

## **Licensing Sub Committee Hearing Panel**

### **Minutes of the meeting held on Monday, 11 March 2019**

**Present:** Councillor Grimshaw – in the Chair

**Councillors:** Ludford and Reid

**LACHP/19/39. Urgent Business**

#### **Application for a Temporary Event Notice for The Live Room Mancunia, 94 -96 Grosvenor Street, Manchester, M1 7HL**

The Committee noted that agreement had been reached between all parties, so treated the matter as a determination.

#### **Decision**

To grant the application subject to the agreed conditions.

**LACHP/19/40. Application for a New Premises Licence for Shesha Lounge, First Floor, 137-139 Cheetham Hill Road, Manchester, M8 8LY**

The applicant requested that the matter be deferred to a later date as his legal advisor was not available. In the interest of natural justice the Committee agreed to defer the matter to allow the applicant to obtain legal representation.

#### **Decision**

To defer the matter to 25 March 2019.

**LACHP/19/41. Application for a New Premises Licence for The Olive & Vine, Dimitris Didsbury, 844-846 Wilmslow Road, Manchester, M20 2RN.**

The Committee heard from the applicant as to their experience, the nature of the intended business and another premises they operate in city centre. The applicant currently operates from these premises under a licence however they are wanting to do a refurbishment and will surrender their old licence if this new one is granted and when the refurbishment is then complete. The current licence is very old with very few conditions and the proposed new licence is much more comprehensive. The new licence asks for later hours however the applicant confirmed it is a food led restaurant and this is just to give customers the option of staying later.

The Committee were informed that one of the resident objectors had attended however following discussion with the applicant this morning and on being informed further of the details of the new premises they intend to open and the coverage of

CCTV the resident no longer had any concerns and had left confirming via email that they no longer had any concerns.

The Committee found that there was no evidence of any current issues at the premises operated by the applicant at the same location as this application. The applicant also confirmed that they would put sufficient controls in place to ensure they would not cause a nuisance to the local residents. The applicant was happy for conditions to be added to the licence in relation to the disposal of bottles / glass and last admission to the premise to address the local councillor's and the resident objector's concerns. They also offered to make the contact details of the manager available to local residents and to display numbers for taxi firms that operate a call back service.

The Committee carefully considered the written representations from the resident objectors, and local councillor who were not in attendance. The Committee were of the view that with the nature of the business intending to operate at the premises and the conditions offered both in the operating schedule and at the Committee these concerns had been appropriately addressed. The Committee also noted that there was a representations in support of the application from a local resident not known to the applicant.

The Committee were satisfied that the applicant was an experienced operator and would be putting sufficient systems in place to ensure that the application, with the additional conditions, would not undermine the licensing objectives.

## **Decision**

To grant the application with further conditions agreed at the hearing.

## **Conditions**

1. No bottles, glasses or similar items may be disposed of in outside receptacles between 2200 hours and 0800 hours.
2. There shall be no admission or readmission to the premises (save for return smokers) during the hour prior to the closing time for the premises.
3. A direct telephone number for the manager of the premises shall be publically available at all times the premises are open. This number is to be made available to residents in the vicinity.
4. The Premises Licence Holder shall make readily available to customers taxi / private hire firm telephone numbers that use a call back system and encourage the use of such services.

## **LACHP/19/42. Application for a Premises Licence Variation for Deansgate Food Bar, 343 Deansgate, Manchester, M3 4LG.**

The Committee heard from the applicant that they had been operating for the last year without any issues and wanted to extend their hours on a Wednesday to allow them to open until 2am. They were also asking for the Monday and Tuesday however

they currently do not open these days but want the flexibility to open on some occasions. The Committee accepted the comments from the applicant that there were no representations from GMP or Environmental Health. There has also been no objections from local residents.

The Committee considered the representations from the local ward Councillors, whom were not in attendance, however found that there was no evidence of any current issues at the premises or any evidence that the licensing objectives would be undermined if the variation was granted. The applicant also confirmed their willingness to provide a number for the councillors or local residents to contact them should there be any concerns as to public nuisance. Given that the additional hours requested fell during the week, being potentially a more noise sensitive time for local residents, the Committee viewed that it was appropriate to add a condition as to the manager's phone number being available.

Taking all of the representations into account the Committee were satisfied that the Applicant was a responsible operator and that the licensing objectives' would be upheld if the licence variation was granted with the additional condition put forward at Committee.

### **Decision**

To grant the application with a further condition agreed at the hearing.

### **Condition**

1. A direct telephone number for the manager of the premises shall be publically available at all times the premises are open. This number is also to be made available to the local ward councillors.

### **LACHP/19/43. Application for a New Premises Licence for General Convenience Store, 374 & 374a Cheetham Hill Road, Manchester, M8 9LS**

The Committee heard from the applicant as to their investment into the refurbishment of the premises and that it will operate as a general convenience store to cater for the needs of the local community with only approximately 10% being alcohol provision and it is not simply an off licence.

The Committee also heard details of the applicant's training and were provided with a comprehensive training and operating manual that will be in use at the premises to ensure compliance with the licensing objectives and conditions on the licence if granted. The Committee also noted that a large number of conditions had been proposed and agreed to address any potential issues at the premises.

Licensing and Out of Hours (LOOH) attended the meeting and confirmed that agreement had been reached on a number of further conditions to prevent any potential public nuisance. The applicant provided an updated proposed operating schedule to include the agreements made with LOOH.

The Committee also heard from the Neighbourhood Team Lead in attendance that she welcomed the investment into the area however did have concerns over litter and waste disposal from the premises and the current problems in the area that could be exacerbated by a further premises selling alcohol. She requested the applicant work with local groups including a local traders association and the applicant stated they were willing to do this. The applicant also gave details of their intended commercial waste disposal contracts and litter bins that would be available and regular checks that would be made.

The Committee carefully considered the written representations from the resident objectors, none of whom were in attendance. The Committee understood some of the concerns of the resident objectors however noted that some of these related to planning matters which they could not consider and that some of the concerns related to problems with other premises in the area. The Committee were of the view that with the comments of the applicant as to the nature of the business intending to operate, the conditions in their operating schedule and the additional conditions agreed that these concerns had been appropriately addressed. The Committee also agreed with the comments of the applicant that issues relating to parking concerns and comments that there were already enough outlets selling alcohol were not relevant to their considerations and were issues to be addressed in any planning application.

The Committee also accepted that there had been no representations from GMP or any of the other Responsible Authorities which supported the view that they had no concerns that the applicant would undermine the licensing objectives if the application was granted. Whilst there was concerns raised by the local residents as to crime and anti-social behaviour the Committee accepted that these were speculative in the main rather than being linked directly to the applicant or application and were not supported by any representation from GMP. The Committee also heard that the applicant has been in communication with GMP prior to submitting the application and they had confirmed they had no concerns.

The Committee did consider whether it may be appropriate to reduce the hours on a Friday and Saturday to 11pm and the one objector in attendance did state when questioned this may assist with concerns however the Committee noted that none of the representations directly raised concerns as to the opening hours on a Friday and Saturday or of it being a problem time in the area and that it was not appropriate to reduce the hours.

Taking all of the representations into account the Committee were satisfied that the applicant was a responsible operator and that the licensing objectives' would be upheld if the licence was granted with the updated schedule of conditions as agreed with Licensing and Out of Hours.

## **Decision**

To grant the application subject to the amended operating schedule of conditions as agreed with Licensing and Out of Hours

**LACHP/19/44. Application for a New Premises Licence for Pop Up Event Space and Screening Room, Level 1, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP.**

This application was withdrawn by the applicant prior to the hearing.

**LACHP/19/45. Application for a New Premises Licence for Event Space, Level 3, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP.**

The Committee noted that agreement had been reached between the applicant and all parties who had made a representation, so treated the matter as a determination.

**Decision**

To grant the application subject to the agreed terms and conditions.

**LACHP/19/46. Application for a New Premises Licence for Event Space, Level 6, Bonded Warehouse, 18 Lower Byrom Street, Manchester, M3 4AP.**

The Committee noted that agreement had been reached between the applicant and all parties who had made a representation, so treated the matter as a determination.

**Decision**

To grant the application subject to the agreed terms and conditions.