

## **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: 4 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 a 'Summary Review' of the premises licence in respect of Church Inn, 477 Oldham Road, Failsworth, following an application made by Greater Manchester Police and whether interim steps against the licence are necessary.

#### **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 a 'Summary Review' of the premises licence in respect of Church Inn, 477 Oldham Road, Failsworth, following an application made by Greater Manchester Police and whether interim steps against the licence are necessary.

### 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 In relation to this hearing, there are no opportunities for responsible authorities or interested parties to make representation. For this hearing representations are limited to those contained within the application for the summary review and any verbal/written representations submitted at or before the hearing.

### 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 may want to consult the police about the steps that it thinks are necessary, pending the determination of the review, to address the immediate problems with the premises, in particular the likelihood of serious crime and/or serious disorder.

The licensing authority may consider the interim steps without the holder of the premises licence having been given an opportunity to make representations. This does not, of course, mean that the licensing authority cannot afford such an opportunity if it thinks it appropriate and feasible to do so in all the circumstances.

The interim steps that the licensing authority must consider taking are:

- the modification of the conditions of the premises licence;
- the exclusion of the sale of alcohol by retail from the scope of the licence;
- the removal of the designated premises supervisor from the licence; and
- the suspension of the licence.

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.



7.2 Any decision to take steps at the interim stage takes effect immediately, or as soon after it as the licensing authority directs but the licensing authority, in deciding when its decision on interim steps should take effect, should consider the practical implications of compliance in relation to the premises.

7.3 The focus for interim steps should be on the immediate measures that are necessary to prevent serious crime or serious disorder occurring.

7.4 Any steps appropriate to promote the licensing objectives should be specified. If none of the steps are appropriate and proportionate, no action should be taken.

7.5 In arriving at a decision Members must have regard to the relevant provisions of national guidance and the licensing policy statement and reasons must be given for any departure. The decision should be based on the individual merits of the application.

## 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 Application

12.2 Premises licence