Water

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

7. Alcoholic Drinks Measures

1. 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.

8. Permitted Price of Alcohol

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

For the purposes of the condition

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula-

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

where-

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

Annex 2 – Conditions consistent with the Operating Schedule

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

Objective superseded by variation below dated 24.09.2014

(b) The prevention of crime and disorder

Objective superseded by variation below dated 24.09.2014

(c) Public safety

Objective superseded by variation below dated 24.09.2014

(d) The prevention of public nuisance

Objective superseded by variation below dated 24.09.2014

(e) The protection of children from harm

Objective superseded by variation below dated 24.09.2014

CONDITIONS AS PER WRITTEN AGREEMENT FOLLOWING A MINOR VARIATION APPLICATION AGREED 24th SEPTEMBER 2014.

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.

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.

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.

Door Staff

A minimum of 2 SIA registered door supervisors shall be employed at the premises on Friday and Saturday nights and also New Years Eve from 9.00 pm until 20 minutes after the premises closes. Door supervisors will wear high visibility armbands.

Door Staff Policy

The management shall produce and implement a Door Supervisor Policy which includes details of disciplinary procedures, and the managements expectations as to the behaviour and professionalism of the door staff. This policy will be submitted to GMP and the Licensing Manager on first implementation and following any subsequent changes to the policy.

Door Staff Log

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

This will include the following details:

- (i) The door staff names, dates of birth and home addresses;
- (ii) Full details, name, address and contact number of employment agency used

And for each individual period of trading:

- (iii) The name of the individual member of door staff
- (iv) His/Her Security Industry Authority licence number
- (v) The time and date He/She starts and finishes duty
- (vi) The time of any breaks taken whilst on duty
- (vii) Each entry shall be signed by the door supervisor, DPS or nominated person

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

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.

Sport Condition

Whenever the Premises Licence Holder / Designated Premises Supervisor is notified by Greater Manchester Police of a Category C (high risk) football fixture and that fixture is to be screened at the premises, there shall be a minimum of 2 door supervisors from 30 minutes prior to kick off until 1 hour after the conclusion of the fixture or 30 minutes after close, whichever is the sooner.

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

Annex 4 – Authorised Plans

Premises Licence Summary

Licensing Act 2003

PL0140

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 **Back To The 80's** **TELEPHONE:**

ADDRESS Back To The 80's, 37 - 39 Market Street, Stalybridge, Tameside, SK15 2AA

WHERE THE LICENCE IS TIME LIMITED THE DATES:

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE:

- E** - **Performance Of Live Music;**
- F** - **Playing Of Recorded Music;**
- 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
E - Performance Of Live Music (Indoors)	Monday - Sunday	11:00 - 03:00
F - Playing Of Recorded Music (Indoors)	Monday - Sunday	11:00 - 03:00
G - Performance Of Dance (Indoors)	Monday - Sunday	11:00 - 03:00
J - Sale by retail of alcohol (Both)	Monday - Sunday	11:00 - 03:00
N - Provision of Regulated Entertainment (Indoors)	Monday - Sunday	11:00 - 03:00
	Monday - Sunday	11:00 - 03:00

THE OPENING HOURS OF THE PREMISES:

Description	Times
Monday-Sunday	11:00 03:00

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

PL0140

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

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

Mr Ian Peter Whittaker

Tel:

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:

Taryn Georgia Harrington

Tel:

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

Access to the premises by children is prohibited

SIGNED ON BEHALF OF THE ISSUING LICENCE AUTHORITY

A handwritten signature in black ink, appearing to read 'S. Smith'.

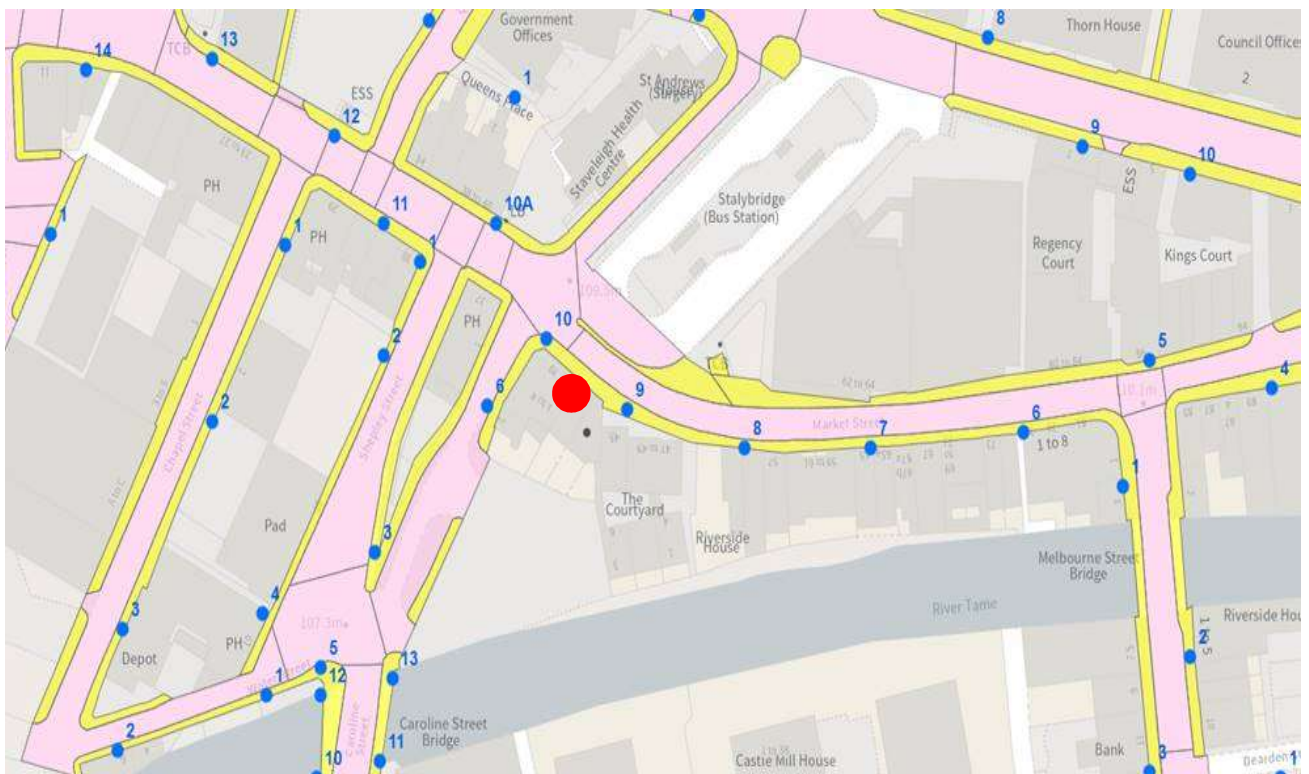
Sharon Smith

Head of Public Protection - Operations & Neighbourhoods

Date on which this licence takes effect:

30th June 2005

This page is intentionally left blank



 = BACK TO THE 80S

This page is intentionally left blank



**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 Inspector 12829 John Cesarz of the Greater Manchester Police

(Insert name of applicant)

**apply for the review of a premises licence under section 51 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	
Back To The 80's 37 – 39 Market Street	
Post town Stalybridge	Post code (if known) SK15 2AA

Name of premises licence holder or club holding club premises certificate (if known)
Ian Whittaker

Number of premises licence or club premises certificate (if known)
PL 0140

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible
authority (please read guidance note 1, and complete (A)
or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates
(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Greater Manchester Police Ashton H.Q Manchester Road Ashton under Lyne OL7 0BQ
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

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 | |
| 4) the protection of children from harm | |

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

A review is being sought under the following grounds:

- THE PREVENTION OF CRIME AND DISORDER
- PUBLIC SAFETY

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

Greater Manchester Police believe that the management of the premises have not upheld the licensing objectives in relation to the premises licence - specifically Prevention of Crime and Disorder and Public Safety.

At approximately 03:10hrs on Monday 24th July 2023 a serious assault occurred close to the Back to the 80's Bar 37 Market Street Stalybridge whereby the victim had been inside the bar. He was asked to leave the premises and was subsequently ejected from the premises and the shutters were closed ,

After ejection an off-duty member of door staff and a member of bar staff who was working at the premises have then come out from the premises and proceeded to attack the victim kicking him to the floor and then seen on CCTV to hold the male down whilst the other proceeds to kick and stamp on the victims head as a result the victim has received a deep gash to the nose and facial injuries.

Police attended the incident along with colleagues from North West Ambulance Service, the victim received treatment and the offenders were identified at the scene and subsequently arrested.

A member of door staff who was on duty at the time of the assault came out from the premises after the attack and called an ambulance, however this individual was uncooperative with the Police upon arrival.

The victim of this assault has been treated for his injuries at hospital and is co-operating with Police.

Officers have viewed the footage of the CCTV at the premises and the Council controlled CCTV outside the premises which shows the assault taking place.

This investigation is currently in its infancy and police enquiries are continuing into this serious incident. This a serious assault resulting in potentially serious injuries.

The premises licence holder of this premises has previously been engaged with by licensing officers in relation to other serious incidents which have taken place within, or immediately outside the premises. It is particularly concerning that the most incident involves staff members seriously assaulting a customer.

On 26th July 2023, a meeting took place between the premises licence holder, Greater Manchester Police and the Licensing Authority. The purpose of the meeting was to discuss the incident on 24th July 2023 and to seek reassurance that licensing objectives would be promoted with immediate effect. Greater Manchester Police gave serious consideration to submitting an Expedited Review. The result of the meeting was to agree a reduction of licensable hours on a Sunday and an increase of door staff from 9pm until 20 minutes after the premises closes on Thursday, Friday, Saturday and Sunday.

In order to ensure the licensing objectives and the prevention of crime and disorder and public safety are being promoted, Greater Manchester Police request that the licensing authority consider the suspension of the premises licence until the full review is heard before the committee.

I feel that a permanent reduction of hours and increased door staff to be in place at

the premises is necessary and proportionate to ensure the licensing objectives are promoted, public safety is improved and the likelihood of further incidents is reduced.

Please tick ✓ yes

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

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

yes

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

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE

STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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 

Date27/07/2023.....
.....

Capacity **Inspector 12829 Johb Cesarz (Prevention Hub Inspector)** Tameside Division G.M.P.
.....

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.

James Horton

Subject: FW: Back To The 80's - Meeting on 26 July 2023

Importance: High

From: Mike Robinson

Sent: 26 July 2023 22:23

To: Ian Whittaker <[REDACTED]>

Cc: John Ce-Sarz [REDACTED]

Subject: Back To The 80's - Meeting on 26 July 2023

Importance: High

Dear Ian

I am emailing to confirm outcome of our meeting this afternoon.

As you are aware we met, along with John Cesarz (Inspector – GMP Prevention Hub) to discuss the incident which took place on Monday 24 July 2023 at approximately 03:10hrs, where two members of staff (a bar man and off-duty security staff) who work at the premises seriously assaulted a customer.

The customer had been ejected from the premises, he then walked away and the shutters were closed. The offenders then pursued the victim down Market Street and kicked/punched the victim to the ground, before repeatedly kicking him in the head. One of the offenders was seen to hold the victim down, whilst the other punched/kicked the victim.

The offenders were subsequently arrested and this matter is being dealt with by the Police.

Given the severity of the incident, the Police had given consideration to submit an Expedited Review of the premises licence and seek a suspension of the licence, pending a full review hearing.

The purpose of the meeting this afternoon was to provide you with the opportunity to reassure GMP and the Licensing Authority that the licensing objectives could be promoted, the licence remain unsuspended and avoid the necessity of an Expedited Review – this was to be achieved by agreeing amendments to the licensable hours and/or amendment of the conditions, prior to an ordinary review application (s51 Licensing Act 2003) being submitted by GMP, and it was proposed that the agreement should remain in place until the outcome of the review hearing.

It was initially proposed that the times authorising the sale of alcohol, be reduced to midnight Monday - Sunday and that the number of door staff be increased on each day the premises is open and trading to the public.

You informed myself and John that the premises currently trades Thursday – Sunday and that incidents took place on Thursdays and Sundays as customers drank more at the start and end of the weekend. You said that Friday and Saturday nights were incident free.

Further, you said that reducing the hours to midnight on all nights would result in bankruptcy and would put you out of business. You were advised that the main concern was reaching a position where the public were kept safe.

You said that in response to the incident this week, you had decided to implement a policy that staff members would no longer be permitted to stay and drink alcohol on any premises which you run, after they had completed their shift. You said that this policy would also be adopted by the security company you employ at your premises – Badawed Professional Security.

Following the discussion it was agreed that the following amendments to the way you operate with regards to licensable activities and the condition relating to door staff:

Sale by retail of alcohol

Thursday – Saturday 21:00 – 03:00

Sunday 21:00 – 00:00

Opening Hours

Thursday – Saturday 21:00 – 03:30

Sunday 21:00 – 00:30

Door Staff

A minimum of 3 SIA registered door supervisors shall be employed at the premises on Thursday, Friday, Saturday and Sunday nights from 9.00 pm until 20 minutes after the premises closes. Door supervisors will wear high visibility armbands.

If you remain in agreement with the above, please can you confirm by email as soon as possible to avoid the Police submitting an expedited review.

As advised during the discussion, all available options remain available to the Panel at the review hearing, which they consider to be necessary in order to promote the licensing objectives:-

- Modify the conditions of the licence
- Exclude a licensable activity from the scope of the licence
- Remove the designated premises supervisor
- Suspend the licence for a period not exceeding 3 months
- Revoke the licence

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

Kind regards

Mike

Mike Robinson

Regulatory Services Manager (Licensing and Waste Enforcement)

Environmental Services (Public Protection)

Operations and Neighbourhoods

Place

[Tameside MBC](#) | [Twitter](#) | [Facebook](#) | [Instagram](#) | [LinkedIn](#)

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

Tel. [REDACTED]

Mobile. [REDACTED]

Fax. [REDACTED]

This email was sent at a time & date convenient to the sender; please do not feel under any pressure to respond immediately if this is outside your normal working hours.

Email Disclaimer <http://www.tameside.gov.uk/disclaimer>

I am supporting
National Smile Month
because we all should brush for better health.



For more information and resources
please visit

www.smilemonth.org

Follow us and upload your smiley selfies using
#MySmileySelfie



This page is intentionally left blank

Category	Month	Day	Hour	Created on	Description
Incident	Aug:22	Mon	02	01/08/2022 02:46	6x males fighting 6x males fighting in venue
Incident	Aug:22	Fri	23	26/08/2022 23:32	MALES WITH BB GUN OCCUPANTS OF A RED NISSAN MICRA HAVE BEEN DRIVING AROUND FIRING A BB GUN AT THE STAFF OF THIS PUB AND ALSO THE WHITEHOUSE PUB NO INJURIES MENTIONED
Crime	Aug:22	Sat	00	27/08/2022 00:25	***NEW CRIME***Unknown males in a red nissan micra reported as firing a bb gun at door staff and customers at Back to The 80's and The Whitehouse pubs in Stalybridge town centre.
Incident	Sep:22	Sun	13	11/09/2022 13:33	Theft of phone Occurred Thursday 08/09/2022 gone out to Back To The 80's nightclub Stalybridge - victim went to friends house with partner after and realised her phone and jacket had been stolen. Victim believes phone was stolen in the nightclub.
Crime	Sep:22	Sun	13	11/09/2022 13:45	Unknown offender approaches the victims jacket with her phone in from unknown direction by unknown means. Offender steals victims phone and jacket by unknown means.
Incident	Sep:22	Mon	02	12/09/2022 02:08	AGGRESSIVE CUSTOMER Inf is door staff here - reporting aggressive male customer hanging around, has pinned a girl up in the toilets earlier, been ejected, but still hanging about outside. This female is still inside the club also.W/male, early 40`s, shorts, black trainers, black T-shirt, bald headed, tattoos on arm
Crime	Sep:22	Mon	18	12/09/2022 18:00	****DIT B*****offender is xxx inside premises and refuses to leave. offender pushes female victim whilst inside and alerts informant who is staff. offender makes from location in a taxi after speaking with police at the scene.
Incident	Sep:22	Sun	23	25/09/2022 23:01	MALES WITH WEAPON INF STATES 2 MALES HAVE APPROACHED THE VENUE WITH A KNUCKLE DUSTER - DOOR STAFF HAVE TOOK THIS OFF THE MALES AND ALLOWED THEM ACCESS - THEY HAVE THEN BEEN THROWN OUT 10 MINUTES AGO FOR HAVING COCAINE AND GAVE THE KNUCKLE DUSTER BACK TO THE MALES - NO IDEA WHY THEY HAVE DONE THIS. INF STATES THEY HAVE TOLD OTHER VENUES NOT TO ALLOW THEM ACCESS AND WORRIED THIS IS GOING TO CAUSE ESCALATION AND WORRIED AS THEY HAVE A KNUCKLE DUSTER ON THEM. MALES ARE CURRENTLY OUTSIDE ZEROS BAR ON MARKET STREET.

Incident	Sep:22	Sun	23	25/09/2022 23:20	2 males with knuckle duster Caller reporting 2 males in bar. 1 of the males has a knuckle duster. Caller found cocaine on one of the males and got them out of the bar and they went to Zero's bar but they have just returned to the bar now.
Crime	Sep:22	Mon	03	26/09/2022 03:10	unknown male was in possession of a knuckle duster in a public place. then left in unknown direction.
Incident	Oct:22	Mon	00	03/10/2022 00:20	FEMALE PUSHED OVER MALES RESPONSIBLE HAVE GONE OFF IN A CAR
Crime	Oct:22	Mon	13	03/10/2022 13:26	AP REPORTS a male trying to assault him, UNKNOWN LEVEL OF INJURYS, RESULTING IN AP PHONING POLICE,
Incident	Nov:22	Sat	01	05/11/2022 01:38	DISTURBANCE ONGOING
Crime	Nov:22	Sat	02	05/11/2022 02:21	Known offender has directed threats to shoot a bouncer after being ejected from Back to the 80's in Stalybridge.
Incident	Nov:22	Mon	12	28/11/2022 12:36	61749 MISC THEFT occurred approx 0200hrs & 0300hrs 28/11/22. Inf (AP) had took his small weekend case to the venue and realised it was gone - left unattended. n/k if cctv. no witnesses. stolen - weekend suitcase black/tan/orange zip value £100.00. clothing total value £300HP laptop value n/k. bank card BARCLAYS CREDIT CARD - canx'd. tom ford aftershave value £80.00. hair clippers value £50.00
					MISC THEFT occurred approx 0200hrs & 0300hrs 28/11/22. Inf (AP) had took his small weekend case to the venue and realised it was gone - left unattended. n/k if cctv. no witnesses. stolen - weekend suitcase black/tan/orange zip value £100.00. clothing total value £300HP laptop value n/k. bank card BARCLAYS CREDIT CARD - canx'd. tom ford aftershave value £80.00. hair clippers value £50.00
Crime	Nov:22	Mon	12	28/11/2022 12:58	MISC THEFT occurred approx 0200hrs & 0300hrs 28/11/22. Inf (AP) had took his small weekend case to the venue and realised it was gone - left unattended. n/k if cctv. no witnesses. stolen - weekend suitcase black/tan/orange zip value £100.00. clothing total value £300HP laptop value n/k. bank card BARCLAYS CREDIT CARD - canx'd. tom ford aftershave value £80.00. hair clippers value £50.00
RoC	Dec:22	Sat	01	03/12/2022 01:22	152-031222 UPDATED
RoC	Dec:22	Sat	01	03/12/2022 01:53	X REF 152 021222 SEE LOG TICKER
Crime	Dec:22	Sat	03	03/12/2022 03:46	Unknown offender approaches AP outside a night club and during altercation, offender scratches AP's neck causing red scratches to AP's neck.

Incident	Dec:22	Thu	23	08/12/2022 23:46	Bouncer assaulted. Has just been punched in the face. Just happened then suspect jumped in car and left BMW 3 series in silver. CCTV of incident available. Inft said Blonde short hair 5ft 9 early 30's brownish jacket tracksuit bottoms. White male small amount of facial hair. No VRM avail. Unknown where they are now. Inft said they are banned from premises and have tried gain entry and when inft refused has been punched once in the face. Advised call back if they return
Crime	Dec:22	Fri	14	09/12/2022 14:15	**Arrest** Bouncer assaulted. Has just been punched in the face. Just happened then suspect jumped in car and
RoC	Dec:22	Sat	21	10/12/2022 21:54	LOG 3017-T UPDATED
Incident	Dec:22	Sat	02	24/12/2022 02:11	female making threats female has punched callers veh and and and is refusing to leave.. she is xxx and keeps coming back at caller trying to assault him
Crime	Dec:22	Sat	04	24/12/2022 04:28	Known offender who is XXX has been kicked out of back to the 80s and has been verbally aggressive to one of the bouncers who she has slept with on a couple of occasions and has kicked his car causing a dent to the door.
Incident	Dec:22	Sat	21	24/12/2022 21:59	MALE KICKING OFF 04172 - Whilst conducting enquiries on log 2765-2412222, a male has been kicking off outside the above location. One further patrol required
Incident	Jan:23	Sun	03	01/01/2023 03:17	MALE ARRESTED D AND D
Incident	Jan:23	Sat	10	14/01/2023 10:34	Assault section 47. happened about 02.00amAP went outside to order a taxi and he was attacked by unknown Offender/s, its all a bit of a blur to the AP as said he has had a drink. AP only remembers getting up off the floor and tooth was missing . AP has cuts and bruises on his face a cut on his lip and a cut on his eyebrow and a chipped tooth and a graze on his cheek.graze on knee.
Crime	Jan:23	Sat	11	14/01/2023 11:00	Assault section 47. happened about 02.00amAP went outside to order a taxi and he was attacked by unknown Offender/s, its all a bit of a blur to the AP as said he has had a drink. AP only remembers getting up off the floor and tooth was missing . AP has cuts and bruises on his face a cut on his lip and a cut on his eyebrow and a chipped tooth and a graze on his cheek.graze on knee.
Incident	Jan:23	Mon	01	23/01/2023 01:26	AGGRESSIVE MALES TRYIG TO FIGHT WITH DOORSTAFF INSIDE AND OUTSIDE THE VENUE APPROX 12 MALES NO WEAPONS SEEN ALL XXX

Incident	Jan:23	Mon	02	23/01/2023 02:29	ASSAULTED BY 2 MALES POLICE HAVE ALREADY ATTENDED AND WHEN POLICE LEFT MALE WAS ASSAULTED, 2 MALES PUSHED THE CALLER AND ONE PUNCHED MALE IN THE FACE. HAPPENED 20-25 MINUTES AGO. CALLER SAID THERE IS CCTV THAT SHOW THE MALE BEING ASSAULTED.NO WEAPONS SEEN. MALE BELIEVES HE HAS A BROKEN HAND FROM PROTECTING HIMSELF AND IS BLEEDING FROM HIS HEAD.
Crime	Jan:23	Mon	14	23/01/2023 14:07	ASSAULTED BY 2 MALES POLICE HAVE ALREADY ATTENDED AND WHEN POLICE LEFT MALE WAS ASSAULTED, 2 MALES PUSHED THE CALLER AND ONE PUNCHED MALE IN THE FACE. HAPPENED 20-25 MINUTES AGO. CALLER SAID THERE IS CCTV THAT SHOW THE MALE BEING ASSAULTED.NO WEAPONS SEEN. MALE BELIEVES HE HAS A BROKEN HAND FROM PROTECTING HIMSELF AND IS BLEEDING FROM HIS HEAD.
Crime	Jan:23	Sat	14	28/01/2023 14:48	2X UNKNOWN MALES HAVE GOT INTO AN ARGUMENT WITH AP AND MADE THREATS TO KILL HER.
Incident	Jan:23	Mon	13	30/01/2023 13:17	THEFT OF MOBILE PHONE Occurred 30/01/23 at approximately 03:00. AP/INF handed if phone to offender to swap numbers and offender made off with it.
Crime	Jan:23	Mon	13	30/01/2023 13:33	THEFT OF MOBILE PHONE Occurred 30/01/23 at approximately 03:00. AP/INF handed if phone to offender to swap numbers and offender made off with it.
Incident	Mar:23	Fri	01	03/03/2023 01:10	assault inf reporting there is a known offender on door watch who has turned up to the address, trying to force his way into the venue and has assaulted one of the door staff.
Crime	Mar:23	Fri	15	03/03/2023 15:46	assault inf reporting there is a known offender on door watch who has turned up to the address, trying to force his way into the venue and has assaulted one of the door staff.
Crime	Mar:23	Fri	16	03/03/2023 16:09	assault inf reporting there is a known offender on door watch who has turned up to the address, trying to force his way into the venue and has assaulted one of the door staff.
Incident	Mar:23	Fri	18	03/03/2023 18:03	ASSAULT Occ- 03/03/2023 at approx. 0100- Two male offenders (Offender 1 Connor and offender 2 unknown male) on pub watch has turned up to the address trying to force his way in. Offender1 has assaulted one the AP by punching him in the face causing no injuries. Offender2 has also elbowed AP's colleague in the jaw causing a broken tooth. Offender then got in a flatbed truck and driven off in direction of Ridge Hill Lane.

Incident	Apr:23	Sun	16	30/04/2023 16:05	73552SEC18 ATTEMPT WITH PINT GLASS AP HAS BEEN IN A NIGHTCLUB AND SEEN A FEMALE SHE HAS AN ISSUE WITY. THE FEMALE HAS BECOME VERBALLY ABUSIVE TO APS FRIENDS AND AP HAS ASKED HER TO GO AND SHES NOT WELCOME IN THE CLUB. THE FEMALE HAS THROWN A PINT GLASS WHICH HAS BOUNCED OFF APS HEAD, THE FEMALE'S BF HAS THEN THROWN A PINT POT IN APS FACE RESULTING IN A 1INCH CUT FROM EYEBROW TO BRIDGE OF NOSE
Crime	Apr:23	Sun	16	30/04/2023 16:40	**MASTER CRIME**during verbal altercation between two groups, known offender has thrown glass at victim causing a 2cm cut to her nose
Crime	Apr:23	Sun	16	30/04/2023 16:52	**LINKED CRIME**during verbal altercation between two groups, known offender has thrown a glass at victim and then within minutes has dragged her down by her hair causing no injury
Crime	May:23	Sat	17	06/05/2023 17:31	**LINKED CRIME**Third party report to the police that known offender has thrown drink over victim's face and then assaulted victim by punching her to the face
Crime	May:23	Sat	16	27/05/2023 16:30	73062 - theft by finding OCC- 27/05/23 03:00 AP JUMPED IN A TAXI OUTSIDE THE CLUB UNKNOWN WHAT THE TAXI COMPANY IS CALLED AP HAD HIS PHONE IN THE TAXI & STATES HE NOTICED IT WAS MISSING HE THINKS HES EITHER DROPPED IT IN THE TAXI OR LEFT IT ON THE SEAT. VEHICLE DESCRIBED AS BLACK SMALL MINIBUS.IPHONE 14 PRO WHITE/GOLD SERVICE PROVIDER VIRGIN MOBILE ON CONTRACT VALUE OF PHONE £1000 - 07305365078
Incident	May:23	Sun	12	28/05/2023 12:14	Assault Occurred 01:30-02:00 28/05/23Manager Natalie reporting assault on a staff member. Susp Jordan is barred from the venue. Jordan barged through staff when refused entrance. Door security Wayne stepped in Jordan's path. Jordan threw a punch at Wayne hitting Wayne on the right side of his head. Wayne has first aid administered. Ice applied to face. Wayne has swelling to right side of face, cheeky bone and ear.Wayne has not attended hospital
Crime	May:23	Sun	12	28/05/2023 12:45	@ Manager Natalie reporting assault on a staff member. Susp Jordan is barred from the venue. Jordan barged through staff when refused entrance. Door security Wayne stepped in Jordan's path. Jordan threw a punch at Wayne hitting Wayne on the right side of his head. Wayne has first aid administered. Ice applied to face. Wayne has swelling to right side of face, cheeky bone and **Incident description is over 500 characters, please see ControlWorks incident**
Incident	Jun:23	Sat	17	10/06/2023 17:17	Info At 01:30 on 10/06/2023, the suspect has dropped outside the venue a packet containing a large quantity of what is suspected as cocaine.

Crime	Jun:23	Sun	03	18/06/2023 03:25	An allegation has been made that a male has tried to gain entry to Back to the 80's but he has been refused by the door staff. The male has then made a racial slur towards one of the door staff and made a threat of violence towards him.
Crime	Jun:23	Fri	03	30/06/2023 03:35	Offender has been at night club and refused entry when offender has pulled a stanley knife out on door staff and said "IA M GOING TO SLIT YOUR THROAT"" causing AP fear "
Incident	Jul:23	Sun	01	02/07/2023 01:22	FEMALE SAYING SHE HAS BEEN ASSAULTED JUST FEMALE ON THE LINE SAYING SHE HAS BEEN "DRAGGED OUT"" OF THE ABOVE NIGHTCLUB FOR NO REASON BY A FEMALE BOUNCER - NO INJURIES - BOUNCER HAS GONE BACK INTO THE NIGHTCLUB NOW AND IS REFUSING TO PROVIDE HER DETAILS - FEMALE IS QUITE IRATE ON THE PHONE + SAID SHE WANTS CCTV CHECKING AS SHE AND HER FRIEND HAVE BEEN ""DRAGGED OUT"" - FEMALE REFUSING TO LEAVE THE OUTSIDE OF THE NIGHTCLUB"
Crime	Jul:23	Sun	12	02/07/2023 12:14	FEMALE SAYING SHE HAS BEEN ASSAULTED JUST FEMALE ON THE LINE SAYING SHE HAS BEEN "DRAGGED OUT"" OF THE ABOVE NIGHTCLUB FOR NO REASON BY A FEMALE BOUNCER - NO INJURIES - BOUNCER HAS GONE BACK INTO THE NIGHTCLUB NOW AND IS REFUSING TO PROVIDE HER DETAILS - FEMALE IS QUITE IRATE ON THE PHONE + SAID SHE WANTS CCTV CHECKING AS SHE AND HER FRIEND HAVE BEEN ""DRAGGED OUT"" - FEMALE REFUSING TO LEAVE THE OUTSIDE OF THE NIGHTCLUB"

Assault/Aggression	21
DOOR STAFF/BOUNCER	14
Theft	7
Offensive Weapons	4
Sexual Assault	2
Driving Offences	2
Drugs	1

Category	Month	Day	Hour	Created on	Description
Crime	Jul:23	Mon	06	24/07/2023 06:37	AP has been ejected from Back To The 80's. DP's who are bouncers at the venue have followed, one has pinned the AP down whilst the other DP has kicked the AP in the head multiple times.
Incident	Jul:23	Thu	12	27/07/2023 12:45	DAMAGE ONLY RTC . RE LOG 873 AA VEH HAS COME TO RECOVER A VEH INVOLVED IN THIS , HGV HAS TRYED TO TAKE CORNER AND HIT THE AA VEH ..
Incident	Jul:23	Sat	09	29/07/2023 09:10	THREATS TO KILL INF REPORTING LAST NIGHT ABOUT 1200HRS SHE WAS OUT IN HER LOCAL PUB AND SHE SAW HER EX BOYFRIEND AND HIS SISTER, INF SAID SHE WAS JUST OUT TRYING TO ENJOY HER NIGHT AND THEY KEPT FOLLOWING HER AROUND THE PUB AND INF SAID THEY BOTH KEPT TRYING TO INSTIGATE A FIGHT, INF SAID THE SISTER KEPT GOING UP TO HER SAYING "ARE YOU STARTING ARE YOU STARTING""
Crime	Jul:23	Sat	10	29/07/2023 10:03	THREATS TO KILL INF REPORTING LAST NIGHT ABOUT 1200HRS SHE WAS OUT IN HER LOCAL PUB AND SHE SAW HER EX BOYFRIEND AND HIS SISTER, INF SAID SHE WAS JUST OUT TRYING TO ENJOY HER NIGHT AND THEY KEPT FOLLOWING HER AROUND THE PUB AND INF SAID THEY BOTH KEPT TRYING TO INSTIGATE A FIGHT, INF SAID THE SISTER KEPT GOING UP TO HER SAYING "ARE YOU STARTING ARE YOU STARTING""
Incident	Jul:23	Sun	02	30/07/2023 02:34	male being aggressive inf reports he is a security guard and has confiscated the drugs for a male
Incident	Aug:23	Fri	02	04/08/2023 02:18	Lost property Caller reporting he has lost his keys - on the keyring was volcanic rock, multiple door keys, multiple car keys. Spoke to bar staff who state that they have searched the venue multiple times, and that caller has been insulting the staff and calling them names. I asked caller if he believes that his keys have been stolen or if he has lost them - he confirmed that he believes he has lost them. Caller advised to contact an emergency locksmith so that he can get into his house - caller states that he does not have enough money. Caller states he has £70 on him and £100 inside the house - I have advised him that this is enough for an emergency locksmith.

Incident	Aug:23	Wed	15	16/08/2023 15:35	Aggressive male Inft states 24/07/2023 states that a victim has been threatened and paid off by the owner of the bar to not say anything following an assault with the doorman. She states that she knows this as the doorman sent her a message telling her and states she knows what goes on in that bar because there is a lot of illegal activity in the bar. She states she has taken screenshots on the messages through facebook but is concerned that he may harm her as "too many people keep getting hurt""."
Crime	Sep:23	Sun	16	10/09/2023 16:54	theft of bag bag stolen and bank cards taken and mobile phone house keys

This page is intentionally left blank

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

--	--	--	--

Statement of: John Cesarz

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Officer

This statement (consisting of 1 page(s) 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 in it anything which I know to be false, or do not believe to be true.

Signature: J Cesarz

(witness) Date:

I am Inspector 12829 Cesarz of the Greater Manchester Police. I am currently based at Ashton Under Lyne police Station.

I am the Inspector for the Tameside Prevention Hub , and as part of my role the Chief Constable for Greater Manchester Police Stephen Watson, has delegated the powers conferred to him under the Licencing Act 2003 to myself.

I have raised concerns over the over the management of the back to the 80's bar in Stalybridge and their capability to run a safe venue for members of the public to visit.

At approximately 0313 hrs on Monday 24th July 2023 a serious assault occurred close to the Back to the 80s Bar 37 Market Street Stalybridge whereby the victim had been inside the bar causing issues and has made comments to off duty staff (bar staff and security staff) within the bar the A/P was subsequently ejected from the premises and the shutters were closed , the a/p has made further comments after ejection the said off duty staff have then come out from the premises and proceeded to attack the victim knocking him to the floor and then seen on CCTV to hold the male down whilst the other proceeds to kick and stamp on the a/ps head as a result the a/p has received a deep gash to the nose and facial injuries.

Police attended the incident along with colleagues from, NWAS the a/p received treatment and the offenders were identified at the scene and subsequently arrested.

The victim of this assault has been treated for his injuries at hospital and is co-operating with Police

Officers have viewed the footage of the council CCTV outside the premises, which shows the assault taking place.

Greater Manchester Police gave serious consideration to submitting an expedited review in relation to this incident and to requesting a suspension of the licence. I met with the premises licence holder, Ian Whittaker and Mike Robinson, Licensing Manager on 26 July 2023. Mr Whittaker gave assurances that the premises would comply with a request to

Signature:

Signature witnessed by:

Page 53

reduce hours on a Sunday night and to additional agreed conditions regarding door staff and staff not drinking on the premises after they had finished work.

Having looked at data in relation to the premises there are frequently issues at the premises around closing time particularly on Saturdays and Sundays these include customers causing issues, drugs being located, issues with door staff in relation to dealing with customers. The demand at this location puts pressure not only on police resources and those of other agencies like NWS and NHS but also puts members of the public at risk of injury as a result of incidents that occur within and around the premises. A log of incidents reported to GMP and reported to have taken place at this premises between August 2022 – July 2023 is attached as Exh Ref JC/1

It is clear to me that whilst revocation of the licence remains an option for Panel, a reviewing of the licensing times and conditions is required to ensure that these premises are run safely and effectively and that it is a safe venue for members of the public to frequent

Signature: 

Signature witnessed by:

Signature:

Signature witnessed by:

Witness contact details

Home address: Ashton Under Lyne DHQ Postcode:

Home telephone No: Work telephone No:

Mobile: E-mail address:

Preferred means of contact (specify details):

Best time to contact (specify details):

Gender: Male Date and place of birth:

Former name: Ethnicity Code (16 + 1): W1

DATES OF WITNESS NON-AVAILABILITY:

Witness care

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

Witness Consent (for witness completion)

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

Signature of witness: PRINT NAME: J Cesarz

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

Address and telephone number (of parent etc.), if different from above:

Statement t

Station: Ashton Under Lyne

Time and pl

Signature

Signature witnessed by:

Signature:

2010/11

Signature witnessed by:

Page 56

LICENSING ACT 2003**Representation Re: Application for Review of a Premises Licence**

From:	The Licensing Section, Tameside Metropolitan Borough Council
To:	The Licensing Section, Tameside Metropolitan Borough Council
Date:	Thursday 24 th August 2023
	Back to the 80s, 37-39 Market Street, Stalybridge, SK15 2AA
Date of Application:	Wednesday 26 th July 2023

The Licensing Authority, in its capacity as a 'Responsible Authority' under the provisions of the Licensing Act 2003, hereby give notice of our representation supporting the Application for Review of a Premises Licence by Greater Manchester Police in respect of the above premises.

The operation of the named premises in recent years has consistently undermined the licensing objectives namely, the prevention of crime and disorder and public safety.

On 25th March 2019, Regulatory Compliance Officer - Brad Byrne conducted a licensed premises compliance inspection. The findings at the time of visit indicated the venue was not operating in accordance with the relevant premises licence. Furthermore, the venue was in breach of at least four licensing conditions attached to the premises licence. In regards to the conditions breached, please see below:

- No written evidence of any staff training for any member of staff at the premise.
- No door staff policy in place.
- Weekly CCTV checks were not documented.
- No signage present reminding patrons of the 'zero tolerance' policy in place in respect of the use and/or supply of illegal drugs on the premise.

On 29th October 2021, in the company of PC Thorley, I met with Mr Ian Whittaker (Premises Licence Holder) and the Mr Chris Badawed, who owns the door supervisor company employed by Mr Whittaker to operate at the premises. The meeting was in relation to a rise in incidents in and around the vicinity of the premises and also alleged spikings in licensed premises. Mr Whittaker and Mr Badawed confirmed that there had been an increase in customers following the lifting of covid restrictions and the premises was much busier. Following the meeting, the licence holder agreed to voluntarily nominate extra door staff to ensure effective promotion of the licensing objectives, mainly regarding public safety.

Following this meeting there have been several serious Section 18 (Grievous Bodily Harm) assaults which have taken place involving customers, or staff of the premises. These are detailed below:

- 1) On 29th November 2021, the Licensing Department received information from Greater Manchester Police relating to an incident on 21st November 2021, which resulted in a male customer having part of his ear bitten off while on the dancefloor inside the venue. Greater Manchester Police arrested the offender at the scene and the victim was taken to hospital for their injuries.
- 2) On 14th June 2022, the Licensing Department received information from Greater Manchester Police in relation to a Section 18 assault that occurred at the premises on 12th June 2023. The offender hit the victim, allegedly with a knuckle duster and the victim of the attack

sustained lacerations to the face and a fractured eye socket. CCTV showed the offender remaining in the premises after assault and finishing his drink. CCTV provided by the premises was retained and will be shown at the review hearing.

Following the incident in June 2022, the Licensing Department attempted to work with Mr Whittaker in order to ensure that further incidents did not occur and to ensure that the licensing objectives would be promoted. The following conditions were proposed to be attached to the licence, by way of a Minor Variation application:

- Increase door staff to minimum of 3 on Friday, Saturday and Sunday nights
- The use of metal detectors by door staff upon customer admission.
- Personal licence holder to be on the premises at all times licensable activities are taking place

Mr Whittaker instructed a legal representative to deal with the matter on his behalf and despite numerous attempts to agree the conditions and reminders to submit a minor variation, the application was not forthcoming.

- 3) On 24th July 2023, the Licensing Department received information from the Council's CCTV team that earlier that morning (03:11hrs), a CCTV operator had picked up on a male being ejected out of Back to the 80s, he was then followed by a member of the bar staff and off duty door staff and seriously assaulted leaving the male unconscious, Police attended and the offenders were arrested for a Section 18 assault.

Following the incident, I collected CCTV footage recorded by the Council's CCTV cameras on Market Street, which clearly showed the incident taking place, close to the premises outside Bloom Hair & Beauty.

At 03:04hrs, the footage shows a male, who I now know to be Ross Thompson, escort a male patron towards the front entrance. Before a male who I now know to be Sam Turner (an off duty member of door staff who worked at Back to the 80's the previous night), eject a male customer forcefully from the premises – pushing him in the chest into Market Street, the shutters to the front entrance of the premises are then closed.

The customer then walks away from the premises down Market Street, towards Krunchy Chicken. 20 seconds after the shutters of the premises were closed, Sam Turner and Ross Thompson (a member of bar staff who was working at the premises at the time of the incident) leave the premises by the front entrance and follow the customer. Sam Turner attacks the customer and punches him to the ground. The customer is kicked in the head several times and has his head stamped on whilst Ross Thompson holds the customer down.

1 minute and 25 seconds after Sam Turner and Ross Thompson left the premises, a door supervisor working at the time, who I now know to be named Jason Moran, left the premises and walked down Market Street. At this point the attackers appear to have left the victim unconscious, Jason Moran then appears to see the victim on the ground and slowly walks towards him, puts him in the recovery position and calls for an ambulance.

The Police have raised concerns that a member of door staff named Jason Moran, was obstructive upon their arrival to the scene.

I have also reviewed the CCTV from inside the premises. This shows that whilst the premises appears to be closed, with the shutter down, a group of people are drinking inside the premises. This group of people included staff who were working at the premises and staff who manage other premises owned by the premises licence holder. The Designated Premises Supervisor was not working and was not at the premises on the night of the incident.

It is concerning that the CCTV footage appears to show people smoking inside the premises, which is an offence under the Health Act 2006.

At 03:04hrs on the CCTV cameras, the victim is stood at the bar. Sam Turner approaches him and appears to ask him to leave, the victim is then escorted out of the premises by Sam Turner and the shutter is closed. Sam Turner appears to be very aggressive in his manner, before leaving the premises with Ross Thompson.

CCTV provided by the premises was retained and will be shown at the review hearing.

This most recent incident is particularly concerning as the offenders are staff who work at the premises and are in positions where they should be keeping members of the public safe.

Following this incident Greater Manchester Police made the Licensing Department aware that they were considering submitting an expedited review application. A meeting took place between Mr Whittaker, Inspector John Cesarz and Mike Robinson, conditions were agreed and hours for the sale of alcohol revised which would be operated up until the date of a hearing to determine the review application. An email was sent to Mr Whittaker following this meeting, which confirmed the agreements.

The Licensing Authority are further concerned in relation to the attitude of the premises licence holder regarding fire safety. On 9 August 2023, the Licensing Department were notified by Greater Manchester Fire and Rescue Service (GMFRS), that they had written to the premises licence holder to inform him that they intended to carry out a visit to the premises on 21 August 2023, to check that fire safety regulations were being adhered to. This letter was sent by email and copy posted to the registered address. GMFRS confirmed that this was normal practice as they intended to visit outside of normal opening hours, due to the nature of the business.

On 21 August 2023, GMFRS confirmed that they were unable to carry out the visit as nobody from the premises was present and the premises was closed. GMFRS had called the premises licence holder a number of times and left two voicemails.

On 23 August 2023, GMFRS submitted a representation in relation to the review application. Following receipt of the representation, Mike Robinson, Licensing Manager visited the premises at 16:25 on 23 August 2023. At the time of the visit he found a contractor standing at the entrance of the premises. Mr Robinson asked to speak with the premises licence holder, however it was confirmed that only the contractors were present. The contractors were there to install a new fire detection system, the contractor invited Mr Robinson into the premises to show the work which had been carried out and stated that the previous system was ineffective and fire safety had been "ignored".

Due to the incidents and concerns detailed above, the Licensing Authority has lost faith in the ability of the management of the premises to promote the licensing objectives and therefore I recommend that the premises licence be revoked.

If the Panel are not minded to revoke the licence then I recommend that consideration is given to the following:

- Reduction of hours on Friday, Saturday and Sunday nights
- Minimum of 3 door staff to be employed at the premises on Thursday, Friday, Saturday and Sunday nights from 9.00 pm until 20 minutes after the premises closes. Door supervisors will wear high visibility armbands.
- Any door company employed by the premises licence holder will be an Approved Contractor

Scheme (ACS) accredited company.

- Personal licence holder to be on the premises at all times licensable activities are taking place
- Metal detection wand to be used by door staff upon customer admission

Signed:



Name: JAMES MICHAEL HORTON

POPULATION HEALTH

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

Debbie Watson
Director of Population Health
Population Health

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

www.tameside.gov.uk
e-mail : [REDACTED]

Call Centre 0161 342 8355

Doc Ref
Ask for James Mallion
Direct Line 0161 342 2328
Date 23rd August 2023

Re: Representation from the Public Health Department at Tameside Council regarding the application for a review of the premises license at Back to the 80s, 37-39 Market Street, Stalybridge, SK15 2AA, 23.08.2023.

Introduction

As a Responsible Body under the 2003 Licensing Act, the Public Health Team at Tameside Council would like to raise a representation as part of application for a review of the premises license for Back to the 80s, 37-39 Market Street, Stalybridge, SK15 2AA.

The representation primarily relates to:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance

Our Approach

The Public Health Team at Tameside Council screens every new license application or application for a license review/variation against a series of measures to enable the identification of applications that could have a significant adverse impact on the local community.

This screening is undertaken through a locally developed triage toolkit and ranks the 141 Lower Super Output Areas (LSOA's) in Tameside against a number of Alcohol Harm indicators and then provides an overall ranking.

The rankings are underpinned by robust official data sets as follows:



- Density of Licensed Premises – Tameside Council information as of April 2021
- Alcohol Related Hospital Admissions –3 year period 1st Jan 2018 to 31st Dec 2020
- Weekend A&E Attendances between 0000hrs and 0500hrs – Tameside ICFT, Statistics for the 1 year period 1st Jan 2020 to 31st Dec 2020.
- Alcohol Related Crime – Greater Manchester Police data from 1st July 2018 until 30th June 2019.
- Alcohol Related Domestic Violence - Greater Manchester Police data from 1st July 2018 until 30th June 2019.
- Alcohol related Anti-Social Behaviour Incidents - Greater Manchester Police data from 1st July 2018 until 30th June 2019.

The information below highlights the alcohol harm for the LSOA that Back to the 80s, 37-39 Market Street, Stalybridge, SK15 2AA, sits in.

ENTER POSTCODE
SK15 2AA
or
ENTER LSOA CODE
E01006060

INDICATORS	WEIGHTING
Alcohol Specific Hospital Admissions	33.3%
Weekend A&E attendances (12-05 AM)	33.3%
Alcohol Related Crimes	11.1%
Alcohol and Domestic Violence Associated Crimes	11.1%
Alcohol Related Anti-Social Behaviour Incidents	11.1%

RESULTS FOR SELECTED LSOA

E01006060

INDICATOR	VALUE	Z-SCORE	TAMESIDE RANK
Density of Licensed Premises (per 1000 population)	12.4	3.02	4
Alcohol Specific Hospital Admissions (DSR per 100,000 Population)	1532.0	1.24	17
Weekend A&E attendances (12-05 AM)	5486.1	2.46	2
Alcohol Related Crimes	11.7	-0.61	97
Alcohol and Domestic Violence Associated Crimes	2.8	-1.01	127
Alcohol Related Anti-Social Behaviour Incidents	26.9	3.20	2
OVERALL SCORES			
Unweighted Composite Score for LSOA	-	1.05	10
Weighted Composite Score for LSOA	-	1.41	7

Alcohol Harm in relation to SK15 2AA (LSOA E01006000)

Results show that out of 141 LSOAs across Tameside this LSOA ranks

- 2nd in borough for weekend A&E attendances
- 2nd in borough for alcohol related anti-social behaviour
- 127th for alcohol related domestic abuse
- 4th for density of licenced premises
- 97th for alcohol related crime
- 17th for alcohol specific hospital admissions

The results from the dashboard illustrate that the impact related to alcohol harm is high within this LSOA, particularly when it comes to A&E attendances and anti social behaviour, with the rates for both nighttime A&E attendances and alcohol related anti-social behavior in general being several times the Tameside average and one of the highest in the borough.

Tameside has some of the highest levels of alcohol harm in England and locally across Greater Manchester.

- Tameside has the 2nd highest alcohol mortality rate in Greater Manchester
- Tameside has the highest rate of alcohol sold through off trade in Greater Manchester
- Tameside has the 3rd highest level of dependant drinkers in Greater Manchester

There is growing body of evidence which demonstrates that the availability of alcohol contributes to increased levels of alcohol related harm, which is relevant for the area around this premises (in SK15 2AA), as it has one of the highest densities of existing licensed premises in the borough (4th highest LSOA out of 141 areas in Tameside).

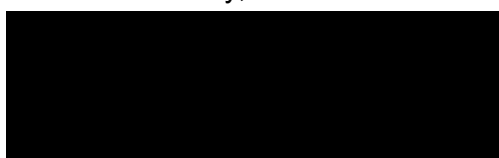
Conclusion

Overall, we have assessed this LSOA within which SK15 2AA sits, as having relatively high levels of alcohol-related harm, ranked the 7th highest LSOA out of 141 areas across Tameside for overall alcohol-related harms. There are particular issues in this area in relation to nighttime A&E attendances and alcohol-related antisocial behaviour. The review of the licence at these premises should consider this harm to individual health and that of the local population and consider the impact on local health services, in particular the local A&E department as well as that of the local police and community safety resources. These issues relate to the licensing objectives around the prevention of crime and disorder; public safety; and the prevention of public nuisance.

The evidence would suggest that **representation from public health around the review of the licence at these premises is appropriate in relation to the following licensing objectives:**

- **the prevention of crime and disorder**
- **public safety**
- **the prevention of public nuisance**

Yours Sincerely,



James Mallion
Assistant Director of Population Health
Tameside MBC

References

- Bryden, A., Roberts, B., McKee, M. and Petticrew, M. (2012) '*A systematic review of the influence on alcohol use of community level availability and marketing of alcohol*', *Health and Place*, Vol. 18, pp.349-357.
- Gruenewald, P.J., Freisthler, B. Remer, L., La Scala, E.A. and Treno, A. (2006) '*Ecological models of alcohol outlets and violent assaults: crime potentials and geo-spatial analysis*', *Addiction*, Vol. 101, pp.666-677.
- Livingston, M., Chikritzhs, T. and Room, R. (2007) '*Changing the density of alcohol outlets to reduce alcohol-related problems*', *Drug and Alcohol Review*, Vol. 26, pp.557-566
- Livingston, M. (2008) '*A longitudinal analysis of alcohol outlet density and assault*', *Alcoholism: Clinical and Experimental Research*, Vol. 32, pp.1074-1079
- Livingston, M. (2011) '*Alcohol Density and Harm: Comparing the Impacts on Violence and Chronic Harms*', *Drug and Alcohol Review*, Vol. 30, pp.515-523
- Pasch, K.E., Hearst, M.O., Nelson, M.C., Forsyth, A. and Lytle, L.A. (2009) '*Alcohol outlets and youth alcohol use: exposure in suburban areas*', *Health and Place*, Vol. 15, pp.642-646
- Pereira, G., Wood, L., Foster, S. and Haggart, F. (2013) '*Access to alcohol outlets, alcohol consumption and mental health*', *PLoS*, Vol.8, Issue 1.
- Richardson, E.A., Shortt, N.K., Pearce, J. and Mitchell, R. (2014) '*Alcohol-related illness and death in Scottish neighbourhoods: Is there a relationship with the number of alcohol outlets?*' Centre for Research on Environment, Society and Health, University of Edinburgh and University of Glasgow.
- Theall, K.P., Scribner, R., Cohen, D. Blunthenthal, R.N., Schonlau, M. and Lynch, S. (2009) '*The neighbourhood alcohol environment and alcohol-related morbidity*', *Alcohol and Alcoholism*, Vol. 44, pp. 491-499.

Dear Mike,

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 Back to the 80s, 37-39 Market Street, Stalybridge, SK15 2AA submitted to the Licensing Authority on 27 July 2023.

In relation to the above review, I have enclosed some information and comments below.

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

The attached document in Appendix 1 is a letter outlining our findings including the evidence behind this in relation to the known harms of alcohol and arrange of alcohol related indicators of harm in the immediate area around SK15 2AA (the lower super output area (LSOA)) which includes alcohol related hospital activity, density of licensed premises and alcohol related crimes and antisocial behaviour incidents.

See below a screenshot of the data for this area (SK15 2AA), which indicates the level of existing alcohol-related harm in the Lower Super Output Area (LSOA). This tells us that this area has a relatively high level of alcohol related harm compared to the rest of the borough, ranked 7th out of 141 LSOAs making this area one of the highest in the borough for existing alcohol harms. This area also ranks particularly highly in terms of individual measures of alcohol harm including the density of existing licensed premises (2nd highest out of 141 LSOAs in the whole borough); weekend night-time A&E attendances (2nd highest out of 141 LSOAs); and alcohol-related antisocial behaviour incidents (2nd highest out of 141 LSOAs).

ENTER POSTCODE
SK15 2AA
or
ENTER LSOA CODE
E01006060

INDICATORS	WEIGHTING
Alcohol Specific Hospital Admissions	33.3%
Weekend A&E attendances (12-05 AM)	33.3%
Alcohol Related Crimes	11.1%
Alcohol and Domestic Violence Associated Crimes	11.1%
Alcohol Related Anti-Social Behaviour Incidents	11.1%

RESULTS FOR SELECTED LSOA

E01006060

		VALUE	Z-SCORE	TAMESIDE RANK
INDICATOR	Density of Licensed Premises (per 1000 population)	32.4	3.02	4
	Alcohol Specific Hospital Admissions (DSR per 100,000 Population)	1532.0	1.24	17
	Weekend A&E attendances (12-05 AM)	5486.1	2.46	2
	Alcohol Related Crimes	11.7	-0.61	97
	Alcohol and Domestic Violence Associated Crimes	2.8	-1.01	127
	Alcohol Related Anti-Social Behaviour Incidents	26.9	3.20	2
OVERALL SCORES	Unweighted Composite Score for LSOA	-	1.05	10
	Weighted Composite Score for LSOA	-	1.41	7

Given the high density of existing licensed premises in this area, the wider alcohol harms across the borough should also be considered. Tameside has some of the highest levels of alcohol harm in England and locally across Greater Manchester. Tameside has the 8th highest alcohol related death rate in the country; 7th highest rate of alcohol sold through off trade in the country; and 10th highest level of dependant drinkers in the country. This demonstrates the high level of harm and the impact that alcohol has across our wider population in Tameside, which has an impact on the wider community and public services, which is a particular issue

in the immediate area around SK15 2AA, with very high levels of night-time A&E attendances and alcohol-related antisocial behaviour incidents reported.

Based on the evidence and information presented in this representation and the attached Appendices, and given the issues relating to an assault taking place at this premises, which the review raises, I would recommend reviewing the conditions of the license for these premises including reducing opening hours and any further measures to support the licensing objectives, particularly in relation to the prevention of crime and disorder; public safety; and the prevention of public nuisance.

Councillor Jan Jackson
Councillor Christine Beardmore
Councillor Adrian Pearce
Stalybridge North Ward

PO BOX 317
Ashton under Lyne, OL6 0GS

www.tameside.gov.uk
email: ExecutiveSupport@tameside.gov.uk

Tel: 0161 342 2105

Date: 24 August 2023

By Email:

licensing@tameside.gov.uk

Dear Licensing,

Subject: Premises: Back to the 80's Bar, 37 Market Street Stalybridge.

Date of Application: 27 July 2023

Cllrs., J. Jackson, A. Pearce and C. Beardmore (Elected Members for Stalybridge North) in their capacity as an 'Interested Party' under the provisions of the Licensing Act 2003, hereby give notice to the Licensing Section of our representation in respect of a premises licence review regarding Back to 80's, Market Street, Stalybridge.

We are extremely concerned about the events that took place both within the bar and subsequently on Market Street in the early hours of 24 July 2023. We abhor violence and are grateful that the person concerned did not suffer worse injuries. However, given that this was a violent attack and there is CCTV evidence, we will be discussing the incident further with the Police.

With regard to the review of the License for these premises, we have a number of concerns, which we hope will be taken into consideration by the Panel.

We believe that the Licensing Objectives, in particular the Prevention of Crime and Disorder and Protection of Public Safety are being undermined at this premises.

The reason(s) for the representation are as follows:

1. As Ward Councillors we are first and foremost concerned with residents' safety, promoting both a safe drinking and a safe local environment. Clearly, a violent incident such as this contravenes both. People should expect when entering a licensed premises not to be attacked, particularly by staff employed by the venue.
2. We are not satisfied that the management arrangements at the Bar are adequate since there appears to be issues around controlling both the bar staff and those who are employed to protect customers.

3. The attack does not appear to be an isolated incident. We understand that the Police have attended a number of incidents at this venue, late in the evening and into the early hours. This trend is of concern, and tends to corroborate our earlier point.
4. This is not the first issue regarding safety relating to the owner of this bar. Only a few months back Zero's bar was closed by GM Fire and Rescue Service for a breach of fire safety regulations. Unfortunately, there does seem to be a pattern emerging in terms of the owner's disregard for rules and regulations.
5. We are concerned about the image we wish to present for Stalybridge. Market Street is undergoing substantial development as a result of securing Heritage Lottery Funding, with a view to improving the image of the area and put a distance from the past drinking culture. The programme of public realm works will widen the pavements to encourage tables outside to promote a more attractive place to eat and drink. Late night drinking and thuggery does not fit in with this image. We would also add that we have reported issues with bins and rubbish left on the pavement at this venue.

For the above reasons we as Councillors would recommend that the license is revoked. However, we do realise that it is a local business and people do appear to drink there, although for how long if it gets a reputation for violence, is questionable. We would at the very least hope that the panel would consider reducing the licensing hours at the bar, perhaps to 1.00am on Friday and Saturday and 11.00pm on Sunday. We would also request that if possible, the management of the Bar be reviewed to improve safety and ensure a reduction of police incidents.

Yours Sincerely,

Cllrs Jackson, Pearce and Beardmore

Stalybridge North Ward Councillors

From:

Sent: 24 August 2023 19:39

To: Mike Robinson

Subject: Back to the 80's bar Stalybridge review.

Hi,

Re our conversation earlier on today I am emailing you with relevant information regarding Back to the 80s bar in Stalybridge.

I feel it necessary to warn you that the manager, Miss Natalie Robinson (also uses Barry as an alternate surname) has psychosis. She has been officially diagnosed with this and is open with her staff and some customers about this. She sees people that aren't there, has detailed conversations with those imaginary people and has gifted them things too. Natalie is also very paranoid and has been seen berating her staff accusing them of following her to the bathroom or even taking images of her when neither were true.

She drinks Sambuca or fireball whilst working which does make her paranoia worse. She has been known to drink an entire bottle of either whilst on shift and working as manager of 80s bar.

She is rude and arrogant to customers and staff. She steals customers belongings and rifles through bags and coats left behind the bar. He has a drug problem and is known to use cocaine and marijuana frequently. This woman should not have a personal licence.

Some members of doorstaff employed by 80s bar via badawed pro are known to be aggressive and violent with customers. Shouting angrily towards the end of the night, dragging customers from the premises and throwing customers outside the premises. One such occasion a member of the door staff (Wayne) grabbed a woman called Linzi, dragged her outside and threw her to the road where she banged her head and lost consciousness for a brief moment. No police were called by staff members on shift that evening. Wayne has also been known to use force at his other job as security at Morrisons in Dukinfield.

Ian Whitaker the owner of 80s bar had paid his latest victim from the assault at 80s bar at the end of July 2023 money to keep him quiet and stop this review going further. Ian and Natalie also send 'fixers' on errands for them to hurt and/or threaten people if they don't comply with requests.

Back to the 80s bar is managed inefficiently, it has poor management lacking in authority and care, it has staff who care more about drinking and sleeping with customers than making sure the public are safe and the venue runs well. The door staff are rude, arrogant and aggressive. The sheer amount of trouble in Stalybridge comes from this bar or from other venues owned by Ian Whitaker.

The recent incident at 80s bar happened when the shutters had been closed but staff were still present and drinking on the premises with customers in the building. Once that customer left Ross and Sam (both staff) followed that customer outside with the intention of hurting said customer.

Drugs are present on the premises every night it is open to the public, sometimes in staff handbags. Staff serve underage customers regularly and rarely check IDs. The fire doors at 80s bar also have not worked properly for months. The rear of 80s bar is regularly littered with glass bottles and does not get cleaned often. Checks are not carried out in the building regularly and this place is not run as it should be.

It's astounding that this place is still open to the public at all with knowledge of how troublesome it is. I am also amazed Natalie Robinson a woman with severe mental health problems is in charge of staff welfare, customers wellbeing and a venue that is fraught with so many issues. At the least Natalie should be removed from her position and her licence suspended and 80s bar should be limited on opening hours, open until 1am at the latest. Especially with residences above and surrounding it. At best 80s bar should be closed for good with all licences removed from all key staff/management members.

Sincerely,

A very concerned member of the public.

This page is intentionally left blank

Sent: 23 August 2023 15:11

To: Mike Robinson <[REDACTED]>

Subject: In relation to the Review of Premises Application from John Cesarz of Greater Manchester Police with regards to 'Back to the 80's Bar, 37 Market Street, Stalybridge

I, KATY RATHFELDER, on behalf of the Greater Manchester Combined Authority (being the Fire Authority for the area) make the following comments;

We were made aware of Mr Whittaker as a licensee thorough a complaint at another of his premises – ZEROS BAR (now known as Decades) – via a complaint regarding fire safety standards. Mr Whittaker did not attend scheduled meetings and to gain access we had to eventually make arrangements with the then manager. On inspection of that premises significant breaches of the Fire Safety Order were found leading to an immediate Prohibition Notice, and subsequent Enforcement Notices to rectify the faults to make the premises safe for occupation. Due to Mr Whittaker also being the licensee on other bars we have attempted to inspect them, one of the premises is 'BACK TO THE 80S'. As yet we have not been able to gain access. We attended the premises on the date we had formally informed Mr Whitaker of our intention to inspect via letter (copy also emailed to him via the provided email address) along with colleagues from Tameside Council licensing team, however no one from the premises arrived and we were unable to gain access. Subsequently we have attempted to contact Mr Whitaker via telephone leaving voicemail messages, but to date we have had no reply. Due to the premises uncooperativeness we cannot comment on the public safety aspects of the bar in relation to fire safety for the License Review. We will continue with our programme to inspect the identified premises that Mr Whitaker is the licensee for.

Katy Rathfelder | Fire Safety Inspector | Service Delivery - Protection

Email: [REDACTED] | Mobile: [REDACTED]

Greater Manchester Fire & Rescue Service, 146 Bolton Rd, Swinton, Pendlebury, Manchester M27 8US



**GREATER MANCHESTER
FIRE AND RESCUE SERVICE**

Follow us on Facebook at Greater Manchester Fire and Rescue Service (GMFRS)

Follow us on Twitter @manchesterfire

This page is intentionally left blank