

LICENSING PANEL Regulatory Committee Agenda

Date Tuesday 18 November 2025

Time 1.00 pm

Venue J R Clynes Ground Floor Room 1 - The JR Clynes Building

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MEMBERSHIP OF THE LICENSING PANEL
Councillors Adams, J. Hussain and S. Hussain

Item No

1 Election of Chair

The Panel is asked to elect a Chair for the duration of the meeting.

2 Apologies for Absence

3 Urgent Business

Urgent business, if any, introduced by the Chair.

4 Declarations of Interest

To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.

5 Order of Proceedings

6 Church Inn, 477 Oldham Road, Failsworth, M35 0AA (Pages 3 - 10)

Pursuant to Section 53A of the Licensing Act 2003, the purpose of this report is to ask Members to consider representation against the interim steps imposed against the Church Inn, 477 Oldham Road, Failsworth, following the summary review application considered on 4 November 2025

Licensing Panel

Licensing Act 2003 – Summary Review of a Premises Licence under Section 53A of the Licensing Act 2003

Church Inn
477 Oldham Road, Failsworth, M35 0AA

Report of: Executive Member – Neighbourhoods

Officer Contact: Nicola Lord

Date of Hearing: 17 November 2025

Reason for Hearing:

Pursuant to Section 53A of the Licensing Act 2003, the purpose of this report is to ask Members to consider representation against the interim steps imposed against the Church Inn, 477 Oldham Road, Failsworth, following the summary review application considered on 4 November 2025.

Recommendations

Members are recommended to consider the application, taking into account the representations received.

Licensing Panel

Application for Section 53A Summary Review
Church Inn, 477 Oldham Road, Failsworth, M35 0AA

1. Purpose of Report

1.1 Pursuant to Section 53A of the Licensing Act 2003, the purpose of this report is to ask Members to consider representation against the interim steps imposed against the Church Inn, 477 Oldham Road, Failsworth, following the summary review application considered on 4 November 2025.

2. The Application

2.1 On 3 November 2025 Greater Manchester Police applied for a summary review of Church Inn. The application and accompanying authorisation certificate are attached to the report at **Appendix 12.1**.

2.2 The application relates to an incident of serious disorder at the premises on 1 November 2025 which resulted in the serious injury of a police officer. The application also outlines a series of earlier incidents occurring at the premises.

2.3 The Police used powers under Section 76 of the Antisocial Behaviour, Crime and Policing Act 1976 to close the premises for 48 hours following the incident.

2.4 The Police are requesting Members impose interim steps on the premises licence to suspend the licence pending the full review hearing.

2.5 The existing premises licence is attached at **Appendix 12.2**.

2.6 CCTV footage of the incident will be played at the hearing.

4. Representations

4.1 Representation against the interim steps imposed at a hearing on 4 November 2025, to suspend the premises licence until the full review hearing, have been made by the premises licence holder. The representation has been made following discussion between the premises and Greater Manchester Police and an agreement being signed.

5. Statutory Guidance

5.1 Members must consider statutory guidance issued, by the Secretary of State, under Section 182 of the Licensing Act 2003 (revised February 2025). Of particular note are the following sections:

12.6 – There is no definitive list of behaviours that constitute serious disorder, and the matter is one for judgement by the local police. The phrase should be given its plain, ordinary meaning, as is the case under Section 12 of the Public Order Act 1986 in which it is also used.



12.7 In deciding whether to sign a certificate, the senior officer should consider the following (as applicable):

- The track record of the licensed premises concerned and whether the police have previously had cause to give advice about serious criminal or disorderly conduct (or the likelihood of such conduct) attributable to activities taking place on the premises. It is not expected that this power will be used as a first response to a problem and summary reviews triggered by a single incident are likely to be the exception.
- The nature of the likely crime and/or disorder – is the potential incident sufficiently serious to warrant using this power?
- Should an alternative power be deployed? Is the incident sufficiently serious to warrant use of the powers in Part 4, Chapter 3 of the Anti-social Behaviour, Crime and Policing Act 2014, or section 38 of and Schedule 6 to the Immigration Act 2016, to close the premises? Or could the police trigger a standard licence review to address the problem? Alternatively, could expedited reviews be used in conjunction with other powers (for example, modifying licence conditions following the use of a closure power)?
- What added value will use of the expedited process bring? How would any interim steps that the licensing authority might take effectively address the problem?

12.8 It is recommended that these points are addressed in the chief officer's application to the licensing authority. In particular, it is important to explain why other powers or actions are not considered to be appropriate. It is up to the police to decide whether to include this information in the certificate or in section 4 of the application for summary review. The police will also have an opportunity later to make representations in relation to the full review. In appropriate circumstances the police might want to make representations to the licensing authority suggesting that they modify the conditions of the premises licence to require searches of customers for offensive weapons upon entry. Under the powers in sections 53A to 53D, this could be done on an interim basis pending a full hearing of the issues within the prescribed 28-day timeframe or for an appropriate period determined by the licensing authority.

5.1 A full copy of the guidelines will be available at the hearing.

7. Options

7.1 The licensing authority should consider whether it is necessary and proportionate for the interim steps previously imposed to remain in place, or whether they should be removed.

8. Consultation

8.1 There is no consultation requirement on interim steps.

8.2 In relation to the full review hearing, consultation in accordance with the Act has commenced.

9. Legal Services Comments

9.1 To be provided at the hearing.

10. Environmental and Health & Safety Implications

10.1 None



11. Equality, Community Cohesion & Crime Implications

- 11.1 The Councils Statement of Licensing Policy considers these matters. All decisions made by the Licensing Panel must have regard to this policy and national guidance.

12. Background Papers

- 12.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

File Ref: Records held in Directorate
Officer Name: Nicola Lord

12. Appendices

- 12.1 Representation
12.2 Agreement with Greater Manchester Police

Good Morning Nicola

Further to the Summary Review issued by the police in this matter, please take this email and attachment as representations in respect of the interim steps imposed by the committee and our request to hold a hearing in relation to varying the interim steps in this matter pursuant to s53(B) Licensing Act 2003.

I understand the police are happy to vary the interim steps in accordance with the attached and have e mailed you in that regard

Please acknowledge receipt of this email and confirm when the hearing in that regard will take place, as the premises licence holder will wish to attend the hearing in that regard.

Kind Regards

Tim Shield

Partner

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Following our discussions and having discussed matters with my client's representative (Ben Robinson) today regarding interim steps the proposal from the premises licence holder is that in return for the police agreeing to the lifting of the suspension of the premises licence the following measures are proposed.

1) The existing Door team will be removed with immediate effect. I understand the proposed replacement team is to be Capricorn and there has already been discussions in that regard.

A minimum of 2x SIA registered door staff from Capricorn will be risk assessed to be on site from 2130hrs to 0230hrs on Friday and Saturday evenings. An SIA officer will be added from 0000hrs to 0230hrs.

Signatures –

Kerry Dowdall (DPS)  13/11/25

Helen Brierley (Business Development Manager) -  13-11-25


2) So far as the DPS is concerned, as Kerry (the existing DPS) was not in attendance at the time of this incident the proposal is that she will remain as DPS until the final hearing of this matter, on the following provisos.

- a. Kerry will be in day-to-day control of the premises.
- b. Kerry will be on site at peak periods of trading – we would suggest peak periods be defined as the period of 8pm until close on Friday and Saturday evening.
- c. At any time that Kerry is not at site Kerry will nominate in writing a suitable member of staff to supervise the premises and be available by telephone.

So far as David is concerned, he will not be involved in the management of the premises or left in sole charge of the premises at any time.

Signatures –

Kerry Dowdall – (DPS)  13/11/25

Helen Brierley – (Business Development Manager)  13-11-25

In addition, if possible, you (Julian) to attend site and meet with Kerry in advance of re-opening to discuss the re-opening and operation at site. This can be arranged for later this afternoon or tomorrow if convenient. The issue which leads to Kerry being away from the site (illness of a relative)

has been resolved and there are other measures in place which no doubt Kerry will be able to expand upon at the meeting

These interim measures are aimed to address the concerns raised.