

Licensing Sub Committee Hearing Panel

Minutes of the meeting held on Monday, 5 August 2019

Present: Councillor Stone – in the Chair

Councillors: Andrews and Lyons

LACHP/19/125. Application for New Premises Licence - Alexandra Park, Alexandra Road South, Manchester, M16 7JL

This item of business had been listed in error on the published agenda.

LACHP/19/126. Application for a New Premises Licence - Lidl Parker Street, 10 Piccadilly Plaza, Manchester, M1 4AH - Determination

The Committee considered all the representations as part of the hearing. In reaching its decision the Committee also considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under, the Guidance issued by the Secretary of State under Section 182 of that Act and the Licensing Objectives.

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 following terms and conditions.

The supply of alcohol for consumption off the premises only:
Mon to Sun 7am to 11pm

Opening hours:
Mon to Sun 7am to 11pm

1. Store will have a suitable and sufficient Fire Risk Assessment.
2. The premises shall display prominent signage indicating at any point of sale, that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18.
3. The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.

4. The premises shall display prominent signage indicating at any point of sale that the Challenge 25 scheme is in operation.
5. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.
6. Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 12 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.
7. A log shall be kept at the premises to record all refused sales of alcohol for the reasons that the person(s) is/are, or appear(s) to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.

**LACHP/19/127. Application for a New premises Licence - Staycity
Aparthotel, Mason Street, Manchester, M4 5FT -
Determination**

The Committee considered all the representations as part of the hearing. In reaching its decision the Committee also considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under, the Guidance issued by the Secretary of State under Section 182 of that Act and the Licensing Objectives.

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 following terms and conditions:

Provision of late night refreshment:

Mon to Sun 11pm to 12.30am

Indoors only

When hours for sale of alcohol are extended hereunder these hours are also extended

The supply of alcohol for consumption both on and off the premises:

Mon to Sun 10am to 12.30am

To permit the sale of alcohol hereunder from 10am New Years Eve:

10am to terminal hours proposed being 12.30am on 2nd January

The premises shall remain open to permit the sale of alcohol to residents 24 hours a day.

Opening hours:

Mon to Sun 6am to 1am

The premises shall remain open to permit the sale of alcohol to residents 24 hours a day.

The Challenge 21 scheme must be operated to ensure that any person who appears to be under the age of 21 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an HM Forces warrant card, or a card bearing the PASS hologram.

Documented records of training completed shall be kept for each member of staff. Training shall be regularly refreshed and at no greater than 6 monthly intervals. Training records shall be made available for inspection upon request by a police officer or an authorised officer of Manchester City Council.

In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, and to maintain the refusals log.

A log shall be kept at the premises and record all refused sales of alcohol for the reasons that the person(s) is, or appear to be, under 18 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be available on request by the police or an authorised officer of Manchester City Council. The log shall be checked on a regular basis by the Designated Premises Supervisor to ensure that it is being used by staff and each check shall be recorded in the log.

The premises shall display prominent signage at the point of sale indicating it is an offence to buy or attempt to buy alcohol for a person under 18.

LACHP/19/128. Application for a New Premises Licence for LNY Pizza Co, Unit 22 And 23, The Printworks, Withy Grove, Manchester, M4 2BS

The Committee considered all the representations as part of the hearing. In reaching its decision the Committee also considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under, the Guidance issued by the Secretary of State under Section 182 of that Act and the Licensing Objectives.

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 following terms and conditions:

Provision of regulated entertainment (live music, recorded music):
Mon to Sun 11pm to 4am

Provision of late night refreshment:
Mon to Sun 11pm to 4am

The supply of alcohol for consumption on the premises only:
Mon to Sun 11am to 4am

Opening hours:
Mon to Sun 10am to 4.30am

1. All staff shall be trained in:
 - Prevention of crime and disorder
 - proxy sales
 - recognising signs of drunkenness
 - how to refuse service
 - the premises' duty of care
 - company policies and reporting procedures
 - the conditions in force under this licence.
2. No persons under 18 shall be permitted on the premises after 22:00.
3. Alcohol consumed in the delineated area (situated on the Pump Yard) shall only be consumed by patrons seated at tables.
4. External tables and chairs (situated on the Pump Yard) shall be rendered unusable by 23:00 hours each day.
5. There shall be no admittance to the premises after 03:00 hours.
6. We believe these conditions are proportionate and necessary to prevent the problems described.

LACHP/19/129. Application for a Temporary Event Notice: Richmond Street, (Public Highway to the rear of) Richmond House, 15 Richmond Street, Manchester, M1 3HZ

The committee was advised that agreements had been reached between the applicant and all parties who had made a representation prior to the hearing. Therefore, there was nothing for the Committee to determine as the objections had been withdrawn.

Decision

Nothing for the Committee to determine.

LACHP/19/130. Application for a Temporary Event Notice: Eva, 27 Sackville Street, Manchester, M1 3LZ

The Committee considered all the representations as part of the hearing. In reaching its decision the Committee also considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under, the Guidance

issued by the Secretary of State under Section 182 of that Act and the Licensing Objectives.

Decision

Not to grant a Counter Notice. The Temporary Event applied for can take place.

The conditions on the premises licence apply to the TEN.

The Committee listened very carefully to the representations made by GMP, Out of Hours and the Premises user John Harvey and have taken them into account.

The Committee have taken into account that the premises in 2017 had a TEN granted for similar hours and there was no issues with that event.

The Committee note that GMP have stated that there have been 2 assaults occurring at the premises in May 2019 and July 2019 however the Applicant explained the circumstances surrounding both offences which were accepted by the Committee. During the evidence it was submitted that there was a live noise complaint regarding the premises from a local resident which was the main reason for the Out of Hours objection against the application, however it was confirmed by the out of hours officer that "an investigation into the complaint had not yet taken place". The Committee was satisfied on the evidence that the public nuisance objective would be up held.

The Committee are fully aware that the area is very busy during the pride event and that the area does get congested, however the operator has clearly set out the steps they will put in place during the event to up hold the licensing objectives.

LACHP/19/131. Application for a Temporary Event Notice: Land by ON Bar, 46 Canal Street, Manchester, M1 3WD

The Committee considered all the representations as part of the hearing. In reaching its decision the Committee also considered the Council's Statement of Licensing Policy, the Licensing Act 2003, the Regulations made there under, the Guidance issued by the Secretary of State under Section 182 of that Act and the Licensing Objectives.

Decision

Not to grant a Counter Notice- the Temporary Event applied for can take place.

The Committee listened very carefully to the representations made by GMP, Out of Hours and the Premises user Mr Cooper and have taken them into account.

The Committee are fully aware that the area is very busy during the pride event and that the area does get congested, The Committee found the premises user to be an experienced operator who clearly set out the steps they will put in place during the event to up hold the licensing objectives. In particular, the introduction of a queuing system which was welcomed by the OHH team.