

## **Licensing Sub Committee Hearing Panel**

### **Minutes of the meeting held on Tuesday, 7 May 2019**

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

**Councillors:** Lynch and Reid

#### **LACHP/19/77. Urgent Business**

The Chair agreed to the submission of an item of Urgent Business relating to the a determination of a Premises Licence Variation for Mash Tun Manchester.

**LACHP/19/78. Application for a New Premises Licence for Zam Zam's, 390 Hollinwood Avenue, Manchester, M40 0JD.**

#### **Decision**

To grant the determination for a New Premises Licence.

**LACHP/19/79. Application for a New Premises Licence for Franco Manca, Unit 2, Cobden House, 12-16 Mosley Street, Manchester, M2 3AQ.**

#### **Decision**

To grant the determination for a New Premises Licence.

**LACHP/19/80. Application for a New Premises Licence for The Shop - Ice Cream Parlour, Unit 3, Bishops Corner, 321 Stretford Road, Manchester, M15 4UW.**

The Committee was advised during the hearing after the Applicant's opening submissions that Greater Manchester Police (GMP) no longer objected to the application. In addition the Out of Hours Team (OHH) advised the Committee that they did not object to the application in principle but requested that the hours applied for be reduced until 12 midnight Monday to Thursday and until 1am Friday to Sunday. In addition they sought all the conditions set out in their representation which included the premises only operating as a delivery service after 11pm.

Having listened to all of the evidence the Committee was satisfied that by the imposition of the conditions proposed by the OOH the licensing objectives would be upheld. In particular the Committee agreed that the premises should not trade past 11pm except by way of a delivery service.

The Committee heard evidence that the premises had operated a delivery service from the premises for some time and there had been no complaints from residents how they operated. The Committee took this into account when making their decision to grant the application.

The Committee considered all the objections to the applications but concluded that whilst many have fears this premises will cause a public nuisance there was no 'real evidence' to refuse the application.

In regards to the conditions imposed the Committee considered it was appropriate and proportionate to add them to the licence.

### **Decision**

To grant the application for a New Premises Licence for the Shop – Ice Cream Parlour with the following conditions attached to the licence:

- During the hours of late night refreshment the premises shall operate as a delivery service only. No sit in service shall be provided.
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
- There shall be no admittance to the premises with the exception of delivery drivers after 23:00 hours.
- The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.
- All takeaway packaging and wrappers shall clearly identify the premises, ie. by way of company logo or name.
- Litter bins shall be provided at the premises in sufficient capacity to ensure that customers can adequately dispose of any litter.
- No rubbish, including bottles, shall be moved, removed or placed in outside areas between **23:00 and 08:00** hours.
- No deliveries must be made to the premises between 22:00 and 08:00 hours.
- Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties surrounding the delivery address. This includes the avoidance of slamming doors, playing loud music, shouting, over revving engines and sounding horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the delivery address and will park considerately without causing any obstruction to the highway.

**LACHP/19/81. Premises Licence Variation - Mash Tun - Manchester - Determination**

### **Decision**

To grant the determination for a Premises Licence Variation.

