



## **Licensing Sub Committee Hearing Panel**

Date: Monday, 5 August 2019

Time: 10.00 am

Venue: Council Antechamber - Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

### **Access to the Council Chamber & Antechamber**

Public access to the Council Chamber & Antechamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk.

**There is no public access from the Lloyd Street entrances of the Extension.**

## **Membership of the Licensing Sub Committee Hearing Panel**

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**Councillors** - Stone (Chair), Andrews and Lyons

## Agenda

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**1. Urgent Business**

To consider any items which the Chair has agreed to have submitted as urgent.

**2. Appeals**

To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.

**3. Interests**

To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.

**4. Application for New Premises Licence - Alexandra Park, Alexandra Road South, Manchester, M16 7JL**

The report of the Director of Planning, Building Control and Licensing is to follow.

**5. Application for a New Premises Licence – Lidl, Parker Street, 10 Piccadilly Plaza, Manchester, M1 4AH - Determination** 5 - 6

**6. Application for a New premises Licence - Staycity Aparthotel, Mason Street, Manchester, M4 5FT - Determination** 7 - 8

## Information about the Committee

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The Licensing and Appeals Committee fulfills the functions of the Licensing Authority in relation to the licensing of taxi drivers.

A procedure has been agreed which governs how the Panel will consider such applications.

Decisions made by the Panel will be under delegated authority and will not require to be referred to the Council for approval. Meetings are controlled by the Chair, who is responsible for seeing that the business on the agenda is dealt with properly.

Copies of the agenda are published on the Council's website. Some additional copies are available at the meeting from the Governance Support Officer.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Smoking is not allowed in Council buildings.

Joanne Roney OBE  
Chief Executive  
Level 3, Town Hall Extension,  
Albert Square,  
Manchester, M60 2LA

## Further Information

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For help, advice and information about this meeting please contact the Committee Officer:

Andrew Woods  
Tel: 0161 234 3011  
Email: [andrew.woods@manchester.gov.uk](mailto:andrew.woods@manchester.gov.uk)

This agenda was issued on **Friday, 26 July 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

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## Licensing Act 2003 (Hearings) Regulations 2005

**Reference:** 233466  
**Name:** Lidl  
**Address:** 10 Piccadilly Plaza, Manchester, M1 4AH  
**Ward:** Deansgate  
**Application Type:** Premises Licence (new)  
**Name of Applicant:** Lidl Great Britain Ltd  
**Date of application:** 18/06/2019

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

### Proposed licensable activities and opening hours to be granted

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

Opening hours:  
Mon to Sun 7am to 11pm

### Representations received

Greater Manchester Fire and  
Rescue Service

The applicant failed to indicate on the application, how the risk of outbreak of fire will be addressed.

Licensing & Out of Hours  
Compliance

There were concerns with the application, regarding, protection of children from harm and the prevention of public nuisance. Namely that the surrounding area has issues with Anti-Social Behaviour and Crime, litter problems, underage sales and noise complaints.

## **Agreements between parties**

### **Greater Manchester Fire and Rescue Service:**

As a company we are aware of our responsibilities under the Regulatory Reform (Fire Safety) Order 2005. A suitable and sufficient Fire Risk Assessment will be completed prior to the store opening. Further Risk Assessments are then carried out every 12 months and a copy will be available for inspection should it be required.

### **Licensing & Out of Hours Compliance:**

1. 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.
2. 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.
3. The premises shall display prominent signage indicating at any point of sale that the Challenge 25 scheme is in operation.
4. The premises and immediate surrounding area shall be kept clean and free from litter at all times the premises are open to the public.
5. 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.
6. 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.

### **Background documents (available for public inspection):**

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements



## Licensing Act 2003 (Hearings) Regulations 2005

**Reference:** 233581  
**Name:** Staycity Aparthotel  
**Address:** 15 Mason Street, Manchester, M4 5FT  
**Ward:** Piccadilly  
**Application Type:** Premises Licence (new)  
**Name of Applicant:** Staycity Mason Street Ltd  
**Date of application:** 20/06/2019

Agreement has been reached between the applicant and all parties that submitted relevant representations.

The Sub-Committee is asked to grant the application subject to the modifications agreed between the parties without the need for a hearing.

If the Sub-Committee is not minded to grant the application as above, it is requested to adjourn the matter for a full hearing to be held to determine the application.

### Proposed licensable activities and opening hours to be granted

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.

### Representations received

Trading Standards

Concerns regarding Safety to Children

## **Agreements between parties**

### **Trading Standards**

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

### **Background documents (available for public inspection):**

- Manchester City Council Statement of Licensing Policy 2016 - 2021
- Guidance issued under section 182 of the Licensing Act 2003, April 2017
- Original application form
- Representations made against application and respective agreements