

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Friday, 14 June 2019

Present: Councillor Ludford (Chair)

Councillors: T Judge and McHale

LACHP/19/101. Application for a Temporary Event Notice for Kiki, 4 Canal Street, Manchester, M1 3HE

The Committee considered an application for a Temporary Event Notice in respect of the area outside Kiki, 4 Canal Street, Manchester, M1 3HE

The Committee heard the submission for the applicant and representations from objectors to the proposal.

In reaching its decision the Committee has also considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under and the Guidance issued by the Secretary of State under Section 182 of that Act and the licensing objectives.

The Committee considered all the representations both written and oral . The Committee heard that a neighbouring business had made a similar application and no counter notice had been issued and the event would therefore be allowed to proceed. The Committee was not concerned about competition between neighbouring businesses and did not give any weight to this fact other than to consider the effect of two similar events on the licensing objectives.

The Committee heard from the Responsible Authorities that they had concerns about congestion in the area during the event which would be exacerbated by the presence of an additional outside bar.

The Committee did however note that a neighbouring bar had used an outside bar during the Pride event in 2018 and that no problems had arisen as a result.

The Committee heard that the operator was planning to put steps in place to limit the number of patrons at the outside bar and was not intending to use glassware. In all the circumstances the Committee considered that this temporary event would not undermine the licensing objectives and therefore determined not to issue a counter notice.

Decision

Not to issue a counter notice.

LACHP/19/102. Application for a Temporary Event Notice for the Church Hall, Unit 9 Vaughan Street Industrial Estate, Manchester, M12 5BT

The Committee considered an application for a Temporary Event Notice in respect of the Church Hall, Unit 9 Vaughan Street Industrial Estate, Manchester, M12 5BT.

The Committee heard the submission for the applicant and representations from objectors to the proposal.

In reaching its decision the Committee has also considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under and the Guidance issued by the Secretary of State under Section 182 of that Act and the licensing objectives.

The Committee considered that if the event took place it would undermine the licensing objectives of the prevention of crime and disorder, prevention of public nuisance and the protection of children from harm.

The Committee considered that the applicant had paid little or no regard to advice and warnings which had been given by Responsible Authorities. The Committee was particularly concerned that an event had recently taken place in breach of a counter notice having been issued.

The Committee did not accept the explanation given by the applicant that the event which had been applied for had been cancelled and had not taken place but another event was held.

The Committee considered that the applicant had deliberately flouted the Counter Notice.

The Committee was not satisfied that adequate steps would be put in place to control the event properly so as to ensure the licensing objectives would be upheld and therefore considered it appropriate to issue a counter notice.

Decision

To issue a counter notice.

LACHP/19/103. Determination - Cultureplex, 51-53 Ducie Street, Manchester, M1 2JQ

The Committee considered a determination in respect of Cultureplex, 51-53 Ducie Street, Manchester, M1 2JQ.

The Committee considered the application and the agreements reached and was satisfied that the application granted on these terms should not undermine the licensing objectives.

Decision

To grant the the licence subject to the agreements reached between the Applicant and the Responsible Authorities.

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